MISSION STATEMENT

The Santa Rosa Police Department is committed to making Santa Rosa a safe place to live, work and play.

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LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . law enforcement.

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VISION AND VALUES

SANTA ROSA POLICE DEPARTMENT VISION STATEMENT

- The Santa Rosa Police Department will be recognized as the standard of excellence in policing.
- Internally, every employee will believe that the Santa Rosa Police Department is a great place to work.
- The community will believe that the Santa Rosa Police Department is a proactive, progressive and professional organization that is committed to making Santa Rosa a safe place to live, work and play.

SANTA ROSA POLICE DEPARTMENT VALUES STATEMENT

Values are the guiding principles that articulate the culture of an organization (how we want to work together).

Positive Attitude

- It's a choice
- It's contagious
- It's a manager's responsibility
- Enthusiasm for coming to work

Fun

- Excellence and quality in all that we do
- Professional pride
- This is our product
- This is how we build our reputation
- Creativity and Innovation come into play

Accountability

- To each other
- To the organization
- To the profession
- To the community
- It starts with us

Integrity and ethical behavior

- Do the "right thing" at the right time
- Personal and professional pride

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- It's the core of everything we do

Clear direction

- All levels of management
- Shared responsibility for clarity
- With limited resources, this is a must

Team Work

- We are part of a system
- We need to know and understand our role in this system
- We are on the same team
- Hierarchical responsibility versus shared responsibility
- Achieving more through partnerships
- Collaboration:
  - With each other
  - With the community
  - With other departments
  - With other agencies

Learning

- Status quo is not an option
- Must constantly be looking at ways of improving
- Individual and team roles
- Learning organization

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Chapter 1 - Law Enforcement Role and Authority

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SRPD Code of Conduct

105.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Santa Rosa Police Department and are expected of all department personnel. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, employees are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or employees' supervisors.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 9-1-19 by Chief Robert I. Schreeder.

105.2 POLICY

The continued employment or appointment of every employee of the Santa Rosa Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on or off duty, may be cause for disciplinary action.

105.3 DIRECTIVES AND ORDERS

Employees shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

105.3.1 UNLAWFUL OR CONFLICTING ORDERS

(a) Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

(b) No employee is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the employee from criminal or civil prosecution or administrative discipline.

1. If the legality of an order is in doubt, the affected employee shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the employee, who shall subsequently be required to justify the refusal.

(c) Unless it would jeopardize the safety of any individual, employees who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict.

1. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the employee is obliged to comply.

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2. Employees who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

3. The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

105.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of an employee to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.

105.4 GENERAL STANDARDS

Employees shall conduct themselves, whether on or off duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Employees shall familiarize themselves with policies and procedures and are responsible for compliance with each. Employees should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

105.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics or a specific action or inaction that is detrimental to efficient department service.

105.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(b) Disobedience of any legal directive or order issued by any department employee of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

105.5.2 ETHICS

(a) Using or disclosing one’s status as an employee of the Santa Rosa Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

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(b) The wrongful or unlawful exercise of authority on the part of any employee for a malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) Offer or acceptance of a bribe or gratuity.

(d) Misappropriation or misuse of public funds, property, personnel or services.

(e) Any other failure to abide by the standards of ethical conduct.

(f) Employees shall truthfully and impartially report, testify, and present evidence in all matters of an official nature.

(g) If an employee is offered or provided a gift in recognition for an officially sanctioned act (e.g. service club award, speaker's gift, etc.) and the gift is of such a nature that it would customarily be given to any community member under similar circumstances, would not imply the potential for future special consideration given to the presenter and otherwise is not in violation of law, ordinance, or city policy, the gift may be retained by the recipient.

1. Any other gift or gratuity delivered to an employee for personal or department use shall be immediately reported through the chain of command to the Chief of Police who shall determine the appropriate disposition of the item.

2. Department employees shall not accept free or discounted food or beverages from any eating establishment when such is offered as a result of the employee's police department employment status.

(h) Discount cards which are distributed to police department employees by businesses which entitle the holder to special consideration when making a purchase are acceptable, providing that it is the policy of such business to distribute discount cards to groups other than just law enforcement.

1. Distribution of discount cards provided to this department must first be approved by the Chief of Police.

2. Use of department-distributed discount cards in making purchases shall be during off-duty time and not in uniform. This prohibition shall not apply to use of discount or customer rewards cards purchased by an employee outside the scope of employment when purchasing meals.

(i) Should it come to the attention of any Police Department employee that an individual, group, or business desires to express appreciation to the department in the form of a gift, it should be suggested that the prospective giver make a contribution to a charitable organization. If the prospective giver wishes to make a specific gift to the City of Santa Rosa, he/she should be directed to the office of the City Manager.

1. The department may accept food gifts provided by known businesses or individuals only when such is intended for on-duty employees at the police station, is not of appreciable financial value, and is offered with no expectation of a special relationship being facilitated.

(j) Lawful, employee unions or associations may engage in fundraising as part of their off-duty employee association activity provided they do not use the name, property or services of the police department during the course of such fundraising efforts.

105.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

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105.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of one's official capacity.

(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the employee knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

105.5.5 ATTENDANCE

(a) Leaving the job to which the employee is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

(e) An employee who is unable to report for duty because of illness or injury shall notify the on-duty Sergeant or an on-duty supervisor a minimum of one hour prior to the assigned reporting time, unless circumstances prevent such timely notification.

105.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the employee's position with this department.

1. Employees of this department shall not disclose the name, address or image of any victim of human trafficking except as authorized by law (Penal Code § 293).

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Santa Rosa Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non- subpoenaed records.

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105.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.

(d) Unauthorized sleeping during on-duty time or assignments.

(e) Employees are required to maintain working telephones in their residences or a personal cell phone. Employees shall ensure correct telephone numbers and home addresses are recorded with the Office of the Chief of Police and, if a change in either is made, it shall be reported to the department as soon as practical.

(f) Employees, within legal and agency guidelines, shall share with personnel both within and outside this department appropriate information that will facilitate the achievement of criminal justice goals or objectives. Employees, whether requested through departmental channels or called upon individually, shall render needed assistance to any other employee in the proper performance of his/her duty.

(g) Employees are encouraged to utilize the proper chain of command for all departmental business. Exception may be made in the event the supervisor is unavailable and the matter is of such urgency that it requires immediate action, command decision, or notification.

105.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its employees.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its employees.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.
2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

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1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on duty or on department property except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the memorandum of understanding, or the Chief of Police.

(i) Any act on or off duty that brings discredit to this department.

(j) Employees shall maintain a neutral and non-personal position regarding the merits of any dispute, political protest, or other public demonstration, while acting in an official capacity.

105.5.9 CONDUCT

(a) Failure of any employee to promptly and fully report activities on his/her part or the part of any other employee where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any employee of this department or the City.

(g) Use of obscene, indecent, profane or derogatory language while on duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on or off duty, that adversely affects the employee's relationship with this department.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with an employee's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(m) Any other on or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its employees.

(n) Upon request, employees are required to supply their name and badge number, if applicable, in a courteous manner.

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(o) Business cards or personal cards which refer to the department shall be used only in connection with police business and shall conform to the City approved type.

(p) Employees shall not use the department as a mailing address for voter registration or general mail which is not directly related to their official duties, or as an address complying with the motor vehicle registration or licensing provisions unless permitted to do so per California Vehicle Code.

(q) Employees shall not suggest or recommend names of any person or firm engaged in the business of furnishing bail or legal counsel to any prisoner desiring bail or legal counsel.

(r) Employees subpoenaed to testify against the City or Police Department in any matter, hearing or trial, are to notify their immediate supervisor as soon as practical.

(s) Employees shall not mark, alter, or deface any posted notice of the department. No notices or announcements shall be placed on the departmental bulletin boards or posting areas except as provided in the department's Public Safety Building policy (Lexipol Policy 205). No material of a derogatory nature will be posted at any time or circulated within the department, which is derogatory toward any race, religion, gender, ethnic background, or sexual preference.

(t) Employees shall report to proper authorities any known information, which would serve to disqualify candidates from entering, continuing or transferring within the profession.

(u) Employees on duty, either in uniform or plain clothes, shall not use tobacco products when dealing with the public.

1. Undercover officers may use tobacco products when necessary while conducting covert investigations.

105.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on or off duty.

(d) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the department.

(e) Unsafe or improper driving habits or actions in the course of employment or appointment.

(f) Any personal action contributing to a preventable traffic collision.

(g) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

(h) Employees shall maintain their equipment and are responsible for the proper care of property and equipment assigned to them so as to effectively and efficiently perform their responsibilities within the law and departmental directives. Employees shall utilize departmental equipment only for intended and official purposes.

105.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the employee's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

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(b) Possession or use of alcohol at any work site or while on duty, except as authorized in the performance of an official assignment. An employee who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

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Police Department Policies and Procedures

106.1 PURPOSE

The purpose of this policy is to define and implement Santa Rosa Police Department Policies and Procedures and to explain their format and operation. All policies issued according to this procedure shall be applicable to all personnel of the Santa Rosa Police Department. It is neither intended as, nor does it establish a legal standard for accomplishing assigned functions. Employees shall observe and obey policies and procedures in the same manner compliance is required for any other law, ordinance, rule or regulation.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

106.2 DEFINITIONS

(a) **Department Policy** - A described policy, program, and/or procedure of broad application throughout the department, which will be a guiding document until it is withdrawn or modified.

(b) **Division Procedure** - A means to document procedures and provide direction for a function that is the responsibility of a division, and is not documented in another format within the department. Division procedures shall also be prepared to further define specific guidelines for implementation of department policies as they apply to the particular division.

(c) **Numbered Memorandum** - Used to make changes to department policies or division procedures until such time as the policy or procedure is updated, or to address a majority of department personnel regarding pertinent information. They are generally effective for a set period of time (not more than one year).

(d) **Personnel Orders** - Give force and effect to personnel transactions including appointments, assignments, collateral duties, transfers, promotions, retirements, separations, and commendations.

106.3 DISTRIBUTION

(a) Once approved, notification of all new and revised policies and procedures will be sent by e-mail to all department personnel, and copies posted on the department bulletin boards for thirty (30) days.

(b) Copies of policies are available on line.

(c) Division Procedures

1. Manuals shall be located and maintained in each bureau of the appropriate division.

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2. Supervisors in each division shall be responsible for preparing new procedures as necessary and maintaining the Manual in current form.

(d) Copies of changes may be:

1. Furnished to each supervisor for briefing purposes when appropriate;
2. Posted on department bulletin boards for thirty (30) days; and,
3. Provided to the employee unions/associations as appropriate.

106.4 DEFINITIONS

(a) Department Policies

1. The Support Bureau Lieutenant will be responsible for proper maintenance of the department policy manual to include updating policies and policy manual when changes or revisions are made.
2. All department policies shall be routed through the Support Bureau Lieutenant.
3. Department policies must have basis of both legality and authority. There must be a supporting legal provision based on State law, City Charter or Ordinance, Personnel Rules and Regulations, or other lawful enactment. The person issuing the policy must be the one to whom appropriate authority has been delegated for its issuance.
4. Department policies shall be numbered according to the Lexipol format and approved by the Support Bureau Lieutenant.

(b) Numbered Memorandums

1. Numbered Memorandums shall be completed in accordance with existing departmental directives and policies.
2. Numbered Memorandums are numbered using the year and the next consecutive number (i.e. 10-02).
3. Each Numbered Memorandum will have a date of publication and an indication of its effective period.
4. Each Numbered Memorandum shall be prepared and then routed to the Administrative Secretary for issuance of a memorandum number.
5. It will be the responsibility of the Support Bureau Lieutenant to ensure changes approved by Command Staff are incorporated into the appropriate policy. Numbered Memos will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation.

(c) Personnel Orders

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1. All Personnel Orders are numbered consecutively using the year and the month (i.e. 10-03).
2. Personnel Orders are prepared and issued by the Administrative Secretary.

(d) Division Procedures

1. Each Division Procedure shall be submitted to the Division Manager for approval.
2. Procedures that are developed will be documented in a standard format and will be approved prior to implementation by the appropriate Division Manager.
3. Procedures shall be numbered as approved by the Division Manager and added to the appropriate procedures manual.

106.5 CANCELLATION AND PURGING

(a) Department Policies and Procedures are not self-canceling and shall remain in effect until canceled or superseded.

(b) Numbered Memorandums

1. Numbered Memorandums generally deal with short term or self-canceling types of information, and each shall have an indication of their effective period.
2. Numbered Memorandums will be rescinded following the effective period or when incorporated into a policy or procedure.

(c) Personnel Orders are permanent and remain in effect until such time as effected by a subsequent order.

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Chapter 2 - Organization and Administration

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Public Safety Building

205.1 PURPOSE AND SCOPE

It shall be the policy of the department that the Public Safety Building (PSB) shall always be maintained in a manner that reflects the highest of professional standards. The following procedure will also set forth provisions to effectively utilize the parking areas available at the Public Safety Building, ensure parking spaces for all vehicles, and increase safety in the crosswalks.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

205.2 DEFINITIONS

(a) **Association -** Any employee bargaining unit officially recognized by the City.

(b) **General Office Areas** - Those work areas shared by one or more department personnel or areas which are generally available for access by the public in the course of routine daily business with the department.

(c) **Individual Office Areas** - Enclosed work areas, either individual offices or semi-enclosed areas intended for the use of one person.

205.3 OFFICE AREA STANDARDS

In order to accommodate the health needs of employees, volunteers and visitors, no strong perfumes or colognes shall be worn in the Public Safety Building.

205.3.1 GENERAL OFFICE AREAS

With approval by a Division Manager or his/her designee, personal items may be displayed on desk tops such as clocks, photographs, pen sets, etc., provided such items are in good taste and consistent with a professional work environment.

Personal items may be displayed on walls in general office areas with approval by a Division Manager or his/her designee.

205.3.2 INDIVIDUAL OFFICE AREAS

Personal items may be displayed on desktops such as clocks, photographs, pen sets, etc., provided such items are in good taste and consistent with a professional work environment.

Personal items including art work, certificates and plaques may be displayed on wall areas in individual office areas provided the number, size, style, mounting and frame is consistent with a professional work environment.

205.3.3 MAINTENANCE OF WORK AREAS

It shall be the responsibility of all department personnel to ensure their work area is neat and all sensitive or confidential documents are removed from view and secured at the conclusion of their duty shift.

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Approval of personal property items displayed in the building and determination of whether material is consistent with a professional work environment shall be made by the Division Manager.

205.3.4 PLANT MATERIALS

Plant material which is the personal property of individuals may be displayed in accordance with the guidelines set forth in this policy.

No container or hanger for plant material which is personal property will be permanently affixed to the building.

All plant material must be in proper containers which are consistent with a professional work environment.

205.3.5 EMPLOYEE LOCKERS

All employee lockers have numbers affixed to the outside and assignment of lockers will be by number.

No material of any type shall be permanently affixed on any portion of the metal lockers (i.e. stickers, dymo labels, etc.).

Nothing shall be affixed to the outside of the metal lockers.

205.4 SMOKING AND USE OF SMOKELESS TOBACCO

Smoking, or the use of smokeless tobacco, shall be prohibited in all areas of the Public Safety Building, and within 20 feet of entrances, open windows or ventilation ducts.

(a) Instances where an individual is in custody or whose freedom of movement is restricted, and whose stress level would be reduced by smoking or using smokeless tobacco, is permitted in any interview room.

(b) Debris shall be deposited in appropriate receptacles.

205.5 BULLETIN BOARDS

The department maintains the following bulletin boards within the PSB to facilitate communications and for the timely dissemination of information to all personnel.

(a) Records Bureau: One (1) bulletin board for postings as authorized by this policy.

(b) Communications Bureau: One (1) bulletin board for postings as authorized by this policy.

(c) Downstairs lunch room entrance: Three (3) bulletin boards.

1. One for postings as authorized by this policy.
2. One for community notices, press releases, etc.
3. One to be used as an "S.R.P.D. Classified" bulletin board.

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(d) Main hallway between the Records Bureau back service counter and the downstairs lunch room: Two (2) bulletin boards.

1. One for Health Watch & Wellness.
2. One for use by the Volunteers in Police Services (VIPS).

(e) Northeast entrance to the PSB: One (1) for permanent postings only.

(f) Upstairs Special Services Division break room next to the second floor reception area: One (1) bulletin board for postings as authorized by this policy.

(g) Briefing Room: Two (2) bulletin boards.

1. One used for overtime signups.
2. One used for postings as authorized by this policy.

205.5.1 ASSOCIATIONS

Associations may use specifically marked portions of the department bulletin boards to include: Association notices and minutes of meetings, social events, report on status of issues and decisions, special announcements, elections, appointments and listings of current officers. All material shall be dated and signed by a recognized officer of the Association.

205.5.2 EMPLOYEE "CLASSIFIED" BULLETIN BOARD

The "SRPD Classified" bulletin board outside the main lunch room will be the only authorized bulletin board that can be utilized by current department personnel to post the following:

(a) The sale of personal items (furniture and other household items, bicycles, motorcycles, vehicles, sporting equipment, supplies, etc.).

(b) Personal home sales and rentals or notices seeking home sales or rentals for department personnel and their family members.

(c) Notices to sell items for charity or fund-raising events including schools, sports, clubs, etc.

(d) Advertisements from businesses offering the sale of uniforms or law enforcement safety equipment.

(e) Items may not be posted that result in private gain or advantage for any employee, outside agency, individual, company, or organization to include:

1. Discounts or sales advertisements.
2. General law enforcement equipment advertisements.
3. Real estate, mortgage, or other financial companies or institutions.
4. Businesses owned or operated by current department personnel or their family.
5. The rental of any vacation property.

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6. The sale of products such as bread, candy, cookies, baskets, or booklets advertising the sale of commercial products including health and beauty, cookware, home decor, or any other household items. Mass deliveries for personal items ordered by department personnel may not be delivered to the department.

205.5.3 POSTING MATERIALS
Materials may be posted on the bulletin boards under the following conditions:

(a) All materials must be dated and initialed by a supervisor prior to posting.

(b) All material posted shall be removed 31 days after posting date unless approved by a supervisor.

(c) Materials may not:

1. Impair the City's business or the employee's performance.
2. Promote any illegal act.
3. Violate the City's anti-harassment policy.
4. Express political opinions.
5. Result in private gain or advantage for an employee (such as conducting business related to economic interests outside of City employment).

The Bulletin Boards will be monitored by the Administrative Secretary and any materials not in compliance will be removed. The department reserves the right to determine where bulletin boards shall be placed and what portions of those boards are to be allocated to Association materials.

205.6 IDENTIFICATION AND LOCATION OF PSB PARKING AREAS

Secured Parking: Enclosed parking area on the north side of the PSB.

Visitor Parking: Restricted parking area on the south side of the PSB.

Staff Parking:

(a) Lot 1 on the south side of Sonoma Avenue, across from the PSB, and west of 964 Sonoma Avenue (formerly the S.A.Y. shelter).

(b) Lot 2 on the south side of Sonoma Avenue, across from the PSB at 964 Sonoma Avenue (formerly the S.A.Y. shelter).

(c) Lot 3 on the west side of the PSB adjacent to Fire Department parking. Eight Police Department parking spots are designated by signs and one shared Police/Fire parking spot is designated by a sign.

205.6.1 USE OF PARKING AREAS
Secured Parking: For specified Police Department vehicles only.

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Visitor Parking:

(a) Visitor parking is only for short term visitors.

(b) Department personnel having business at the PSB may only utilize the visitor parking area for periods of 15 minutes or less, unless given specific authorization to park for a longer time period or on a temporary basis.

Police Vehicles/Other Agencies:

City employees, employees from other law enforcement agencies, or other visitors coming to the PSB for meetings, training, testing, etc., for durations of more than 15 minutes, shall be directed to park in Lot 1.

Staff Parking:

(a) The Special Services Division has six (6) assigned slots designated by signs centered and along the north edge of the secured parking lot. All other SSD vehicles shall be parked in Lot 1.

(b) The Division Managers' and Lieutenants' vehicles shall be parked in Lot 3, except those authorized to park in the secured parking area.

(c) Department personnel may park their personal vehicles in any non-restricted space in Lots 1 or 2.

(d) Department personnel shall not utilize the area on the west side of the Fire Department for personal vehicle parking unless specifically authorized to do so.

205.7 CROSSWALKS

Although it is legal to cross the street in front of the PSB, providing one does so in a manner that does not result in the creation of a hazard, as a worksite safety rule, the crosswalks are to be used every day between the hours of 0700 and 1900.

Due to the possibility of disturbances or other priority calls for service at the PSB, the intent is not to interfere in a police response either inside or outside the building.

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Notification of Disaster/Emergency; Preparation of E.O.C.

206.1 PURPOSE AND SCOPE

In any emergency situation, it is imperative to make the necessary notifications so adequate resources of personnel and equipment can be assembled in a timely and coordinated manner. Resources are not limited to the Police Department, but may involve other City departments and mutual aid from other jurisdictions.

The purpose of this policy is to establish the responsibility of each supervisor to make timely notifications when a disaster or other similar emergency occurs and to understand the criteria that will prompt the activation of the Emergency Operations Center (E.O.C.) which is located in the east wing of the Finley Community Center, 2060 West College Avenue, Santa Rosa.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

206.2 ACTIVATING THE EMERGENCY PLAN

The definition of an emergency that would cause the implementation of the notification process and the preparation of the E.O.C. shall be any of the following:

(a) When three or more City departments are involved in a situation and there exists a need for coordination between departments beyond the capabilities of routine communication.

(b) When a request for Mutual Aid has been made from another agency resulting in personnel and equipment responding outside the City, where coordination between City departments is necessary to adequately provide such a response, coordinate that response and staff on-going City functions.

(c) When, in the best judgment of any management employee, an immediate threat exists to the safety of people or facilities within the City, the employee shall immediately notify the on-duty Watch Commander. The Watch Commander will evaluate the information and initiate the notification procedure and E.O.C. preparation if appropriate.

206.3 LOCATION OF THE PLAN

Not withstanding the notification of Division Managers outlined in the policy regarding Command Staff notification, the following procedure shall be used whenever there is an event that is defined in this policy or an event that is likely to escalate to meet the criteria noted:

(a) If the highest ranking officer on duty is a Field Supervisor, an on-call Watch Commander shall be notified by the Field Supervisor to respond immediately, using established procedures to select the on-call Lieutenant to be notified. The Watch Commander shall notify the Division Captain.

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(b) A Division Captain receiving such notification shall immediately make the following notifications:

1. Chief of Police.
2. In the absence of the Chief of Police, notification shall be made directly to the City Manager, or in his/her absence, an Assistant City Manager.
3. Other Division Managers.

(c) The Chief of Police shall make notification to the City Manager, or in his/her absence, to an Assistant City Manager. The Chief of Police shall also notify the Department Heads of involved departments to ensure they are aware of the emergency.

(d) The person making each notification shall make the notification rapidly with as much information concerning the emergency as possible. The person notified will want to know:

1. The type of disaster/emergency.
2. The exact location.
3. The scope of the disaster/emergency.
4. The extent/nature of casualties.

(e) However, notification of a major event should not wait until a full investigation has been made. Rapid response of adequate resources and officials is essential to properly address the emergency.

206.4 PREPARATION AND ACTIVATION OF THE EMERGENCY OPERATION CENTER (EOC)

Coordination of a major event as described in this policy shall be conducted from the E.O.C. which will become operational in two phases:

E.O.C. Preparation - 1st Phase

The Captain will direct on-duty personnel to prepare the E.O.C. for potential use in accordance with diagrams contained in the E.O.C. supporting documents C and D of the E.O.C. procedure manual when:

(a) The Captain determines there is a high likelihood for E.O.C. activation.

(b) The on-duty Fire Battalion Chief notifies the Watch Commander of any situation which has high likelihood for E.O.C. activation.

Emergency Activation - 2nd Phase

With the approval of either the City Manager, the Fire Chief, the Police Chief, or any person acting in their capacity, the E.O.C. shall be activated.

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Once activated, all Department Heads and their assistants responding shall be directed to the E.O.C. for further briefing and assignment.

206.5 NON-MANAGEMENT EMPLOYEE RESPONSIBILITY

(a) **After Disaster/Emergency - On-Duty**

1. Report to the Communications Center your location and status and await instructions.
2. Attempts shall be made to determine the status of on-duty personnel's family and residence.
3. Depending on the nature and scope of the emergency or disaster, on-duty personnel may be provided relief to establish their family's well-being.
4. If relief is not available, other on-duty personnel shall be assigned to make assessments and provide direction.

(b) **After Disaster/Emergency - Off-Duty**

1. Ensure the health and safety of your family and residence.
2. In the event traditional communication systems are operational, employees shall attempt to contact the on-duty Watch Commander for call-back duty instructions.
3. Tune to the following radio stations in the order listed:
   (a) KSRO - 1350 AM
   (b) KZST - 100.1 FM
4. The City of Santa Rosa, either directly or through the County Office of Emergency Services, shall use these stations to call back all or designated groups of personnel.
5. Employees residing outside the listening range of the listed radio stations shall make contact with their respective municipal and county law enforcement agency to determine if any instructions have been received for call-back duty.

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Training and Travel Policy

208.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

208.2 PHILOSOPHY

(a) The objectives of the Training Program are to:

1. Enhance the level of law enforcement service to the public.
2. Increase the technical expertise and overall effectiveness of department personnel.
3. Provide for continued professional development of department personnel.

(b) A training plan will be developed and maintained by the Training Sergeant. It is the responsibility of the Training Sergeant to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

1. Legislative changes.
2. State mandated training.
3. Critical issues training.

(c) Training Needs Assessment: The Training Team will conduct an annual training needs assessment of the department. The needs assessment will be reviewed by staff. Upon approval by staff, the needs assessment will form the basis for the training plan for the fiscal year.

208.2.1 TRAINING POLICY

(a) It shall be the department's policy to encourage and support training at every level within the department, and to schedule training consistent with budgetary limitations.

(b) When training is scheduled for any department member, it shall be considered mandatory and part of the employee's obligation to participate. An excused absence shall be requested in writing prior to the training date.

(c) Attendance at out-of-state conferences, training, meetings, etc., shall require advance approval from the City Manager.

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(d) All training shall be guided by and be consistent with the department training plan. Training which is not included in the training plan may be considered in circumstances where an identified need is not being addressed.

208.2.2 TRAVEL - OTHER THAN TRAINING

Policies and procedures set forth in this policy apply to all travel and associated expenses (not directly associated with training) to include seminars, conferences, hearings, symposia, conventions, inspections of facilities or institutions, background investigations, and other meetings authorized by the department. The Training Team will only be responsible for arrangements for tuition, lodging and travel for training charged to the Training account.

208.3 TRAINING REQUESTS AND ASSIGNMENTS

(a) Requests

1. All requests for training shall be directed to the Training Team in writing through the chain of command.
2. The Training Sergeant will confer with the employee's Division Manager to obtain approval.

(b) Assignment of Training Schools

1. The Training Team will contact or correspond with the appropriate school or conference to be attended and register the employee.
2. A memorandum shall be directed to the involved employee, the employee's supervisor, and the Records Bureau, informing them of the scheduled school or conference. This memorandum will indicate the title of the course, location, time and date.
3. This memorandum will serve notice to the supervisor that it may be necessary to adjust scheduling on the team or bureau in order to provide adequate coverage during the employee's attendance at the school or conference.
4. It shall be the responsibility of the employee's supervisor to notify the Training Team if the employee cannot attend the training as scheduled.
5. Arrangements for tuition, lodging, and travel will be made by the Training Team unless prior arrangements are requested by the employee and approved by the Special Services Division Manager.

208.4 TRAVEL ADVANCE AND REIMBURSEMENT PROCEDURE

It is the policy of the City and the department that no employee shall sustain personal monetary loss as the result of duties performed in an official capacity. However, it is not the policy to reimburse for more than actual and reasonable expenses incurred.

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208.4.1 TRAVEL AND ADVANCE REQUEST FORM

(a) Prior to the scheduled training date, the Training Team shall ensure completion of the top portion of the Travel and Advance Request form, including an estimate of the allowable expenses.

(b) All advance requests in excess of $25 shall be made on the Travel and Advance Request form in accordance with the instructions on the form.

(c) When more than one employee attends an event and the total estimated travel expenses are less than $100, a group may be listed on the Travel and Advance Request form with department approval.

1. When more than one employee attends an event, each will be responsible for reporting his/her own expenses.

(d) The Travel and Advance Request form will be submitted to Finance for issuance of an advance check at least two weeks in advance of the training.

(e) An advance check and travel packet will be given to the employee the Thursday before the scheduled travel day.

208.4.2 AUDIT OF EXPENSES

(a) Employees are responsible for turning in all receipts (except for meals) to the Training Team within five (5) days of returning from travel. The Training Team shall review all receipts for reasonableness of expenses and conformance to City and department policies.

1. Excessive or questionable expenses will be reviewed with the involved employee and may require additional explanatory documentation.

2. Only expenses deemed reasonable and appropriate for the nature of the event will be reimbursed by the City.

(b) The Training Team shall reconcile the Travel and Advance Request form and forward it to the employee for signature, and the employee shall return the signed copy to the Training Team.

(c) Completed expense reports will be submitted by the Training Team to Finance for review by the City Auditor within ten (10) days of the employee's completed travel.

208.4.3 COMPLETING TRAVEL AND ADVANCE FORM

(a) Within five (5) days of return from travel, employees are required to submit to the Training Team the following:

1. Mileage (if personal vehicle is used).

2. Any gas credit cards issued to the employee and credit card receipts.

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(b) The Travel and Advance Request form will be reconciled by the Training Team with all receipts turned in by the employee.

(c) The Training Team will forward the completed Travel and Advance Request form to the employee for signature.

(d) The Travel and Advance Request form shall show whether the employee will receive a reimbursement for expenses or will owe the City money.

(e) The employee shall sign the Travel and Advance Request form within five (5) days of receipt. If money is owed back to the City, the employee shall include a check with the Travel and Advance Request form for monies owed.

(f) The Training Team shall forward the signed Travel and Advance Request form to Finance.

208.5 GENERAL EXPENSE GUIDELINES

General

(a) All employees are responsible for reading and complying with the department's Training and Travel Policy.

(b) Upon receipt of the travel package, the employee shall review all the documents contained within the travel package and report any errors to the Training Team.

(c) If an advance check is provided, the employee shall make certain the amount corresponds to the total estimated expenses minus any prepayment.

(d) Prior to any travel during which reimbursable expenses will be incurred, the Training Team will estimate the expenses which will be incurred as a direct result of the travel and attendance at the training or conference.

(e) It shall be the responsibility of the employee incurring the expenses to provide the proper documentation for each expense, including receipts as required.

(f) It shall also be the responsibility of the employee to be aware of and understand the estimate of expenses established by the Training Team. The employee shall monitor expenses to ensure they are within the estimated amount unless unusual circumstances exist and if so, document such circumstances.

Contracted Training

Expenses for contract training with other agencies will remain as stated in the contract (State, Federal, other police departments, etc.).

208.5.1 TRAVEL

(a) The Training Team is only responsible for making travel arrangements for the purposes of the employee's business travel. Any other personal travel arrangements will be made by the employee.

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(b) Travel expenses will be paid for by the City at the actual and economical rate of billing for air fare, car rentals, etc.

(c) In the event an employee needs to cancel his/her training at the last minute, it is the employee's responsibility to cancel his/her hotel reservations after obtaining cancellation approval from the Training Sergeant.

(d) City vehicles are available to use for City business. Per City policy, if an employee desires to use a private vehicle, a signed certification of insurance for the minimum amount prescribed by the City must be on file with the Training Team. It is not necessary to name the City as an additional insured. The employee's insurance coverage will be deemed primary and the City will not become involved unless named specifically in the lawsuit.

1. Requests for approval to use a personal vehicle and requests for the certification of insurance forms shall be directed to the Training Team.

(e) Payment for employees using private vehicles shall not exceed airfare and shall be based on a rate established by the City of Santa Rosa. Payment will be for the actual miles between Santa Rosa and the approved place of lodging, and between the place of lodging and the activity site in accordance with established policy. Payment will be based on the vehicle and not on the number of employees attending (i.e., the owner of the vehicle taken will be paid, the passengers will not).

(f) Any purchase of gasoline, oil, lubricants or parts required for operation or repair of privately owned vehicles is considered covered by the reimbursement allowance. It is preferred that the employee take a Chevron gas card (supplied by the Training Team) when traveling with a City vehicle.

(g) If the required training is scheduled anywhere within the City of Santa Rosa, it will be the employee's responsibility to provide transportation to and from such location. Training or conferences conducted within the City of Santa Rosa will not be reimbursed for mileage or meals.

1. The Training Sergeant may authorize use of a City vehicle where two or more employees attend training.

(h) Other non-auto vehicles (i.e. motorcycles, mopeds and scooters as defined by the DMV) are permitted while conducting City business with the appropriate license (M1) and insurance. DOT approved helmets are required at all times.

1. Vehicles only needing an M-2 license such as Stand-up Scooters and Segways are not approved for general use by employees. Special use of these vehicles may occur with approval from the Chief of Police.

2. Employees shall not use privately owned aircraft in the course and scope of their employment.

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(i) Rental cars will be provided for employees traveling by air if they so desire. Ground transportation, such as taxis and shuttles, can be utilized instead of a rental car and will be reimbursed.

1. Rental cars shall be compact size rated. Employees may upgrade at their own expense.
2. Collision insurance, normally referred to as Loss Damage Control Waiver (LDCW), must be obtained and will be reimbursed by the City.
3. Employees shall return the rental car with a full tank of gas to avoid fuel service charges and will be reimbursed for gas expenses.

(j) Employees involved in any vehicle accident while on City business shall report such accident in compliance with the City's Motor Vehicle Policy.

(k) Travel expenses will be reimbursed at the lowest rate possible. For example, if an employee elects not to fly to his/her training destination and uses his/her own vehicle for travel, the employee will only be reimbursed up to the lowest cost for travel to that destination.

208.5.2 MEALS

The cost of meals while attending training or conferences shall be reimbursed based upon the guidelines established by the City of Santa Rosa. The dollar amounts allowed are listed on the Travel and Advance Request form provided to the involved employee. Any meal expense during authorized conference or training which exceeds the maximum allowed shall be at the employee's expense unless unusual circumstances exist and are appropriately documented with receipts and approved by the Chief of Police.

(a) When training or conferences are held within the City limits, and time is provided for meals, there shall be no reimbursement for meals unless it is part of the training or conference program such as a scheduled luncheon, or a program at the Santa Rosa Training Center or other training site where lunch is included.

208.5.3 LODGING

(a) The cost of lodging will be reimbursed while attending out-of-town training or conferences at a rate determined to be reasonable for the location and nature of the event.

(b) Cost of lodging within a 75 mile radius from the City of Santa Rosa shall not be paid unless special circumstances exist and is approved in advance by a member of the Executive Command Staff. Such circumstances may include either early morning or late evening meetings which make travel to and from the City of Santa Rosa impractical.

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(c) Expenses for lodging which are less than the estimated amount provided by the advance check shall be reimbursed to the City. It may not be used to supplement the cost of meals or other expenses.

(d) Lodging arrangements will be made at the host hotel, whenever possible. If there are no rooms available at the host hotel, arrangements shall be made at another hotel in the vicinity at a comparable rate. If lodging arrangements are not suitable for reasons of proximity to the course site or the quality of accommodations, employees may make alternate arrangements with Training Sergeant approval. Where alternate arrangements are made, lodging costs in excess of those provided shall be paid by the employee. If lodging costs are less than those provided, the difference shall be reimbursed to the City.

(e) If lodging arrangements are changed, the employee shall notify the Training Team immediately of the new arrangements and phone number. It will also be the employee's responsibility to cancel the previously made hotel arrangements.

(f) If there are problems during registration concerning reservations or room rates, consult the confirmation number or name on the face of the travel envelope to confirm the reservation arrangements.

208.5.4 RECEIPTS

(a) Receipts shall be submitted for all lodging expenses, tuition, registration costs, materials fees, airline tickets, car rental, airport shuttle, bridge and road tolls, and any emergency expenses.

(b) Receipts for meal expenses within the allowable limits are not required.

(c) The employee will also give the presenter any City checks drafted for payment of registration or materials fees and obtain a receipt.

208.5.5 CREDIT CARDS

(a) Employees using a vehicle provided by the department will be issued a Chevron credit card which will be used for expenses incurred in the operation of departmental vehicles only.

(b) Credit cards are available in Training and shall be checked out by the employee.

(c) All credit cards and receipts shall be turned in with the credit card to the Training Team within five (5) working days upon return from the school or conference.

208.5.6 MISCELLANEOUS TRAVEL ITEMS

Personal telephone calls, movies, refrigerators, internet access, extra beds and other premium television services are not reimbursable when conducting and/or traveling on City business. Expenses that are not directly related to the training will not be reimbursed.

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208.6 COMPENSATION

(a) Attendance at all training, seminars, conferences, hearings, conventions, inspections of facilities or institutions, background investigations, and other meetings required by the department shall be considered work time and compensated in accordance with City policy.

(b) Time spent traveling at the request of the City is considered hours worked in the following situations:

1. During an employee's normal working hours, excluding regular meal periods.
2. One-day trips: Travel time commences from the employee's normal work station or the point of departure, whichever is nearer the destination. The same rule applies in reverse for the trip home. Meal periods are excluded.
3. Overnight trips:
    (a) For employees traveling as passengers on public transportation, hours spent traveling are considered working hours only for travel time even if the travel day is a normally scheduled day off. Regular meal periods and sleep time are excluded.
    (b) For employees traveling by automobile, all such travel time is work time for driver and passengers, except during meal or sleep time.
4. If an employee is offered public transportation but requests and is given permission to drive instead, hours worked shall be the lesser of the time spent driving the car or the time that would have qualified as work time if the employee had used public transportation.

(c) All overtime associated with training and travel shall require approval from the Training Sergeant.

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Retiree Concealed Firearm - Law Enforcement Officers' Safety Act 2004

220.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Santa Rosa Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

Adopted 1-14-10 by Chief Thomas E. Schwedhelm.

Revised 8-6-15 by Chief Robert L. Schreeder.

Revised 3-21-17 by Chief Robert L. Schreeder.

220.2 POLICY

It is the policy of the Santa Rosa Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

220.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)) :

(a) Separated from service in good standing from this department as an officer.

(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

(c) Has not been disqualified for reasons related to mental health.

(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.

(e) Is not prohibited by federallaw from receiving or possessing a firearm.

220.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Santa Rosa Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the department to meet the active duty standards for qualification to carry a firearm.

220.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department may carry a concealed firearm under 18 USC § 926C when he/she is:

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(a) In possession of photographic identification that identifies him/her as having been employed as a Santa Rosa Police Officer and one of the following:

1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by law, or by a private person or entity on his/her property, if such prohibition is permitted by law.

220.4 CALIFORNIA CCW ENDORSED IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

(a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.

(b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

220.4.1 CALIFORNIA CCW ENDORSED IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer minimally contain (Penal Code § 25460):

(a) A photograph of the retiree.

(b) The retiree's name and date of birth.

(c) The date of retirement.

(d) The name and address of this department.

(e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

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220.5 FORMER OFFICER RESPONSIBILITIES

Former Santa Rosa police officers with a CCW approved endorsed identification card, issued under this policy, shall immediately notify a Santa Rosa Police Department Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order prohibiting firearms possession.

220.6 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSED IDENTIFICATION CARD

A CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety.

(a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

(b) Prior to revocation of any CCW endorsement, the department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 26315).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).

1. The decision of such hearing board shall be binding on the department and the retiree.
2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The department will then reissue a new identification card which shall be stamped “No CCW Privilege.”

(d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practical. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.

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1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
3. The personal and written notification should be as follows:
    (a) The retiree's CCW endorsement is immediately and temporarily suspended.
    (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
    (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the department to deliver the written notification.

220.7 FIREARM QUALIFICATIONS

The Training Sergeant may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Training Sergeant will maintain a record of the qualifications and weapons used.

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Chapter 3 - General Operations

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Use of Force

300.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that officers shall use only that amount of force that appears reasonable to effectively bring an incident under control while protecting the lives of the officer and others.

Use of Force Policy 300 adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Carotid Restraint Policy 305 adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Policies combined and revised, adopted 2-26-16 by Chief Robert L. Schreeder.

Revised 1-31-17 by Chief Robert L. Schreeder.

300.2 POLICY

(a) The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties. Officers must have an understanding of, and true appreciation for, their authority and limitations.

(b) This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

(c) The department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

(d) Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

(e) It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

300.3 DEFINITION OF REASONABLE FORCE

California Penal Code § 835a states:

"Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape, or to overcome resistance."

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"A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance."

Under federal law (Graham v. Conner), the right to make an arrest carries with it the right to use objectively reasonable force. In determining whether force used by an officer is objectively reasonable, all of the facts and circumstances with which the officer was confronted are considered, including:

(a) The information available to the officer at the time of the incident;

(b) The acts of the suspect;

(c) Whether the suspect reasonably appeared to be a threat to the officer or to other persons;

(d) The severity of the crime of which the individual was suspected.

300.4 USE OF FORCE

(a) Police Officers may use force in the performance of their duties consistent with the California Penal Code:

1. To prevent the commission of a public offense;
2. To prevent a person from injury;
3. To effect the lawful arrest or detention of persons resisting or attempting to evade that arrest or detention;
4. In self-defense or in the defense of another person.

(b) Justification for the use of force is limited to what is reasonably known or perceived by the officer at the time the force is used.

300.5 ESCALATION/DE-ESCALATION OF FORCE

(a) Various degrees or levels of force are commonly recognized and practiced by law enforcement officers. Sometimes called Force Options, they range from the lowest level to the highest level and are generally grouped in order of the probability of injury or death to the suspect.

1. Low level: uniform presence, verbal commands, demeanor, firm grip or gesture, physical control, control holds, deployment of K9 for visual or audible display, and pain compliance.
2. Medium level: personal body weapons (PBWs), carotid restraint, control and impact devices, deployment of K9 for apprehension of a suspect, chemical agent, and electronic control device.

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3. High level: Lethal force/firearms.

(b) Officers are not required to progress through the levels of force one level at a time. An assessment of the specifics of each situation may indicate to the officer that a particular level of force may be ineffective or inappropriate and another level of force would be more effective or appropriate.

(c) Officers shall assess the incident in order to determine which option will best de#escalate the incident and bring it under control in a safe manner.

300.6 CAROTID RESTRAINT

(a) The Carotid Restraint may be used as a defensive or control technique in those instances that threaten the safety of an officer or other persons, or to subdue and arrest an uncooperative and/or combative person when other control techniques have failed, are inappropriate, or impractical.

(b) Only the Carotid Restraint, in which pressure is applied to the sides of a person's neck compressing the carotid arteries, is authorized. A Bar Arm Restraint in which pressure is applied to the front of a person's throat is to be avoided.

(c) After resistance is overcome with the Carotid Restraint, the person shall be handcuffed to prevent future violence.

300.6.1 PROVIDING FIRST AID AFTER USE

(a) If a person is rendered unconscious with the Carotid Restraint, the following steps shall be taken to ensure the safety of the person.

1. Check breathing and heart beat at the scene.

2. Administer first aid if required.

(b) A medical clearance shall be obtained for an arrestee who has had the Carotid Restraint applied, whether or not the person became unconscious.

300.6.2 NOTICE AND RECORD OF USE

(a) When the Carotid Restraint is used to subdue a person, the circumstances and details shall be documented in the appropriate written reports, and only be referred to by its proper terminology, the Carotid Restraint.

(b) The transporting officer shall verbally and, whenever possible in writing, advise the receiving custodial officer, doctor, clerk, etc., of any facility that the Carotid Restraint was used to restrain the suspect. Written notification of the use of Carotid Restraint shall be included in the incident report.

(c) If the person is booked into a correctional facility, the transporting officer shall note on the booking sheet the fact the Carotid Restraint was used on the person.

300.7 DUTY TO INTERCEDE

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede

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to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.8 REPORTING THE USE OF FORCE

Officers in the performance of any police duty shall report to a supervisor as soon as possible the following uses of force:

(a) Physical contact when the suspect is injured or alleges injury;

(b) A use of force to overcome aggressive, assaultive, violent, or potentially violent resistance;

(c) Chemical agents;

(d) Personal body weapons

(e) Impact weapons to include less lethal devices;

(f) Discharge of an electronic control device;

(g) Carotid restraint;

(h) Deployment of a K9 for apprehension;

(i) Firearms discharge other than training at a range.

Any reportable use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.8.1 INCIDENTS REQUIRING A SUPERVISOR'S REPORT

Use of force incidents that meet any of the below listed criteria require a supervisory investigation and report.

(a) An officer strikes a subject with an object or personal body weapon;

(b) An officer uses force which causes any visible or apparent physical injury, or which results in the subject claiming he or she was injured;

(c) An officer uses chemical agents on a subject;

(d) An officer uses an electronic control device on a subject;

(e) An officer uses a less lethal projectile on a subject;

(f) A police canine bites or injures a subject;

(g) An officer uses a carotid restraint on a subject;

(h) Any use of force which renders a subject unconscious;

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(i) Any other incident the Sergeant or Watch Commander deems a use of force report is necessary.

300.8.2 SUPERVISOR RESPONSIBILITY

A supervisor shall respond to a use of force incident which requires a supervisor's report as noted in this policy. The supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her Miranda rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.
2. The fact that a recorded interview was conducted should be documented in the supervisor's report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) If the interview with the suspect reveals exculpatory information, the supervisor shall complete a supplemental report noting that information.

(e) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(f) Identify any witnesses not already included in related reports.

(g) Review and approve all related reports.

(h) Determine if there is any indication that the subject may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(i) Evaluate the circumstances surrounding the incident and notify a Watch Commander if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

(j) In the event a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8.3 WATCH COMMANDER RESPONSIBILITY

The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

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Narcan Use

301.1 POLICY

It is the policy of the Santa Rosa Police Department for designated sworn and civilian members to be trained in the safe use and administration of opioid overdose medication in order to safely and effectively treat and reduce injuries and fatalities due to opioid-induced overdose.

This policy will establish guidelines and procedures governing the use of naloxone hydrochloride, or Narcan.

Adopted 8-13-18 by Chief Robert L. Schreeder.

301.2 DEFINITIONS

(a) **Emergency Opioid Antagonist -** A drug that nullifies in whole or in part the administration of an opioid. The opioid antagonist for the purpose of this policy is limited to naloxone hydrochloride.

(b) **Naloxone Hydrochloride -** A prescription medication used as an emergency opioid antagonist/antidote that blocks the effects of opioids administered from outside the body and is approved by the U.S. Food and Drug Administration.

(c) **Naloxone Nasal Spray -** The device issued to trained personnel to administer the prefilled dose of naloxone hydrochloride opioid antagonist via the intranasal mucosal atomization device (nasal spray) in accordance with medical and training protocols.

(d) **Opioids -** Containing or derived from opium. Opioids are medications that relieve pain. They reduce the intensity of pain signals reaching the brain and affect those brain areas controlling emotion. Medications that fall within this class include hydrocodone (e.g. Vicodin), oxycodone (e.g. OxyContin, Percocet), morphine, codeine, heroin, and related drugs.

(e) **Opioid Overdose -** An acute condition due to excessive opioids in the body, manifested by respiratory and/or central nervous system depression.

301.3 NALOXONE ADMINISTRATION

Designated employees may administer opioid overdose medication in accordance with the protocol specified by the licensed health care provider who prescribed the overdose medication for use by the employees (Civil Code § 1714.22; CCR, Title 22, § 100019):

- When trained and tested to demonstrate competence following initial instruction; and
- When authorized by the medical director of the local EMS agency (LEMSA).

301.4 MEDICAL TREATMENT

Individuals who have been administered naloxone and who are also suspected of being under the influence of controlled substances and/or alcohol should be examined by paramedics or other medical personnel as soon as practical. Any person who has been administered naloxone shall be

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medically cleared prior to booking, if applicable. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be recorded with a body-worn camera and/or witnessed by another officer and/or medical personnel.

301.5 TRAINING

Opioid Overdose Prevention and Treatment Training Program - Any program operated by a local health jurisdiction or that is registered by a local health jurisdiction to train individuals to prevent, recognize, and respond to an opiate overdose, and that provides, at a minimum, training in all of the following:

(a) The causes of an opiate overdose.

(b) Mouth to mouth resuscitation.

(c) How to contact appropriate emergency medical services.

(d) How to administer an opioid antagonist.

Designated employees shall receive naloxone hydrochloride training prior to the issuance or administration of naloxone. Training should be coordinated with the local health department and comply with the requirements in CCR Title 22 § 100019, and Civil Code § 1714.22.

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SCLECA Employee-Involved Fatal Incident Protocol

303.1 PURPOSE AND SCOPE

The purpose of this Protocol is to set forth procedures and guidelines used by Sonoma County law enforcement agencies in the criminal investigation of specifically defined incidents involving law enforcement employees. While this Protocol represents the understanding and agreement among Member Agencies about how Law Enforcement Employee-Involved Fatal Incidents are to be investigated, this Protocol is neither a statute, ordinance nor regulation. Members expect that its provisions will be followed when Protocol incidents occur but it is anticipated that agencies may make minor modifications, which will not affect the Protocol's basic principles, to meet agency requirements. It is the intention of SCLECA membership that best practices have been incorporated into this protocol, including those gleaned from the guidelines of the International Association of Chiefs of Police (IACP) Police Psychological Services Section in 2013. All Sonoma County law enforcement agencies are encouraged to carefully review the guidelines ratified by the IACP, share these guidelines with all their respective personnel and consider all recommended procedures prior to, during and after a law enforcement employee-involved fatal incident.

Sonoma County Law Enforcement Chiefs Association Protocol 93-1, Revised June 2016.

303.2 DEFINITIONS

I. DEFINITIONS

A. Actor:

1. A person whose action is actually or conceivably a proximate cause of death, or serious bodily injury to another person or themselves; or

2. A person who intends an action to be the cause of serious bodily injury to a second party but the second party is actually injured or killed by another person.

3. An actor may be a law enforcement employee or may be a private citizen.

B. Administrative Investigation: The investigation conducted by the employer agency arising from a specific incident(s) that determines whether or not an employee has violated employer agency rules, regulations or conditions of employment.

C. Criminal Investigation: The investigation conducted by personnel from member agencies which identifies facts that demonstrate whether or not violations of criminal law occurred in a specific incident.

D. Employer Agency: The law enforcement agency from which the involved law enforcement employee is employed or affiliated. An employer agency may also be a venue agency in a specific incident.

E. Fatal Injury: Death, or injury which is so severe that death is a likely result.

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F. Injured Person: Any person who sustains death or serious bodily injury as a result of an intentional or unintentional act of an actor in which force is used.

G. Law Enforcement Employee:

1. Any sworn peace officer, whether on or off-duty, and whether or not acting within or outside the scope of employment.

2. Any law enforcement civilian employee; on-duty, or off-duty who is acting within the scope of employment at the time of a specific incident.

3. Any on-duty reserve peace officer; or any off-duty reserve peace officer who is acting within the scope of employment at the time of a specific incident.

4. Any temporary law enforcement employee or any volunteer, whether paid or unpaid, who is on-duty or who is acting within the scope of employment at the time of a specific incident.

H. Law Enforcement Employee-Involved Fatal Incident: A specific incident occurring in Sonoma County involving one or more persons, in which a law enforcement employee is involved as an actor or injured person; when a fatal injury occurs. Examples of such specific incidents may include the following:

1. Intentional and unintentional shootings.

2. Use of any dangerous or deadly weapons (e.g., firearms, knives, clubs, etc.).

3. Assaults upon sworn peace officers; assaults upon other law enforcement employees who are on duty or acting within the scope of employment.

4. Attempts by law enforcement employees, within the scope of employment, to make arrests or to otherwise gain physical control of a person.

5. Acts of physical violence in which a law enforcement employee is acting as a private citizen.

6. A law enforcement employee suicide.

7. Fatal injury while a person is in law enforcement custody which includes suicide and/or ingestion of toxic substances, or any unexplained death, but excludes the death of a person who dies as the result of a diagnosed disease or physical condition for which the person was receiving physician's treatment prior to death and a physician has agreed to sign the death certificate.

a. Fatal injury, while in the custodial facilities of the Sonoma County Sheriff's Office, will be investigated by the Sheriff's Office Violent Crimes Unit. The Sheriff's Office Violent Crimes Supervisor shall contact the on-call Sonoma County District Attorney's Investigator and advise them of the in custody fatal injury. The D.A. Investigator will determine if the District Attorney's Office should assist with the investigation. Depending upon the circumstances, the Sheriff's Office may request that another Sheriff's Office be the lead agency or assist in the investigation. However, an independent pathologist/Coroner's Office shall be requested to conduct

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the Coroner's investigation in any fatal injury occurring within the custodial facilities of the Sonoma County Sheriff's Office.

(1) The District Attorney's Office will review any investigation wherein they responded or assisted.

b. Fatal injury, while in custody at the Juvenile Justice Center shall be investigated by the Santa Rosa Police Department. Fatal injury, while in custody at the Sonoma County Juvenile Probation Camp shall be investigated by the Sonoma County Sheriff's Office.

8. Fatal injury to a person who is a passenger of an on-duty law enforcement employee (e.g., ride-along, emergency transport, etc.).

9. Vehicular collisions with fatal injury including those involving a law enforcement pursuit, except the following:

a. Collisions involving off-duty, civilian law enforcement employees who are not at the time of the collision acting for an actual or apparent law enforcement purpose.

b. Single vehicle collisions, not involving a law-enforcement pursuit, in which the injury is sustained by a law enforcement employee who was the driver and sole occupant of a vehicle which was not involved in a collision with any other person or occupied vehicle.

I. Lead Agency

The investigative agency charged with overall responsibility for supervising, coordinating and conducting the criminal investigation of a Law Enforcement Employee-Involved Fatal Incident. The Petaluma Police Department, Santa Rosa Police Department, or the Sonoma County Sheriff's Office can be a lead agency. When the proximate cause of death or injury is a vehicle collision, the Venue or Lead Agency may, depending on the circumstances and complexity of the investigation, seek the assistance of the California Highway Patrol. Also, the CHP is not precluded from being the lead agency in such cases. (See I. H. 9.) If extraordinary circumstances exist, the District Attorney's Office is not precluded from being the lead agency.

As a matter of routine, the employer agency will not directly participate in the criminal investigation. However, if no other agency is available to assume the lead agency role, the employer agency, with the consent of the venue agency, may elect to be the lead agency. Additionally, if the member agencies are unable to provide sufficient staffing for the criminal investigation team, the employer agency can provide investigators to participate as members of the investigation team. Also, when deemed necessary and appropriate, investigators from member agencies who are experienced and trained, may be invited to join the Lead Agency investigation team, whether or not the investigator is employed by the Lead Agency. (See section III, 4 d.) Any fatal or severe injury collision involving on-duty CHP employees occurring within any jurisdiction will be investigated by the CHP Golden Gate Division Multi-disciplinary Accident Investigation Team (MAIT) in conjunction with the venue agency

J. Member Agency: Any Sonoma County law enforcement agency which is a signatory to this Protocol.

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K. Proximate Cause: A cause which, in a natural and continuous sequence, produces death or fatal injury, without which cause the death or fatal injury would not have occurred.

L. Venue Agency: The law enforcement agency, or agencies, within whose primary geographical jurisdiction a specific incident occurs.

303.3 INVOKING PROTOCOL PROVISIONS
II. INVOKING PROTOCOL PROVISIONS

A. **Mandatory Invoking -** Subject to section 303.2(i)(1) above, when a Law Enforcement Employee-Involved Fatal Incident occurs, the criminal investigative provisions of this Protocol shall be immediately invoked by member agencies to ensure that the employer agency, or the venue agency if the necessary investigative resources are not available, does not lead or have overall responsibility for the criminal investigation.

B. Participation of Member Agencies

1. Member agencies shall participate and cooperate in Protocol provisions relevant to mandatory invoking. Should a member agency be unable to fulfill its responsibility in the mandatory invoking process due to lack of necessary personnel resources, or other articulable reason, such information shall be immediately relayed to the member agency requesting assistance.

2. In the event that the criminal investigative provisions of this Protocol are invoked, but necessary resources from member agencies are not sufficient to provide a lead agency to conduct the criminal investigation, or where an issue arises as to which agency should be the lead agency the department heads of the employer agency and venue agency should consult with the Sonoma County District Attorney to discuss how to best proceed under the given circumstances. A request for investigative support may then be made to other appropriate local, state, or federal criminal investigative agencies.

C. Notification of Agencies

1. When a Law Enforcement Employee-Involved Fatal Incident occurs and the criminal investigative provisions of the Protocol are invoked, the venue agency notifies the following agencies and/or persons as promptly as possible:

a. Intra-departmental staff as required by that agency's internal procedures.

b. The employer agency, if not the venue agency.

c. The requested lead agency.

303.4 INVESTIGATIVE PROVISIONS AND RESPONSIBILITIES
III. INVESTIGATIVE PROVISIONS AND RESPONSIBILITIES

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SCLECA Employee-Involved Fatal Incident Protocol

A. Criminal Investigation

1. Intent: The purpose of the criminal investigation is to establish the presence or absence of criminal liability on the part of those persons involved in the incident. The criminal investigation has investigative priority over an administrative investigation and begins immediately after the Law Enforcement Employee-Involved Fatal Incident occurred. The investigation follows the rules of law which apply to criminal proceedings and focuses upon objectively identifying and documenting all relevant information about the Law Enforcement Employee-Involved Fatal Incident.

2. Participants: The criminal investigation is conducted by supervisors, criminal investigators and evidence technicians from member agencies in accordance with section #I, sub-section I, above.

a. A Deputy District Attorney is assigned to provide legal support to the criminal investigator.

b. A District Attorney Investigator is assigned to assist the deputy district attorney and provide liaison with the Office of the District Attorney.

c. The employer agency should assign staff personnel to liaison with the lead agency. The role of the liaison is to facilitate the investigation. The assigned liaison(s) shall not be involved in the questioning of witnesses, evidence gathering, or any aspect of the criminal investigation. The employer agency liaison responsibility can include coordinating the flow of information between agencies and facilitating access to records information, personnel and facilities.

3. Venue Agency: The employer agency makes a determination at the time of a Law Enforcement Employee-Involved Fatal Incident as to which member agency will be requested to be the lead agency regardless of venue.

a. The request for a member agency to be the lead agency, and the acceptance by that member agency to be the lead agency, is made by command staff, or an identified designee, of the respective member agencies.

b. Within the provisions of section #I, sub-section I, above, the venue agency may also be the lead agency.

c. When a Law Enforcement Employee-Involved Fatal Incident occurs in part in two or more jurisdictions, on the boundary of two jurisdictions or at a location where the boundary is not readily ascertainable or is in dispute; the venue agency is the member agency which has the predominant law enforcement involvement in the incident and/or the majority of acts related to the fatality occur in its jurisdiction.

d. For criminal incidents occurring on state property not otherwise under the primary jurisdiction of a state law enforcement agency, i.e., Sonoma State University, State Parks, etc., the CHP is the venue agency, e.g. the State building at 50 ‘D’ Street, Santa Rosa; DMV offices in Santa Rosa and Petaluma, etc. The CHP may request investigative assistance from other law enforcement agencies. For criminal incidents occurring on Sonoma State University, Sonoma State University

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Police Services is the venue agency. For criminal incidents occurring on the property of the Santa Rosa Community College District, the Sonoma County Junior College District Police Department is the venue agency.

e. Law Enforcement Memorandum of Understandings between two agencies that transfer venue authority from one to the other shall be honored.

f. For incidents involving vehicular collisions occurring in areas not within the primary jurisdiction of the CHP, the CHP may be requested to provide investigative assistance to the lead agency.

4. Lead Agency: Pursuant to its responsibility to supervise, conduct and coordinate the criminal investigation, the lead agency does the following:

a. Contacts the on-call District Attorney Investigator to advise them of the fatal injury investigation and/or request assistance from the District Attorney's Office.

b. Upon confirmation of a death, notifies the Coroner's Office and other member agencies as necessary.

(1) If the employee agency is the Sonoma County Sheriff's Office, the Sonoma County Coroner's office will notify and request an independent pathologist/Coroner's Office to conduct the Coroner's investigation.

c. Assigns a supervisor to manage the overall criminal investigation and has a supervisor respond to the field incident within two hours of notification. The supervisor is of the rank of a sergeant or above, has supervised a sworn investigative unit, and has attended the following training programs:

(1) Officer Involved Shootings Investigation

(2) Homicide Investigation

(3) Internal Affairs Investigations

d. Assigns a minimum of two criminal investigators to investigate the case and has them respond to the field incident within two hours of notification. Additionally, all lead agency criminal investigators shall have a minimum of five years sworn experience and be, or have been, a specifically designated investigator. A lead case investigator is designated who shall have attended the following training programs:

(1) Officer Involved Shooting Investigations

(2) Interview and Interrogation Techniques

(3) Homicide Investigations

Traffic collision investigators are exempt from the requirement (3) above but shall have Advanced Accident Investigation at a minimum.

e. Obtains the assistance of sworn criminal investigators from other member agencies as needed excluding employer agency staff whenever possible. All member agency investigators

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assigned to assist the lead agency have a minimum of five years sworn experience and are, or have been, specifically designated detectives. These investigators work with and under the direction of the lead agency supervisor during the course of the criminal investigation.

f. Assigns a trained evidence technician or crime scene investigator to collect, preserve, process, and document evidence. The technician/investigator is or has been employed as an evidence technician/crime scene investigator and has successfully completed a POST-certified crime scene investigation training program.

g. Is responsible for documentation of the scene and for the collection, preservation and analysis of physical evidence. The lead agency may further request the assistance of experienced evidence collection personnel from other member agencies and/or the California Department of Justice when deemed necessary.

(1) Lead agency investigators will give advance notice to the employer agency when the crime scene is expected to be released from criminal investigative processing. Administrative investigators may conduct independent crime scene processing activities once criminal investigators have completed their tasks.

(2) Evidentiary items are maintained by the lead agency until such time as otherwise directed by the Office of the District Attorney, court order, statute, or mutual agreement between the lead and venue agency. These items are made available for appropriate review in a timely manner to those member agencies with an identified interest in the investigation. The lead agency disposes of evidentiary items in accordance with law and shall notify other involved member agencies prior to final disposition of evidence or other property.

h. Is responsible for ensuring that all criminal investigators write full, complete and objective reports documenting their investigative activities. The lead agency also has the responsibility to collect relevant reports from other member agencies, maintain all documentation in accordance with statutory guidelines and submit all relevant documentation and information to the Office of the District Attorney upon completion of the lead agency investigation. The lead agency should make every reasonable effort to complete their investigation within 90 days. The primary objective shall be to conduct a thorough and complete criminal investigation. Accordingly, depending on the unique circumstances involved, some investigations may require more than 90 days to complete. Subsequent supplemental information will be submitted upon completion and approval.

i. Is responsible, unless otherwise agreed upon by the lead and employer agencies, for providing news media releases of information directly relevant to the criminal investigation for a period of a minimum of 72 hours following occurrence of the incident. Public statements regarding criminal investigative information shall only be made by the lead agency until such time as otherwise agreed upon by involved member agencies. The lead agency does not comment upon the administrative or employer-employee issues that are the responsibility of the employer agency.

Refer to Section IV of this Protocol for further guidelines.

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j. Is responsible for conducting a full briefing for District Attorney staff, employer agency staff and other relevant member agency staff having a “right to know.” The briefing is conducted at a time when the criminal investigation is not yet submitted to the Office of the District Attorney for full review, but is at a stage of completion where involved member agencies provide critical analysis to ensure all investigative concerns have been satisfactorily addressed.

5. Crime Scene Procedures and Security

Emergency life saving measures have first priority in any incident and are attended to immediately by providing first aid and summoning medical support personnel when safe to do so. Supervisors and investigators need be sensitive to the possibility that involved employee(s) may have been exposed to bodily fluids during life saving measures and/or sometime during the incident. Every effort should be made to photograph employees in what they were wearing at the time of the incident. However, no employee should be kept from having bodily fluids cleaned off of them or from removing contaminated clothing to reduce the possibility of exposure to communicable diseases if a camera is not immediately available. Additionally, any employee(s) exposed to bodily fluid will not be kept from seeking medical attention as part of their agency’s blood exposure protocol.

a. When an injured person is transported to a hospital, an uninvolved law enforcement officer should accompany the person in order to:

(1) Locate, preserve, safeguard, and maintain the chain of physical evidence.

(2) Obtain information as permitted by law, including dying declarations.

(3) Dependent on medical condition, maintain custody if the person has been arrested.

(4) Provide information to medical personnel about the incident as relevant to treatment, and obtain information from medical personnel relevant to the investigation.

(5) Identify relevant people, including witnesses and medical personnel.

(6) Be available for contacts with the injured person’s family, if appropriate.

b. Each involved law enforcement agency is responsible for securing and protecting crime scenes. The venue agency assumes responsibility that includes preservation of the integrity of the scene(s) and its contents, access, control, and the identification and sequestration of witnesses. The venue agency maintains these responsibilities unless and/or until it is relieved by the lead agency.

(1) A secure perimeter is established ensuring that personal safety is protected and evidence is appropriately preserved.

(2) Access to the crime scene is strictly limited to those law enforcement and other authorized officials who have a right or recognized lawful need to be there for a life saving or investigative purpose.

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(3) A written log is established as quickly as possible to identify persons entering/exiting the scene, their purpose for entry, and the times of entry/exit.

(4) Evidentiary items shall not be removed from the scene or manipulated without the approval of the criminal investigators or unless necessary for safety reasons or preservation of evidence.

c. If a weapon or instrument was used in the incident, the on-scene supervisor ensures that the weapon is protected and/or collected as follows:

(1) If the scene is secure, loose weapons or instruments are left in place until collected and processed by investigators.

(2) If the scene is not secure, the on-scene supervisor directs whether or not a weapon or instrument is left in place. If the weapon or instrument is moved for protection, in-place photographs are taken before movement, if possible, and the initial location of the item is marked.

(3) If an involved officer has personal possession of a firearm discharged in the incident, the on-scene supervisor (uninvolved in the firearm's discharge) shall assign an uninvolved officer to guard the involved officer. The guarding officer shall have the responsibility of providing security for the involved officer. The guard shall make certain that the involved officer's weapon, gear, and person remain undisturbed for the purpose of evidence collection by a member of the criminal investigation team, which may include processing for trace evidence, i.e., swabs, particulate matter, etc. Should the involved officer's person, uniform or gear contain bodily fluids or any other bio hazard substance, the on-scene supervisor shall have the contaminated objects removed from the officer immediately and collected and preserved as evidence. Involved officers' weapons are to remain holstered (or if already unholstered, secured as found) and not to be handled by non-investigating members unless issues of officer safety exist. The above procedures may be adjusted if exigent circumstances exist (i.e., safety, weather, inability to secure scene, etc.). The firearm, ammunition and, if applicable, duty belt will be secured by a criminal investigation team member, adhering to chain of custody procedures. Secondary or back-up firearms in the possession of an involved officer will also be taken and secured as detailed above. When the firearm is removed from the involved officer, a supervisor from the employer agency shall consider providing a like firearm to the involved officer.

(4) The on-scene supervisor shall make a full account of all firearms that were present when the incident occurred. The on-scene supervisor shall confirm that all firearms and personally possessed magazines that are believed to be uninvolved (not fired) are fully loaded. If any apparently uninvolved officer is in possession of a weapon(s) or magazines that are not fully loaded, the on-scene supervisor shall place a guard on this officer, in accordance with the manner stated in paragraph (3), above. All firearms that were present at the time of the occurrence shall be examined by a member of the criminal investigative team to determine if they have been fired. All firearms that were discharged shall be identified and collected. If the supervisor is an actor or injured person, the responsibility for security of weapons or instruments then rests with an uninvolved supervisor or senior uninvolved officer.

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d. Any other physical evidence at the scene which is at risk of contamination, destruction, or removal is observed, recorded and protected for collection. At risk evidence requiring immediate and special care includes gunshot residues on involved persons, blood stains, footprints, fingerprints, and volatile substance, etc.

6. Interviewing Non-Law Enforcement Witnesses: Sequestered witnesses, excluding witnesses who are taken into custody or lawful detention, shall not be unnecessarily deprived of any freedom of movement. All reasonable efforts should be made to gain and retain their patience and cooperation.

7. Interviewing Law Enforcement Employees: Law enforcement employees are protected by the same constitutional provisions as are all citizens. As Law Enforcement Employee- Involved Fatal Incident Protocol investigations are criminal investigations, criminal case law provisions (Miranda, et al) are followed whenever lawfully required.

a. Law enforcement employees are treated as witnesses or victims unless factual circumstances dictate they be treated otherwise.

b. Law enforcement employees may consult with a representative prior to interview and have the representative present during the interview.

(1) The contents of private conversations between the representative and the law enforcement employee may not be privileged absent statutory authority, i.e., doctor, attorney, psychotherapist, etc.

(2) The representative is allowed to privately consult about the facts of the incident with only one law enforcement employee at a time.

(3) The lead agency investigator(s) may wish to conduct a walk-through of the crime scene with the actor(s). When deciding whether or not to conduct a walk- through, the lead agency investigator(s) should consider the emotional state of the actor(s), the possible contamination of the crime scene and the timeliness of the walk-through. The actor(s) shall not be compelled to participate in the walk-through.

(4) An Employee-Involved Fatal Incident is one of the most stressful and time-consuming incidents an officer may encounter. The emotional and physiological effects of an event of this magnitude will often be taxing on all involved parties. Care should be taken to weigh the need to obtain an immediate statement with the need to maintain the involved officers' well-being. While it is always a good idea to obtain a statement immediately following the incident, there may be times when allowing one or all of the involved officers to obtain sleep and sustenance prior to the interview is warranted.

If circumstances dictate that interviews of the involved officers be conducted at a later time, that decision should be a collaborative one between the involved officer, his/her counsel and the Lead Agency investigators. "Reasonable preparation" with the involved officer's counsel shall be permitted and each case should be evaluated on a case-by-case basis with all parties equally

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informed as to the necessity and gravity of this action, prior to the final decision being made. Officers who are allowed to provide interview information at a later time based on the event circumstances or conditions used to invoke this decision, should be advised not to discuss the circumstances of the case with anyone or subject themselves to sources of information that would alter their understanding or perception of the incident.

(5) During the interview of the involved officer(s), investigators may elect to use a pre-designated questionnaire as part of their approach to obtain basic information before beginning direct questions about the specific actions of the officer(s). The questionnaire shall be consistent with all Member Agencies.

c. California Government Code Section 3300 et seq (Public Safety Officers Procedural Bill of Rights) does not apply to:

(1) A law enforcement employee who is not a peace officer; or

(2) A law enforcement employee being interviewed by someone other than their employer; or

(3) A law enforcement employee being interviewed for a criminal investigation that is solely and directly concerned with alleged criminal activities.

d. The criminal investigators are not accompanied by staff from the employer agency during interviews with employer agency employees.

e. To ensure proof of voluntary statements in a non-custodial interview, the criminal investigators should advise the interviewee that:

(1) The interviewee is not in custody and is free to leave at any time.

(2) The interviewee is not obligated to answer any questions asked by the investigators.

(i) In the event the interviewee elects to refuse to provide a voluntary statement, all questioning shall cease. However, if there is a public safety emergency, further questions may be compelled of the interviewee.

f. Law enforcement employees present at the scene when the incident occurs, whether as actors or witnesses, are relieved of their duties as soon as is safe and practical. First priority for relief is for an actor(s), who is then driven to the police station or other secure location by a supervisor or designated uninvolved law enforcement officer. Other involved employees drive or are transported to their own station or other agreed upon secure location. Sworn personnel not involved in the incident are assigned to accompany the involved employees.

g. Evidence collection needs regarding involved employees are accomplished prior to the employee engaging in any activity that may destroy evidence.

h. An uninvolved sequestering officer remains with the involved employees until relieved by a supervisor. The sequestering officer ensures the involved employees are appropriately situated, and the integrity of each employee's later statements to investigators is not tainted by group or outside discussion. The sequestering officer is not present during confidential (privileged)

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conversations between the employee and any designated representative(s). The sequestering officer has an affirmative obligation to report information relevant to the criminal investigation to the lead agency.

i. Viewing of video and audible recording: Care should be given not to allow the involved officer(s) to view any video or hear any audio recordings captured on any device before the initial interview by the Lead Agency investigators. However, if requested, the involved officer's legal counsel may be allowed to view such recordings prior to the initial interview. After the initial interview with the involved officer, and with the concurrence of the officer's legal counsel, the officer may view or hear any collected recordings, prior to any follow up interview.

(l) The following admonition should be provided to Involved Law Enforcement Employees prior to viewing any audio/visual recordings:

i. In this case there is audio/video evidence that you will have an opportunity to view after you have given your initial statement. Video evidence has limitations and may depict the events differently than you recall, and may not depict all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The "frame rate" of video may limit the camera's ability to capture movements normally seen by the human eye. Lighting as seen on the video may be different than what is seen by the human eye. Videos are a two- dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. Remember, the video evidence is intended to assist your memory and ensure that your initial statement explains your state of mind at the time of the incident.

ii. You should not feel in any way compelled or obligated to explain any difference in what you remember and acted upon from what viewing the additional evidence provides you. If listening to audio recordings or viewing video recordings provides additional clarity to what you remember that is fine; if it doesn't, that's fine too.

j. All interviews are conducted separately and are audio recorded.

8. Intoxicant Testing

a. The rules of criminal law apply to intoxicant testing in a Law Enforcement Employee-Involved Fatal Incident investigation. As standard procedure, all actors are requested to voluntarily submit to a blood test to determine if intoxicants are present.

b. If an actor elects not to voluntarily submit to intoxicant testing and when investigators determine that an actor's state of potential impairment is relevant to the investigation, the following options are available when lawfully permissible:

(1) Obtain the test sample incidental to valid arrest; or,

(2) Obtain a search warrant.

9. Autopsy

a. Prior to any post-mortem examination, the autopsy pathologist receives a briefing on all relevant case information from investigators representing the lead agency.

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b. At least one investigator from the lead agency and one from the Office of the District Attorney attend the autopsy.

10. Office of the District Attorney

a. The Office of the District Attorney has the following responsibilities in the investigative process:

(1) Participate with the lead agency in conducting the investigation.

(2) Provide advice and direction to the investigators on relevant criminal law issues.

(3) Upon receipt of the investigation from the Lead Agency, analyze the facts of the incident in light of relevant statutes to determine whether or not violations of criminal law are believed to have occurred. The Office of the District Attorney will make every reasonable effort to prepare a summary report within ninety (90) days of receiving the completed investigation with the recognition that additional investigation and/or receipt of autopsy findings may result in a delay of the summary report beyond the ninety day goal. The Lead Agency shall be given the opportunity to review the District Attorney's summary prior to its dissemination.

(4) As deemed appropriate, prosecute those persons believed to have violated criminal law.

(5) Provide the Deputy District Attorney's summary of the incident and recommendation to the Foreperson on the Sonoma County Grand Jury.

(6) Upon request, present investigative information to the Sonoma County Grand Jury for their consideration and review.

b. The Office of the District Attorney has investigative authority independent of that of other member agencies. When deemed appropriate by the District Attorney, the Office of the District Attorney may perform an independent investigation separate from the lead agency.

11. Report Writing and Dissemination of Reports

a. Law enforcement employees who witnessed or were involved in the occurrence (or who have specific information related to the occurrence) shall not write a report in most instances. Instead these individuals shall be interviewed by a member(s) of the criminal investigative team. Law enforcement employees who are involved in conducting the criminal investigation shall prepare a report that fully documents their investigation. Law enforcement employees who are not a part of the criminal investigation team, but who assist in the furtherance of the investigation (i.e., scene security, transportation of witnesses, etc.) shall document their involvement in a report. All original reports shall be forwarded to the lead agency's supervising investigator for review and approval. Once approved, the reports shall be retained by the lead agency as part of the cumulative investigative report. A copy of any approved report may be retained by the employing agency of the report writer, if desired. The immediate supervisor of the criminal investigation is authorized to request a written report from any law enforcement employee, including management, if it is deemed to be in the best interest of the criminal investigation.

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b. It is the responsibility of each involved agency to direct the necessary writing of reports by their employees. Reports should be written and distributed to the lead agency within 72 hours of actions taken or investigated.

c. The lead agency has the ultimate responsibility to ensure that reports are collected from other agencies.

d. Upon completion of the lead agency investigation, the Lead Agency shall provide copies of the entire case to the District Attorney's Office, the Federal Bureau of Investigation and the Employer Agency. Once the District Attorney has completed their review and issued a finding, the District Attorney will provide a complete copy to the Sonoma County Civil Grand Jury. In the event that additional case work is performed after submission of the case to the above parties, it shall be the responsibility of the Lead Agency to provide subsequent reports or investigation documentation to the above entities.

B. ADMINISTRATIVE INVESTIGATION

1. Intent: An administrative investigation is an investigation conducted by the employer agency for the purposes of:

a. Determining whether or not an employee violated rules, regulations or conditions of employment of the employer agency.

b. Determining the adequacy of employer agency policies, procedures, training, equipment, personnel and supervision. Nothing in this Protocol prohibits the employer agency from compelling a statement during the course of an administrative investigation. Prior to taking a compelled statement, every effort shall be made to consult with the District Attorney to ensure the criminal investigation is not compromised.

2 Responsibility: Whether or not an administrative investigation is conducted is the concern and responsibility solely of the employer agency.

a. The criminal investigation conducted by the lead agency is always given investigative priority over an administrative investigation. It is intended that this prioritization will minimize conflict between the two investigations and it will prevent the criminal investigation from being compromised by an untimely exercise of employer agency administrative action.

3. Disclosure: Interview statements, physical evidence, toxicology test results and investigative leads which are obtained by administrative investigators when ordering law enforcement employees to cooperate shall not be revealed to criminal investigators unless clear legal authority exists and then only when directed by the District Attorney. Results of the administrative investigation may or may not be privileged from disclosure to others, depending upon applicable law.

4. Investigator: The employer agency may assign an administrative investigator to conduct independent administrative investigative activities.

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a. An administrative investigator has access privilege to briefings, crime scenes, physical evidence and interviewees' statements in the criminal investigation. The administrative investigator does not accompany the criminal investigator during interviews.

5. Intoxicant Testing

a. Intoxicant test results obtained in the criminal investigation are available for use in an administrative investigation.

b. In the event the criminal investigation does not obtain samples for intoxicant testing or the employer agency wishes its own independent samples, the employer agency may seek samples following the criminal investigator's intoxicant testing actions by:

(1) Obtaining valid consent from the employee; or,

(2) When lawfully permissible, ordering the employee to provide samples based upon an employment relationship.

303.5 RELEASE OF INFORMATION TO THE NEWS MEDIA

A. General Information

1. The community's interest to know what occurred in a Law Enforcement Employee-Involved Fatal Incident must be balanced with investigative responsibilities and the rights of involved individuals. In all cases, the information released to the public and manner in which it is released by member agencies is in accordance with legal mandates.

a. Member agencies ensure that intentionally misleading, erroneous, or false statements are not made.

b. Only those individuals with appropriate knowledge and member agency approval should make public statements regarding an incident.

c. Member agencies communicate directly with each other to ensure information releases and community statements do not jeopardize the integrity of the criminal investigation.

B. Lead Agency

1. Unless otherwise agreed upon by the lead and employer agencies, the lead agency is responsible for providing news media releases of information directly relevant to the criminal investigation.

2. Release of criminal investigative information, including public statements about the investigation, is only done under the guidance and/or approval of the lead agency until such time as otherwise agreed upon by involved member agencies.

3. The lead agency does not comment upon the employer-employee issues that are the responsibility of the employer agency.

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C. Employer Agency

1. The employer agency is responsible for providing news media release of information directly relevant to the employer-employee relationship, including the status of any administrative investigation.

2. The employer agency may prepare the initial press release involving the incident. The press release will be confined to the following areas:

a. The initial statement about what occurred.

b. An employee of the employer agency was involved.

c. The Sonoma County Law Enforcement Employee-Involved Fatal Incident Protocol has been invoked.

d. The identification of the lead and participating agencies.

e. The employment status of the involved employee(s).

3. The employer agency should coordinate the release of any employer- employee information so that it does not conflict with criminal investigative concerns.

4. The employer agency may make statements or issue press releases regarding the criminal investigation when approved by the lead agency as long as it does not conflict with a criminal investigation or concern.

D. Office of the District Attorney

1. The Office of the District Attorney is responsible for providing news media release of information directly relevant to the District Attorney's statutory authority. News media releases regarding investigative findings and any subsequent prosecution based upon the criminal investigation are the responsibility of the Office of the District Attorney.

303.6 REPORTING IN-CUSTODY DEATH

Pursuant to Government Code Section 12525, each law enforcement agency in which a person dies while in their custody, shall report, in writing to the Attorney General, within 10 days after the death, all facts concerning the death. Deaths occurring in the Sonoma County Jail shall be reported to the Attorney General by the Sonoma County Detention Division per policy entitled "Emergencies – Inmate Death."

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Leg Restraint Devices

306.1 PURPOSE AND SCOPE

The proper use and application of leg restraint devices can reduce the potential of injury and damage to property or persons when dealing with violent or potentially violent persons. This policy provides guidelines and procedures for the proper use of leg restraints.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

Revised 8-1-19 by Chief Robert L. Schreeder.

306.2 POLICY

When an officer determines it is reasonable to restrain the legs of a violent or potentially violent person during the course of detention, arrest and/or transportation, only restraint devices approved by the department shall be used, and only in the departmentally approved manner.

306.3 APPLICATION OF THE LEG RESTRAINT DEVICE

Leg restraint devices are designed to reduce the likelihood of injury to the restrained person or others, and to reduce the likelihood of property damage caused by the restrained person by preventing him/her from using his/her legs in a manner likely to result in injury or damage. A restraint will only be used to bind and immobilize a person's legs. Only those officers trained in the use of the restraint are authorized to employ it on any person.

(a) In determining whether to use the restraint, officers should consider the following:

1. If the officer and/or others are subject to harm due to the assaultive behavior of a violent, resisting and/or attacking suspect.
2. If it is reasonable to protect the suspect from his/her own actions which would place him/her in danger.
3. A restraint shall be used only after a person has been handcuffed.

(b) The following guidelines shall be used when applying a restraint device:

1. In all cases in which a leg restraint has been used on a person, a supervisor shall be notified as soon as practical after the application of the restraint.
2. Absent a medical emergency, the person being restrained shall remain restrained until the officer arrives at the jail or other facility or the person no longer poses a threat.
3. The secured suspect shall be constantly monitored by an officer while in a restraint.
4. Any time a restraint device is used, the circumstances requiring its use shall be documented in the related incident report(s).

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306.4 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices.

Auxiliary restraint devices are intended for use during long-term restraint or transportation. Auxiliary restraint devices may also be used when medical treatment requires the removal of handcuffs. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

306.5 MEDICAL CONSIDERATIONS

Prior to booking or release, medical assistance shall be obtained for any person(s) who has sustained a visible injury, expressed a complaint of pain, or who has been rendered unconscious. Medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in the incident report and, whenever practical, should be witnessed by another officer and/or medical personnel. Officers shall record any such refusals.

306.6 TRANSPORTING RESTRAINED SUSPECTS

When transporting a suspect(s) who has been restrained, officers shall observe the following procedures:

(a) A restrained suspect(s) may be transported in a patrol vehicle. The suspect shall be seated in an upright position or laying on his/her side and secured by a seatbelt in all cases. When a suspect(s) cannot be transported in either of these two positions, he/she shall be transported by ambulance.

(b) When transported by ambulance, the suspect shall be accompanied by an officer.

(c) When transporting a suspect restrained by use of a leg restraint device, officers shall notify the receiving custodial officer, doctor or intake facility, that a leg restraint device was used on the suspect. If possible, early notification should be given to jail staff to facilitate reception and recording of the booking process.

306.7 APPLICATION OF SPIT HOODS/MASKS

The department authorizes the use of spit hoods/masks to prevent suspects from spitting on officers, medical personnel and other persons. The department will supply and provide officers with spit hoods/masks as needed in the performance of their duties.

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Control Devices and Techniques

308.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

308.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Santa Rosa Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy 300.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES

(a) Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the department or approved by the Chief of Police or the authorized designee.

(b) Only officers who have successfully completed department approved training in the use of any control device are authorized to carry and use the device. Training for all control devices will be consistent with department and POST guidelines. All training pertaining to control devices will be documented in the officer's training file. Officers failing to demonstrate proficiency with the weapon or demonstrate knowledge of the department's Use of Force policy will be provided remedial training to bring the employee up to established department standards.

(c) Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity ty to comply should precede the use of these devices.

(d) When using control devices, officers should carefully consider potential impact areas to minimize injuries and unintentional targets.

(e) All uses of control devices shall be documented in the related arrest/crime report.

308.4 RESPONSIBILITIES

308.4.1 WATCH COMMANDER RESPONSIBILITIES

The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

308.4.2 SUPERVISOR RESPONSIBILITIES

A supervisor shall review all reports or documents in which a control device was used to ensure compliance with department policy and existing law. If a supervisor determines the use of a control

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device was out of compliance, he/she will notify the on-duty Watch Commander. The supervisor shall make notifications and reports as required by the department's Use of Force Policy 300.

308.4.3 TRAINING SERGEANT RESPONSIBILITIES

The Training Sergeant shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced

Every control device will be periodically inspected by the Training Sergeant or the designated instructor for a particular control device. The inspection shall be documented.

308.4.4 USER RESPONSIBILITIES

It is the employee's responsibility to inspect control devices assigned to them to make sure they are in proper working order. All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices. Every control device will be inspected by the department Armorer or Rangemaster, or the designated instructor for a particular control device prior to issuance to an employee.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Training Sergeant for disposition. Damage to city property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of the damage.

308.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spin, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect possess an imminent threat of serious bodily or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

308.6 KINETIC ENERGY PROJECTILES

Kinetic energy projectiles (WIRE) are approved by the department and are fired from designated 12 gauge shotguns or designated 40mm launchers. Only department approved kinetic energy munitions shall be carried and deployed.

308.6.1 USE OF KINETIC ENERGY PROJECTILES

A specially marked green shotgun, designated for the use of a 12-gauge Super-Sock bean bag impact round, may be carried in the vehicle trunk or locking mechanism device of a supervisor or officer's unit.

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All employees who use a specially marked green shotgun will inspect this shotgun at the beginning of each shift to ensure that it is in proper working order and loaded with only approved Super-Sock bean bag impact rounds.

308.7 OLEORESIN CAPSICUM (OC) GUIDELINES

Oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in a violent behavior. They should be used only in situations where such force is objectively reasonable. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public. Only authorized personnel may possess and maintain department issued oleoresin capsicum spray.

308.7.1 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been affected by the use of chemical agents should be promptly exposed to fresh air and running water to cleanse the affected areas. Those persons who complain of further effects shall be provided medical attention.

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Taser Guidelines

309.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of Taser™ devices.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 1-31-17 by Chief Robert L. Schreeder.

309.2 POLICY

The Taser™ device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

Personnel who have completed department approved training are authorized to use and may be issued a Taser for use during their current assignment.

Officers shall only use a Taser™ and cartridges issued by the department. The device may be carried as part of a uniformed officer's equipment in an approved holster or secured inside the passenger compartment of the officer's vehicle, in a location readily accessible to the officer.

(a) The Taser™ shall not be carried by an officer on the same side as the duty weapon.

(b) All Tasers™ shall be clearly and distinctly marked to distinguish them from the duty weapon.

(c) Officers shall be responsible for insuring their issued Taser™ is properly maintained and in good working order at all times.

309.3 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the Taser™ device should precede its application, unless it would otherwise jeopardize the safety of officers or others, or when it is not practical due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply;

(b) Provide other officers and individuals with a warning that the Taser™ device may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the Taser™

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device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the Taser™ device in the related report.

309.4 USE OF THE TASER DEVICE

The Taser™ device has limitations and restrictions requiring consideration before its use. The Taser™ device should only be used when its operator can safely approach the subject within the operational range of the device. Although the Taser™ is generally effective in subduing most individuals, officers should be aware that the device may not achieve the intended results and be prepared to use other force options, if necessary.

The Taser™ may be used when circumstances known to the individual officer at the time indicate the application of the Taser™ is reasonable to subdue or control:

(a) A physically resisting, violent or potentially violent subject.

(b) Although its use is not absolutely prohibited, officers should give additional consideration to the unique circumstances involved in applying the Taser™ to any of the following individuals:

1. Female subjects who are obviously pregnant.
2. Elderly individuals or children.
3. Individuals who are handcuffed or otherwise restrained.
4. Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles).

309.4.1 MULTIPLE APPLICATIONS OF THE DEVICE

If, after a single application of the Taser™ the subject is still non-compliant, an officer may consider multiple reasonable applications of the Taser™. However, an officer should consider other options or tactics that may be more effective if the officer is still unable to gain compliance.

309.4.2 REPORT OF USE

The use of a Taser™ shall be documented in the related police report. Supervisors shall document any use of a Taser™ in the IAPro system.

309.5 MEDICAL TREATMENT

Individuals who have been subjected to the electric discharge of a Taser™ and/or struck by Taser™ darts and who are also suspected of being under the influence of controlled substances and/or alcohol should be examined by paramedics or other medical personnel as soon as practical. Any person who has sustained an electric discharge of a Taser™ and/or struck by Taser™ darts shall be medically cleared prior to booking. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be recorded with a body-worn camera and/or witnessed by another officer and/or medical personnel.

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Firearms

312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training, and the discharge of firearms.

Firearms Policy 312 adopted 8-20-10 by Chief Thomas E. Schwedhelm, r evised 2-15-11 by Chief Thomas E. Schwedhelm, r evised 5-16-12 by Chief Thomas E. Schwedhelm.

Discharge of Firearms Policy 304 adopted 8-20-10 by Chief Thomas E. Schwedhelm, revised 5-16-12 by Chief Thomas E. Schwedhelm.

Patrol Rifles Policy 432 adopted 8-20-10 by Chief Thomas E. Schwedhelm, revised 5-16-12 by Chief Thomas E. Schedhelm.

Policies combined and adopted 2-26-16 by Chief Robert L. Schreeder.

Revised 5-16-16 by Chief Robert L. Schreeder.

Revised 1-31-17 by Chief Robert L. Schreeder.

312.2 POLICY

The Santa Rosa Police Department will equip its officers with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons.

The Santa Rosa Police Department will ensure firearms are appropriate, in good working order, and that relevant training is provided.

312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Officers shall only use firearms that are issued or approved by the Santa Rosa Police Department and have been thoroughly inspected by a Santa Rosa Police Department Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by an officer who has not qualified with that firearm during a Santa Rosa Police Department training.

(a) All other weapons not provided by the Santa Rosa Police Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by officers in the performance of their official duties without the authorization of the Chief of Police or his/her designee. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

(b) When armed, on or off-duty, officers shall carry their badge and department issued identification with the following exception:

(c) An undercover officer may, with supervisory approval, carry a weapon without a badge and department issued identification if doing so would compromise an on-going investigation or create an officer safety issue.

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312.3.1 HANDGUNS

The authorized handguns for on-duty use are any model of Glock 9mm semi-automatic pistol. The department issued handgun is the Glock Model 17. The Department may issue the Glock Model 19 with the approval of the Training Sergeant, and the Glock Model 43 to officers working in an undercover capacity.

Subcompact handguns like the Glock 26 and Glock 43 are not authorized for carry in a uniformed assignment or during a tactical operation except as a secondary firearm. Full-sized or compact Glock handguns, like the Model 17, Model 34, and Model 19, are authorized for any on-duty use. Refer to section 312.3.4 for information about the use of personally owned handguns while on-duty.

312.3.2 SHOTGUNS

The authorized shotgun is the Remington Model 870, 12 Gauge. When not deployed, the shotgun shall be properly secured in a locking weapons rack in the patrol vehicle with the magazine loaded, the action closed on an empty chamber, the trigger pulled to release the hammer, and the safety in the safe position.

312.3.3 PATROL RIFLES

(a) Specifications:

1. The authorized patrol rifle is the AR-15 style semi-automatic rifle in .223 caliber (5.56x45 mm).
2. Patrol rifles other than those carried by members of the department's SWAT Team must have a barrel length (including attached muzzle devices) of at least 16 inches.
3. The rifle shall be black in color.

(b) Patrol Rifle Training

1. Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training.
2. Training shall consist of an initial 16-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete annual training and qualification conducted by a certified patrol rifle instructor.
3. The rifle shall be inspected by a Santa Rosa Police Department Armorer prior to being carried and thereafter shall be subject to inspection annually.

(c) Deployment of the Patrol Rifle: Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

1. Situations where the officer reasonably anticipates an armed encounter.

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2. When an officer is faced with a situation that may require accurate and effective fire at long range.
3. Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
4. When an officer reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
5. When an officer reasonably believes that a suspect may be wearing body armor.
6. When authorized or requested by a supervisor.
7. When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured in the vehicle's locking weapons rack or in the trunk with the chamber empty, magazine loaded and inserted into the magazine well, the bolt forward with the dust cover closed, and the selector lever in the safe position.

312.3.4 PERSONALLY OWNED DUTY FIREARMS

Officers desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order and authorized by the department.

(b) The firearm shall be inspected by a Department armorer prior to being carried and thereafter subject to inspection whenever it is deemed necessary.

(c) Prior to carrying the firearm, officers shall qualify under the supervision of SRPD firearms instructors and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.

(d) Officers shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Training Sergeant, who will maintain a list of the information.

312.3.5 AUTHORIZED SECONDARY HANDGUN

Officers desiring to carry department or personally owned secondary handguns while on-duty are subject to the following restrictions:

(a) The handgun shall be in good working order and one of the following calibers: .380, .38/.357, 9mm, .40, 10mm, .45.

(b) Officers may only carry one secondary handgun at a time.

(c) The purchase of the handgun and ammunition shall be the responsibility of the officer unless the handgun and ammunition were issued by the Santa Rosa Police Department.

(d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

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(e) The handgun shall be inspected by a qualified Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the ammunition shall be duty quality and not range ammunition.

(g) Prior to carrying the secondary handgun, officers shall qualify under the supervision of an SRPD Firearms Instructor and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the handgun functions properly.

(h) Officers shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Training Sergeant, who will maintain a list of the information.

312.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Officers who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) The officer may use his/her department-issued firearm or may use a personally owned firearm that is carried and inspected in accordance with the requirements in this policy.

1. The purchase of the personally owned firearms and ammunition shall be the responsibility of the officer.
2. Officers shall be responsible for ensuring personally owned firearms are maintained and inspected to the standards set in this policy.

(b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(c) Prior to carrying the off-duty firearm, officers shall qualify under the supervision of an SRPD firearms instructor and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the handgun functions properly.

(d) Officers shall successfully qualify with the off-duty firearm annually.

(e) Officers shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Training Sergeant, who will maintain a list of the information.

(f) If an officer desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.

(g) Officers shall carry duty quality ammunition and not range ammunition.

(h) When armed, officers shall carry their badges and Santa Rosa Police Department identification cards.

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312.3.7 AMMUNITION
Officers shall carry only department-approved ammunition in all duty weapons and backup weapons. Officers shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the officer's firearms qualification. Officers carrying personally owned firearms of a different caliber than department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

312.4 EQUIPMENT
Firearms carried on or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally-owned firearms are the responsibility of the individual officer.

312.4.1 REPAIRS AND MODIFICATIONS
Each officer shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Training Sergeant. Firearms that are the property of the Santa Rosa Police Department shall be repaired or modified by department Armorers.

In the event the repair or modification exceeds the capabilities of department Armorers, the Training Sergeant may authorize a private gunsmith or armorer to be used. Any repairs or modifications to the officer's personally owned firearm shall be done at his/her expense and must be approved by the Training Sergeant.

The Training Sergeant may authorize personally owned patrol rifles to be repaired or modified by a department Armorer.

312.4.2 HOLSTERS
Only department-approved holsters shall be used and worn by officers. Officers shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and level three retention of the handgun.

312.4.3 TACTICAL LIGHTS
Tactical lights may only be installed on a firearm carried on or off-duty after they have been approved by the Training Sergeant. Once the approved tactical lights have been properly installed on any firearm, the officer shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

312.4.4 OPTICS OR LASER SIGHTS
Optics or laser sights may only be installed on a firearm carried on or off-duty after they have been approved by the Training Sergeant. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the officer shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

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312.5 SAFE HANDLING, ANNUAL INSPECTION AND STORAGE

The Training Sergeant or his/her designee has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by officers to verify proper operation. The Training Sergeant has the authority to deem any privately owned weapon unfit for service. Officers will be responsible for all repairs to their personal weapons and they will not be returned to service until inspected by the Training Sergeant or his/her designee.

Officers shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Officers shall not unnecessarily display or handle any firearm.

(b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Firearms Instructors.

(c) Officers shall not clean, repair, load or unload a firearm anywhere in the department, except where clearing barrels are present.

(d) When a Shotgun or Patrol Rifle is loaded and deployed in response to field activity, it shall be done outside the vehicle and in a manner to maintain the safety of other officers and the general public.

(e) Officers shall not place or store any firearm or other weapon on department premises except where the place of storage is locked.

(f) Officers must possess current certification or have supervisory approval to use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory.

(g) Any firearm issued to an officer by the department that is determined to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to a department Armorer for inspection and repair. Any firearm deemed in need of repair by an Armorer will be immediately removed from service. If needed, an officer may be issued a firearm on a temporary basis until the original firearm can be repaired.

312.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift. Officers shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Shotguns and rifles shall be unloaded in a safe manner outside the building. Firearms may be safely stored in the Armory, lockers or another approved location at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster.

312.5.2 STORAGE AT HOME

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible

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to children and others who should not have access. Officers shall not permit department-issued firearms to be handled by anyone not authorized by the department to do so. Officers should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

312.5.3 STORAGE IN VEHICLES

When leaving a firearm in an unattended vehicle, officers shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view (Penal Code § 25140).

312.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any officer, either on or off duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the officer's senses or judgment.

312.6 FIREARMS TRAINING AND QUALIFICATIONS

All officers who carry a firearm while on duty are required to successfully complete training in compliance with California POST requirements and qualify annually with their duty firearms. In addition, officers must qualify with off-duty and secondary firearms annually. Additionally, all officers carrying a firearm should receive practical training designed to simulate field conditions including low-light shooting.

The Training Sergeant shall keep accurate records of range training, repairs, and maintenance. In addition to regular qualification schedules, the Training Sergeant shall be responsible for providing all sworn personnel with annual practical training designed to simulate field situations.

312.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any officer fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that officer shall submit a memorandum to his/her supervisor prior to the end of the required training or qualification period. The supervisor shall review the officer's memorandum, then forward the document to the Training Sergeant.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be scheduled to assist the officers in demonstrating consistent firearm proficiency.

(b) Officers shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

(c) Officers who are provided remedial training and remain unable to meet minimum standards may be removed from field assignment.

312.7 WHEN FIREARMS MAY BE DISCHARGED

Firearms may be discharged by sworn personnel, either on or off duty, in the performance of a police duty only under the following circumstances:

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(a) When training at an approved range.

(b) To protect the officer or others from what the officer reasonably believes to be an imminent threat of death or serious bodily injury.

(c) To effect the arrest or prevent the escape of a fleeing felony suspect if the officer has reasonable cause to believe that:

1. The crime for which the arrest is made involved conduct including the use or threatened use of deadly force.

2. There is a substantial risk that the person to be arrested will cause death or serious bodily harm if the apprehension is delayed.

(d) To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.

1. With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). If circumstances permit, an officer should attempt to contact a possible owner prior to euthanizing the animal.

312.7.1 WHEN FIREARMS SHALL NOT BE DISCHARGED

Warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

Firearms shall not be discharged at a moving or fleeing vehicle, unless it is in the necessary defense of a life.

312.7.2 DRAWING, DISPLAYING AND HANDLING OF FIREARMS

(a) An officer shall not draw or display a firearm except under the following conditions:

1. For general maintenance, storage, or authorized training.

2. When the officer reasonably believes it may be necessary to use a firearm in conformance with other provisions of this policy, such as, but not limited to, when entering a structure, area, or approaching a vehicle or situation in which there exists a possibility of death or serious bodily injury to the officer or other persons.

(b) Officers shall not handle a firearm in a manner that could result in an accidental discharge. In all instances, firearms shall be handled in accordance with safety standards as taught during department approved firearms training programs.

312.7.3 POSSESSION OF FIREARMS AT CERTAIN FACILITIES

Officers may be called to locations where a request is made to secure firearms before entering. Officers are encouraged to evaluate the circumstances of such requests and utilize their best judgment. No officer is obligated to surrender a firearm unless entering a secured facility.

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Example of such facilities are the county jail, juvenile hall, and any similar facility where access is controlled. Absent such control, the removal of firearms before entry is at the officer's discretion.

312.7.4 PROCEDURE WHEN FIREARM IS DISCHARGED

Except during training, recreational use, or at an approved range, any employee who discharges a weapon accidentally or intentionally, on or off duty, shall make a verbal report to his/her supervisor or the supervisor on duty as soon as circumstances permit. If on duty at the time of the incident, the employee shall file a written report with his/her Division Manager prior to the end of shift. If off duty, the employee shall file a written report with his/her Division Manager as directed by the supervisor but no later than the next regularly scheduled shift.

312.8 FIREARMS INSTRUCTOR DUTIES

(a) The range will be under the exclusive control of the Firearms Instructors. All officers attending training will follow the directions of the Firearms Instructors. The Firearms Instructors will maintain a roster of all officers attending the range and will submit the roster to the Training Sergeant after each range date. Failure of any officer to sign the training roster may result in non-qualification.

(b) The range shall remain operational and accessible to officers during hours established by the Training Sergeant.

(c) Firearms Instructors have the responsibility for ensuring each officer meets the minimum requirements during training and qualifies to the standards set by the Training Sergeant or his/her designee.

(d) In the event an officer fails to qualify with his/her duty weapon:

1. The supervising Firearms Instructor shall make verbal notification to the officer's supervisor or the Training Sergeant prior to the end of the instructor's shift.
2. Additionally, the supervising Firearms Instructor shall complete and submit to the Training Sergeant a memorandum detailing the officer's failure to qualify. The memorandum shall include the remedial training efforts and the number of times the officer failed to meet the scoring standards of the qualification course.

312.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the department based on the law and published TSA rules.

(b) Officers must carry their Santa Rosa Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the department and must present this identification to airline officials when requested. The officer should also

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carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Santa Rosa Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message to TSA prior to the officer's travel. If approved, TSA will send the Santa Rosa Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.

(g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Officers should try to resolve any problems through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

(j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Santa Rosa Police Department identification card whenever carrying such firearm.

(b) The officer is not the subject of any current disciplinary action.

(c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The officer will remain subject to this and all other department policies (including qualifying and training).

(e) Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or

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local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

(f) Active sworn peace officers from other states are subject to all requirements set forth in 18 USC § 926B.

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Speed Enforcement

313.1 PURPOSE AND SCOPE

The purpose of this policy is to establish responsibility for traffic enforcement and define procedures for speed enforcement. All uniformed officers assigned to patrol or traffic duties are expected to vigorously enforce traffic laws with a view to preventing traffic accidents. Vigorous enforcement relates to the issuance of citations for offenses observed by the officer or verbal warnings for offenses where the circumstances do not warrant a citation.

It is imperative officers use sound judgment in their decision to issue a citation or give a verbal warning.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

313.2 PHILOSOPHY OF TRAFFIC ENFORCEMENT

Traffic citations must serve a purpose. That purpose is to affect the violator in such a manner that the violation will not be committed again, thereby reducing traffic accidents, hazards, congestion or traffic complaints. In issuing a citation there must be uniformity in enforcement. Motorists should receive similar treatment by all officers. It is imperative the enforcement of traffic laws be a continuous daily effort by all uniformed officers in an effort to gain voluntary compliance. Selective enforcement will be conducted by traffic or other specially assigned personnel where certain types of violations are causing specific concerns.

It is each officer's individual responsibility to recognize a traffic violation when it is committed, and take the appropriate action necessary in each case.

Uniformed officers shall not overlook violations committed in their presence, unless other and more immediate duties interfere. Officers shall take a course of action determined by the circumstances. The public will be guided in their conduct by the enforcement of traffic laws or the lack thereof, especially when the violations are committed in the presence of an officer. Conversely, officers operating marked vehicles have a greater obligation in establishing and observing all rules of the road as an example to the general public.

313.3 PERFORMANCE EXPECTATIONS

A fundamental responsibility of the Police Department is to enforce the law, including those laws pertaining to traffic violations. Therefore, officers are expected to produce evidence of their enforcement activity, among other factors, in determining whether or not they are performing their job.

The California Vehicle Code (C.V.C.) prohibits arrest quotas, but does not prohibit a law enforcement agency from considering traffic enforcement as one criteria in evaluating the overall performance of officers (California Vehicle Code §§ 41602 & 41603).

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313.4 SPEED LAWS DEFINED

Basic Speed Law (California Vehicle Code § 22350): Establishes the safe speed at a speed no greater than is reasonable or prudent having due regard for weather, visibility, traffic, surface and width of the highway and in no event at a speed which endangers the safety of persons or property.

Prima Facie Speed Limits (California Vehicle Code § 22352): Establishes 15 MPH and 25 MPH speed limits for specific areas and highways, unless otherwise established by local ordinance and posted accordingly.

Maximum Speed Limit (California Vehicle Code § 22349(a)): Establishes the maximum speed limit at 65 MPH. When approved by the Department of Transportation and the California Highway Patrol, California Vehicle Code § 22356(a) allows a maximum speed limit of 70 MPH.

313.5 SPEED ENFORCEMENT GUIDELINES

(a) It is a widely accepted practice for law enforcement agencies to establish guidelines for speed enforcement. These guidelines normally take the form of tolerance limits. A tolerance limit is the permitted amount of deviation from the specified or posted speed limit before an enforcement action is taken. Such tolerance limits are utilized to eliminate the possibility of error and provide a reasonable and fair standard acceptable to the motoring public and the courts.

(b) Tolerance and Contingent Action

1. At 10 MPH or more over the prima facie speed limit, the officer shall stop and should cite.
2. From 5-9 MPH over the prima facie speed limit, the officer should stop and may cite or warn.
3. From 1-4 MPH over the prima facie speed limit, the officer may stop and should warn unless such excess speed is greater than is reasonable for existing conditions, in which case the officer may cite.

(c) Application of Basic Speed Law

1. Officers may issue a citation for a speed less than the tolerance factor or prima facie speed limit when existing conditions justify that action. In those instances, the officer must be able to articulate the specific condition(s), such as weather, visibility, traffic, surface and width of the highway and the safety of persons or property.

313.6 ELECTRONIC DEVICES USED TO MEASURE SPEED

Officers operating any electronic device used to measure speed shall meet the minimum training requirements established under California Vehicle Code § 40802(c)(1)(A), when the speed enforcement is intended for roadways with a traffic engineering survey that is between 5 and 7 years old.

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Speed Enforcement

Electronic devices used to measure speed will be used on roadways with current traffic engineering surveys or on roadways which meet the criteria of "local streets" and do not require a traffic engineering survey.

Electronic devices used to measure speed as a traffic enforcement tool may be used at any time of the day or night.

Electronic devices used to measure speed may be assigned to both traffic and patrol officers in marked police vehicles.

Speed enforcement guidelines are applicable to any electronic device used to measure speed.

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Vehicle Pursuits

314.1 PURPOSE AND SCOPE

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to reduce the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 9-29-17 by Chief Robert L. Schreeder.

314.1.1 VEHICLE PURSUIT DEFINED

A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a motor vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to an officer’s signal to stop.

314.2 OFFICER RESPONSIBILITIES

It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

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314.2.1 WHEN TO INITIATE OR TERMINATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

The following factors individually and collectively shall be considered and constantly evaluated in deciding whether to initiate or terminate a pursuit:

(a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.

(c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).

(d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.

(e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.

(f) Pursuing officers familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.

(g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

(h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.

(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) Availability of other resources such as helicopter assistance.

(l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner in the police vehicle.

(m) Officers should not pursue a vehicle driving left of center (wrong way) on a freeway.

314.3 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor); however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out

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of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

314.3.1 MOTORCYCLE OFFICERS AND UNMARKED POLICE VEHICLES

In the event a pursuit is initiated by an officer on a police motorcycle or an unmarked police vehicle, the pursuing officer shall relinquish the role as the primary vehicle when a marked vehicle has joined the pursuit. Officers on a motorcycle or in an unmarked vehicle shall withdraw from a pursuit after they are aware of the arrival of a second marked vehicle able to engage in the pursuit.

314.3.2 PRIMARY UNIT RESPONSIBILITIES

(a) The primary pursuit vehicle shall be the vehicle in immediate pursuit of the suspect. The first responsibility of the officer(s) in the primary vehicle is the apprehension of the suspect(s) without unnecessarily endangering themselves or other persons. Until relieved by a field supervisor, the primary officer shall be responsible for controlling the pursuit tactics. The responsibilities also include whether to become involved in a pursuit and whether the pursuit should be discontinued.

(b) The police officer initiating the pursuit shall immediately notify the Communications Bureau that a pursuit is underway, giving the following information:

1. The known law violation or reason for the pursuit.
2. Description of the vehicle, including license number, if possible.
3. Location and direction of travel of the pursued vehicle.
4. Speed of the fleeing vehicle.
5. Number of occupants in the vehicle.
6. The identity or description of the known occupants.
7. Information concerning the use of firearms, threats of force, injuries, hostages or other unusual hazards.

(c) Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

314.3.3 SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

(a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit.

(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

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314.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft are requested if available.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Controlling and managing SRPD units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

314.4.1 WATCH COMMANDER RESPONSIBILITY

Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

314.4.2 COORDINATION

(a) The field supervisor may take direct control of coordinating the pursuit when in radio contact with the pursuing officers. In such cases, the Communications Bureau shall be advised and communicate information concerning the pursuit to the field supervisor.

(b) During a pursuit, radio traffic from any other police vehicle but the pursuing officers should be limited.

1. It is unnecessary for the Communications Bureau to repeat changes in direction or to acknowledge officers reporting that they are in position.

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2. If an officer is out of position to offer immediate assistance in the pursuit, radio traffic to/from that officer shall not occur so as to keep the radio free for emergency information.

(c) Should the field supervisor or officer in the primary vehicle in the pursuit decide to terminate the pursuit due to weather, road conditions, traffic congestion, or other factors, the Communications Bureau shall notify all officers involved that the pursuit has been terminated.

(d) The dispatching agency initiating the pursuit should notify affected allied agencies, and specify if assistance is or is not requested.

(e) When assistance is requested, an open telephone line between affected agencies should be maintained until the incident terminates.

(f) Each agency should ensure that all interagency communication be via dispatch points.

(g) All personnel involved in pursuits should be specific in their communications with allied agencies and provide timely updates as events develop.

314.4.3 COLLISIONS DURING PURSUITS

If vehicles become involved in a collision, the collision should be investigated by the law enforcement agency having jurisdiction of the area in which the collision occurred. Collisions involving Santa Rosa police vehicles should be investigated in accordance with the department's policy regarding Police and City Vehicle Accident Reporting.

314.5 COMMUNICATIONS

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

314.5.1 COMMUNICATION CENTER RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Communications Bureau will:

(a) Coordinate pursuit communications of the involved units and personnel.

(b) Notify and coordinate with other involved or affected agencies as practicable.

(c) Ensure that a field supervisor is notified of the pursuit.

(d) Assign an incident number and log all pursuit activities.

(e) Broadcast pursuit updates as well as other pertinent information as necessary.

(f) Notify the Watch Commander as soon as practicable.

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314.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

314.6 PURSUIT INTERVENTION TACTICS

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practicable. Officers should carefully consider the limitations of such tactics as well as the potential risks to officers, the public and occupants of the pursued vehicle. Officer should request supervisor approval for all Pursuit Intervention Tactics, absent exigent circumstances.

314.6.1 DEFINITIONS

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

Ramming - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Roadblocks - A tactic designed to stop a violator's vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator's vehicle.

Spikes or tack strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

314.7 PURSUIT INTERVENTION TECHNIQUE (PIT)

Officers who have been trained in the proper application of the Pursuit Intervention Technique (PIT Maneuver) may use this maneuver to stop a pursued vehicle. The PIT must be used in compliance with the following guidelines and with the approval of an involved supervisor.

(a) Officers involved in the pursuit must be in communication with officers intending to use the PIT. A minimum of three (3) police vehicles are needed to properly effect a PIT.

(b) The PIT shall only be deployed in areas where roadway widths and other physical barriers would allow its safe application.

(c) The PIT should generally be deployed at speeds of 35 m.p.h. or less.

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(d) At the conclusion of an incident where a PIT was utilized, any police vehicle which sustained damage will be removed from service until a mechanical inspection can occur.

(e) The involved field supervisor and pursuing officers shall consider the type of vehicle being pursued in their decision to use the PIT. Absent exigent circumstances, the PIT shall not be used to stop the following types of vehicles:

1. Motorcycles or other two wheel vehicles.
2. Any vehicle transporting a hazardous material as defined in Vehicle Code § 2402.7.
3. Any passenger bus transporting passengers.
4. Any school bus transporting pupils.
5. Any vehicle that would pose an unusual hazard to innocent parties.

314.8 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

314.8.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

(a) If the pursuit appears to be heading outside the jurisdiction of the City of Santa Rosa, the Communications Bureau will notify the C.H.P. and the Sonoma County Sheriff's Office for assistance, providing as much information as specified in this policy.

(b) When a pursuit extends into another area of jurisdiction, the field supervisor or senior officer in the pursuit (if the field supervisor is not available) should determine if the other law enforcement agency should assume the pursuit. The following should be considered:

1. The distance involved.
2. Pursuing officers’ familiarity/unfamiliarity with the new area.
3. Other known pertinent facts.

(c) If the pursuit is assumed by another agency, the initiating officer should proceed to the termination point, if within a reasonable distance, to provide information which may be required for the arrest.

(d) All pursuits that leave the City limits or get involved in multi-agency pursuits shall follow the guidelines in this policy.

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314.8.2 PURSUITS EXTENDING INTO SRPD JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

(a) Ability to maintain the pursuit.

(b) Circumstances serious enough to continue the pursuit.

(c) Adequate staffing to continue the pursuit.

(d) The public's safety within this jurisdiction.

(e) Safety of the pursuing officers.

As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

314.9 REPORTING REQUIREMENTS

The following reports should be completed upon conclusion of all pursuits:

(a) The primary officer should complete appropriate crime/arrest reports.

(b) The Field Supervisor shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required information on the form as is known and forward the report to the Field Supervisor for review and distribution.

(c) The completed report shall be forwarded to the Records bureau for routing to the California Highway Patrol.

(d) After obtaining the available information a field supervisor shall promptly complete an IAPro entry per department guidelines.

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314.10 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).

314.10.1 POLICY REVIEW

Each sworn member of the department shall certify in writing that they have received, read and understand this policy initially and upon any amendments. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member's training file.

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Alarm Response - Marijuana Drying Facility, SRPD Rear Parking Lot

315.1 PURPOSE AND SCOPE

To identify procedures for police response to the Marijuana Drying Facility containing evidence located in the back parking lot of the Public Safety Building. It is important that each alarm be properly identified to the field units so that appropriate action can be taken.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

315.2 POLICY

Officers of the Santa Rosa Police Department shall respond to an alarm at the Marijuana Drying Facility either when directed by Communications or when they hear the alarm sound. The Marijuana Drying Facility is monitored by Bay Alarm and has three video surveillance cameras which are accessible via their website and can be viewed by any department employee.

(a) In receiving and communicating the alarm to responding field units, Communications shall properly dispatch the alarm in accordance with established procedures.

(b) Dispatch will announce over the Public Address system that a CODE RED Marijuana Drying Facility exists. Sworn police personnel within the building shall respond to the Marijuana Drying Facility.

(c) Arriving units shall report on conditions as soon as possible.

(d) Supplementary information from the scene shall be given to the Communication Center when possible.

(e) Police unit response to alarms shall be Code 2.

315.3 PROCEDURE

An officer arriving at the alarm scene shall await the arrival of cover units before entering the premises.

(a) The first marked unit on the scene shall be designated the "Command Unit". This unit shall perform the following tasks:

1. Assess the situation.
2. Request Code 33 if appropriate.
3. Direct responding units to specific areas of the Marijuana Drying Facility. i.e. creek positions.

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315.3.1 COMMUNICATIONS PERSONNEL

(a) When the panic alarm is activated from the Marijuana Drying Facility, Communications personnel shall immediately announce over the Public Address system "CODE RED," MARIJUANA DRYING FACILITY".

(b) During those periods when sworn personnel are not known by Communications to be in the building, Communications personnel shall dispatch the closest officer(s) to the Marijuana Drying Facility, advising them of the "CODE RED" over the radio.

(c) Once "CODE RED" has been announced over the paging system/radio, Communications shall attempt visual contact from the dispatch window or access the cameras via the website and attempt to determine the status and gain additional information to relay to responding personnel (i.e. weapons, hostages, etc.).

(d) Personnel activating the panic alarm in the Marijuana Drying Facility will not give a condition status (Code 4). Responding personnel upon arrival shall give a condition status via telephone or radio.

(e) Upon receipt of a Code 4, Communications shall announce over the paging system/ radio advising all personnel, "CODE 4 at the Marijuana Drying Facility".

(f) The alarm company has Communications' phone number listed as the representative. In the event a representative needs to respond, Communications personnel shall notify the Narcotics Team supervisor. In the event the Narcotics Team supervisor is not available, a Narcotics Team detective assigned to the Team will be notified. A Property/Evidence Technician may be called in the event no other responders are available.

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Officer Response to Calls

316.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

316.2 RESPONSE TO CALLS

Officers responding Code 3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment, without a red light and siren, does not provide any exemption from the provisions of the Vehicle Code.

When attempting to make an enforcement stop or when necessary to close the distance between an emergency vehicle and a suspected violator, officers are authorized to exceed applicable speed limits without activating the red light or siren if use of lights or siren is not advisable due to traffic conditions or tactics used. Once traffic conditions permit, the officer shall use the appropriate emergency equipment.

316.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Communications.

If circumstances permit, the requesting officer should give the following information:

- The unit number.
- The location.
- The reason for the request and type of emergency.
- The number of units required.

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316.4 INITIATING CODE 3 RESPONSE

If an officer believes a Code 3 response to any call is appropriate, the officer may proceed Code 3. When circumstances permit, the officer shall notify Communications of the Code 3 response and give the location from which he/she is responding.

316.5 RESPONSIBILITIES OF RESPONDING OFFICER(S)

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code 3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit the continuation of such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Communications. An officer shall also discontinue the Code 3 response when directed by a supervisor.

316.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code 3 response when an officer requests emergency assistance or available information reasonably indicates the public is threatened with serious injury or death and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Watch Commander or a field supervisor prior to assigning units Code 3. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance.

(b) Immediately notify the Watch Commander or field supervisor.

(c) Confirm the location from which the unit is responding.

(d) Notify and coordinate allied emergency services (e.g., fire and ambulance).

(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Watch Commander or field supervisor.

316.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code 3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:

(a) The proper response has been initiated.

(b) No more units than reasonably necessary under the circumstances are involved in the response.

(c) Affected outside jurisdictions are being notified as practical.

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The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code 3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code 3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code 3 response, the Watch Commander or the field supervisor should consider the following:

- The type of call.
- The necessity of a timely response.
- Traffic and roadway conditions.
- The location of the responding units.

316.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code 3 response and respond accordingly. In all cases, the officer shall notify the Watch Commander, field supervisor, or Communications of the equipment failure so that another unit may be assigned to the emergency response.

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Alarm Response - Robbery/Burglary

317.1 PURPOSE AND SCOPE

To identify procedures for police response to alarms. There are several methods by which alarm notifications are received in the Communications Center. It is important that each alarm be properly identified to the field units so that appropriate action can be taken.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

317.2 REFERENCES

(a) City Ordinance 6-68.210: Audible burglar alarms are required to be shut off within twenty (20) minutes. Upon police request, a representative shall respond within one hour to the premises.

(b) City Ordinance 6-68.25, Alarm Telephone Devices: It is unlawful to report a police emergency to the Communications Center by a taped or otherwise recorded message.

(c) City Ordinance 6-68.260, Alarm Siren-Type Restrictions: It is unlawful to install an intrusion-detection device or alarm system which emits a sound exceeding eighty (80) decibels similar to sirens in use on emergency vehicles or for civil defense purposes.

317.3 POLICY

Officers of the Santa Rosa Police Department shall respond, at the direction of the Communications Bureau, to all alarms.

(a) In receiving and communicating alarms to responding field units, Communications shall properly classify and dispatch alarms in accordance with established procedures.

(b) Telephone calls to the location of a reported alarm shall not be made prior to the arrival of the assigned units, except at the discretion of the police supervisor.

(c) Telephone calls received by Communications reporting the accidental activation of alarms shall cause the cancellation of responding units providing proper representative information can be, or has been, obtained from the party canceling the alarm.

(d) Arriving units shall report on conditions as soon as possible.

(e) Supplementary information from the scene shall be telephoned to Communications when possible, avoiding excessive radio transmissions.

(f) Police unit response to alarms shall generally be Code 2, as described in Policy 803, Police Radio Communications.

(g) Communications shall provide responding units all pertinent available information:

1. Robbery (211) or Burglary (459).

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2. Residential, commercial or bank.
3. Name and address of the business or residence.
4. The area covered by the alarm (i.e. perimeter, interior, vault).

317.4 PROCEDURE

An officer arriving at a robbery or burglary alarm scene shall await the arrival of cover units before entering the premise.

(a) The first marked unit on the scene shall be designated the "Command Unit". This unit shall perform the following tasks.

1. Assess the situation.
2. Request Code 33 if appropriate.
3. Direct responding units to specific locations.

(b) When responding units are deployed in a containing action, all other responding police units shall remain out of the contained area until such time as assistance at the scene is required.

(c) When the area is contained, Communications shall make the appropriate notification.

1. Burglary Alarm

(a) Call the Alarm Company and request a representative response.

(b) If the response will be longer than 15 minutes, the officer may clear.

(c) Advise responding person that an officer will assist in checking the premise. However, the person responding will have to request an officer upon arrival.

2. Robbery Alarm

(a) Once police units are in position, establish telephone contact with an employee of the business to determine validity of the alarm.

(b) False alarm: Request a responsible employee exit the premises and confer with the officer.

(c) Robbery in progress: Instruct the employees to immediately lock the doors upon departure of the last robbery suspect.

3. Bank Alarm - Robbery

(a) Upon verification from an officer that a robbery has occurred, Communications shall notify the Special Services Division to respond and notify the F.B.I.

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(b) Regardless of information received via telephone from the bank or other source which indicates that the alarm was false, the unit originally assigned to the alarm call or other unit assigned by Communications personnel or a police supervisor, shall check the security of the bank with a bank employee.

317.5 APPROVED STATUS CODES FOR DISPOSITION

One of the following shall be used when clearing any type of alarm call:

(a) BA = Billable Alarm (used for false alarms).

(b) CAN = Alarm cancelled prior to officer dispatch or arrival.

(c) ARR = An arrest.

(d) OTH = Other. Used in power outages or when there is a crime or an attempted crime but a report is not made or wanted; or another unusual situation which should not be considered a billable alarm.

(e) REF = Referred to another agency's jurisdiction or to the Fire Department as a fire alarm.

(f) REP = Report of a crime or attempted crime.

(g) UTL = Unable to locate.

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Canine Program

318.1 PURPOSE AND SCOPE

The Police Canine Program consists of trained teams of handlers and canines that are used to supplement police operations to locate and apprehend criminal offenders.

Police Canine Teams consist of a designated Canine Officer and a canine that train together and are deployed as a team. Police Canine Teams are generally assigned to patrol duties. Police Canine Teams assist patrol operations through a variety of functions: protecting officers and citizens from violence, conducting searches for items or persons, tracking criminal suspects, apprehending criminals fleeing from crime scenes, apprehending violent criminals, and detecting narcotics. Police Canine Teams are also used for public education, exhibitions and demonstrations.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

318.2 GUIDELINES FOR THE USE OF CANINES

The Police Canine Team is assigned to the Field Services Division.

(a) Overall administration and oversight of the Canine Team is the responsibility of a designated Field Services Division lieutenant.

(b) Daily coordination, management, and administration of the Canine Team are the responsibility of the Canine Team supervisor.

(c) Operationally, the Police Canine Teams act under the direct supervision of the on-duty shift sergeant.

(d) Authority and decision to deploy a Police Canine rests with the Canine Officer, subject to the provisions of this policy.

(e) The position of Canine Officer is a special assignment as defined by department policy. The term of the Canine Officer assignment is generally a minimum of three (3) years, and a maximum of seven (7) years. Pursuant to organizational needs, the asignment may be for less than three years, or extended beyond seven years.

(f) Canines are the property of the Santa Rosa Police Department and not that of the Canine Officers. Canine Officers are charged with maintaining the general welfare, training and approved department certifications of their assigned canine.

318.3 REQUEST FOR USE OF CANINE TEAMS

(a) Lieutenant: The duties and responsibilities of the Field Services Division lieutenant include:

1. Advising the Division Manager on the status of the Canine Team.
2. General management oversight and administration of the Canine Program.

(b) Team Supervisor: The duties and responsibilities of the Canine Team supervisor include:

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1. Managing the Canine Program budget.
2. Maintaining contact with various vendor services utilized by the Canine Program to include Maintenance Training Program providers, veterinarian services provider, and equipment suppliers.
3. Procuring and managing equipment needs of the Police Canine Teams.
4. Coordinating all formal Police Canine training and maintain training records.
5. Conducting inspections of Police Canine Teams' equipment, vehicles, and kennels.
6. Maintaining all records for the Canine Team.
7. Providing statistical reports as requested by members of Command Staff.
8. Coordinating and scheduling requests for public exhibitions.
9. Reviewing and approving reports and documents relating to all Police Canine Team training, deployment or other utilization of Police Canines.
10. Providing input on Canine Officers' performance evaluations.
11. Liaison with the Canine Program lieutenant and the City Attorney's Office, when appropriate, regarding legal issues related to the Canine Program.

(c) Patrol Sergeant: The duties and responsibilities of the patrol sergeant who supervises a patrol team which includes a Police Canine Team include:

1. General supervision and oversight of the Canine Team while on duty.
2. Advising the Canine Team supervisor on the status of the performance of the Police Canine Teams on an on-going basis by observation and feedback from other supervisors, officers and the public.
3. Preparing required performance evaluations for the Canine Officer.

(d) Canine Officers: The duties and responsibilities of the Canine Officers include:

1. Functioning as a patrol officer as assigned by the on-duty supervisor.
2. Responding and assisting with calls for service requiring the assistance of a Police Canine Team.
3. Meeting department training requirements and standards.
4. Conducting canine obedience and specialized training.
5. Providing normal maintenance, care, licensing and proper medical care for the assigned Police Canine.
6. Preparing and submiting documentation relative to training, deployment or other utilization of the Police Canine to the Canine Team supervisor.

318.4 SELECTION OF CANINE HANDLERS

The following are the minimum qualifications for the assignment of Canine Officer:

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(a) Santa Rosa Police Department officer (currently off of probation).

(b) Reside in an adequately fenced, single-family, residence (minimum six-foot high fence with locking gates).

(c) Have a garage which can be secured and accommodate a canine patrol vehicle.

(d) Live within 30 minutes travel time from the Santa Rosa City limits.

(e) Agree to be assigned to the position for a minimum of three years.

(f) Meet all key areas of responsibility in the officer's work plan.

318.5 CANINE HANDLER RESPONSIBILITIES

Police Canine Team Training

(a) Each Police Canine Team will satisfactorily complete a required POST approved basic training course prior to general law enforcement deployment.

(b) Canine Officers are responsible for conducting three and one half hours (3 1/2) of maintenance and care for the canine on a weekly basis.

(c) Police Canine Teams are required to attend all scheduled training days unless their absence is approved by the Canine Program supervisor.

(d) All Police Canine training will be conducted during "on-duty" time unless prior approval of the Canine Team supervisor is obtained.

Certification

(a) Each Police Canine Team will be evaluated and certified by a POST approved "Canine Team Evaluator" minimally on an annual basis after the initial certification.

(b) Evaluation of the Police Canine Teams shall be based on the POST Voluntary Canine Team Guidelines.

(c) If a Police Canine Team does not satisfactorily pass the certification testing, the Police Canine shall be removed from general law enforcement deployment until certification is obtained.

(d) Re-testing of Police Canine Teams will not be conducted on the same day of any unsuccessful certification test.

(e) Controlled substance training aids are required to effectively train and maintain drug detecting dogs. Further, controlled substances can also be an effective training aid during training sessions for law enforcement personnel and the public. Health & Safety Code § 11367.5 provides that any Chief of Police or his/her designee may, at his/her discretion, provide controlled substances in his/her possession for training purposes:

1. To any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency;
2. Provided the controlled substances are no longer needed as criminal evidence.
3. The Police Canine Team supervisor will be responsible for the issuance and oversight of any controlled substances used for training purposes. The Canine

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Officer will be responsible for the safe handling, storage, packaging, and utilization of any controlled substance training aids issued to them

4. Controlled substances used for the purpose of training drug detection canines shall be acquired from the Property Evidence Team.
    (a) Only controlled substances from adjudicated cases which are slated for destruction are to be used for canine drug detection training.
    (b) The Canine Program supervisor or a Canine Officer shall document the transfer of any controlled substance to or from the Property Evidence Team with a police report in the ILEADS system.
    (c) Canine drug detection training can sometimes result in the loss or reduction of the controlled substance. Any loss or reduction in the quantity of any controlled substances used for drug detection training shall be documented in a supplemental report as soon as practical to the original ILEADS report documenting the transfer of the controlled substance to the Canine Officer.
    (d) Property Evidence Technicians shall only release controlled substances for the purpose of drug detection training to authorized personnel and in accordance with this policy. Santa Rosa Police Personnel authorized to use controlled substances for canine drug detection training is limited to Canine Officers and the Canine Program supervisor.
    (e) A copy of any report documenting transfer of a controlled substance, or any supplemental report(s), will be forwarded to the Canine Program supervisor and the Property Evidence Team.

318.6 MEDICAL CARE OF THE CANINE

318.6.1 NON-EMERGENCY MEDICAL CARE

(a) Generally, Police Canine Teams will be assigned to work a swing shift, modified swing shift or graveyard shift based upon the needs of the department. Otherwise, the same rotation rules that apply to other officers assigned to the Field Services Division apply to Canine Officers.

(b) Canine Officers will conduct routine patrol functions including handling calls for service requiring reports. Canine Officers shall whenever possible respond to calls where the deployment of the Police Canine may be beneficial.

(c) Police Canine Teams may be assigned to assist other department teams and sections as requested, and may be reassigned to meet other department needs.

318.6.2 EMERGENCY MEDICAL CARE

(a) Requests for assistance from police agencies in Sonoma County will be referred to an on-duty Watch Commander or, if not available, an on-duty supervisor who will decide whether or not to provide a Canine Team. Responses are limited to "in-progress" emergency incidents.

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(b) Requests for assistance from police agencies in Sonoma County regarding pre-planned incidents require prior approval from the Canine Team lieutenant or, if not available, any other Field Services Division lieutenant.

(c) Requests for assistance from police agencies outside Sonoma County require the prior approval of the on-duty lieutenant, or in his/her absence the on-call lieutenant.

(d) When Police Canine Teams are assigned to another agency pursuant to a request for mutual aid or assistance, Canine Officers shall comply with all of the applicable regulations of the Santa Rosa Police Department.

318.6.3 CANINE PATROL VEHICLES

(a) Police Canine Teams shall patrol in assigned, specially equipped and clearly marked patrol vehicles.

(b) Canine Officers are responsible for the care and maintenance of their assigned patrol vehicles.

(c) Generally, canine patrol vehicles should not be utilized for the transportation of prisoners. In an emergency or other unusual circumstances, prisoners may be transported in the front seat in accordance with the prisoner transportation policy.

318.6.4 UNIFORMS

The standard uniform for Canine Officers shall be the approved class "C" utility uniform.

Police Canines shall be identified with a department issued badge/tag.

318.6.5 VETERINARIAN SERVICES

(a) Canine Officers shall be responsible for obtaining necessary veterinary attention/ treatment for their assigned canines, including rabies and other necessary vaccinations.

(b) Veterinary services shall be provided at the City's expense. In case of emergencies or unusual circumstances, the Canine Team supervisor, on-duty supervisor, or Canine Team lieutenant may approve any veterinary provider able to render the necessary services.

(c) Canine Officers shall submit a Police Canine Activity Report (PCAR) to the Canine Team Supervisor within 48 hours after any veterinarian treatment/service.

318.7 TRAINING

(a) Canine Officers will maintain control of their assigned Police Canines at all times, on or off lead, and on or off duty.

(b) Canine Officers shall take reasonable steps to ensure their assigned Police Canines do not relieve themselves in areas where citizens may be offended. Canine Officers are responsible for properly disposing of waste produced by their Police Canines.

(c) Canine Officers may not take their assigned Police Canines on vacation or other recreational activities without the prior approval of the Canine Team supervisor. In the event of extended absences from home by the Canine Officer, the Police Canine

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may be boarded at a kennel approved by the Canine Team supervisor or by other arrangements approved by the Canine Team supervisor.

(d) Department owned Police Canines shall not be used for breeding purposes.

(e) Other canines personally owned by the Canine Officer that reside at the same location as the Police Canine shall be spayed or neutered.

(f) Canine Officers are responsible for the safety of Police Canines while in the company of other personally owned pets.

(g) Canine Officers are allowed to participate in law enforcement canine matches, trials or contests with prior approval of the Canine lieutenant.

(h) Canine Officers who board their Police Canines at their residence shall comply with the licensing requirements of the city or county in which they reside.

(i) When incurring expenses or making purchases related to the Canine Program, Canine Officers shall obtain prior authorization and provide copies of all receipts, statements or invoices to the Canine Team supervisor within five (5) working days.

(j) Canine Officers shall take reasonable precautions to ensure their assigned Police Canine is not teased, provoked or otherwise abused.

(k) In the event the Police Canine bites or injures someone while in an off-duty capacity, the Canine Officer shall immediately notify the on-duty Watch Commander or, if not available, the on-call lieutenant and the Canine Team supervisor. The Canine Officer shall complete a written report of the circumstances and submit this report through the chain of command to the Chief of Police within twenty-four (24) hours.

(l) All expenses and costs associated with the training, maintenance, and care of the Police Canine will be paid by the department, subject to the approval of the Canine Team supervisor.

318.7.1 CONTINUED TRAINING

Police Canine Teams are required and encouraged to participate in ongoing training.

(a) Canine teams shall receive training as defined in current contract with the department's canine training provider in order to meet current POST standards.

(b) Canine Officers are encouraged to engage in additional training with approval of the Canine Team supervisor.

(c) In order to ensure all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to the policies of the Santa Rosa Police Department.

(d) Any training conducted with an outside vendor or conducted with a trainer who is not the departmentally contracted trainer requires prior approval from the Canine Team supervisor.

(e) All canine training shall be conducted while on-duty unless otherwise approved by the Canine Team supervisor or Watch Commander.

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318.8 CANINE UNIT COORDINATOR RESPONSIBILITIES

Protecting Officers and Citizens from Violence:

(a) The Police Canine may be deployed in circumstances that include but are not limited to the following:

1. Situations where there is cause to believe an immediate threat of violence or serious harm is posed to the public, the Canine Officer, the Police Canine or any other officer.
2. Situations that permit the lawful use of force.
3. As provided in this policy.

(b) A Police Canine will not be used to intimidate, coerce, threaten or frighten any person except in the lawful performance of the Canine Officer's duties.

(c) Police Canines may be used for crowd control with the prior approval of an on-duty supervisor.

When it is determined a need exists for a building or area search, the following may occur:

(a) The Canine Officer should make every effort to gain as much information as possible about the circumstances surrounding the need for a search and that an adequate perimeter has been established.

(b) The Canine Officer will make the determination of whether or not a canine search will be conducted and whether or not the search will be on or off lead.

(c) A verbal warning, if possible and appropriate given the circumstances, should be given prior to the deployment of the Police Canine. In situations where a verbal warning would jeopardize the safety of the Canine Team, other officers or the public, a warning announcement need not be given. The verbal warnings shall be in a loud and clear audible voice. The verbal warning shall be similar to the following:

(a) "THIS IS THE SANTA ROSA POLICE DEPARTMENT. WE ARE GOING TO USE A POLICE DOG TO FIND YOU. YOU MAY BE INJURED BY THE DOG. IF YOU COME OUT AND SUBMIT TO ARREST THE DOG WILL NOT BE USED."

(d) The Canine Officer will confirm with perimeter officers that the announcement was clear and audible prior to deploying the Police Canine. This confirmation should be done over the police radio in order to provide a record that the perimeter officer(s) heard the announcement.

(e) Prior to commencing any search, the Canine Officer should allow reasonable time for persons to surrender or to clear the area that is to be searched.

(f) The area to be searched should not be disturbed before deployment of the Police Canine unless absolutely necessary for the protection of evidence, officers, or the public.

(g) If the Police Canine locates a suspect, the arrest of a suspect should be made under the direction of the Canine Officer.

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318.8.1 APPREHENSION OF CRIMINAL SUSPECTS

(a) APolice Canine may be deployed to apprehend persons under circumstances including but not limited to the following:

1. The Canine Officer has reasonable cause to believe that a person has committed a crime, or is about to commit a crime, and the person is resisting or fleeing (mere flight alone shall not serve as good cause for the deployment and apprehension by a Police Canine).
2. The Canine Officer is assaulted.
3. The Police Canine is assaulted.
4. In situations where it is safer for the Police Canine to make the apprehension than for an officer to do so.
5. To prevent injury to another officer or person.

(b) Prior to deployment of a Police Canine for apprehension of a person, consideration shall be given by the Canine Officer to the following:

1. The person's age or estimation of age if that information is unknown.
2. The nature and seriousness of the offense involved.
3. Potential danger to officers who may attempt to assist with the apprehension.
4. Potential danger to members of the public.

(c) In all cases where a Police Canine is deployed for the apprehension of a person, the following shall take place:

1. The Communications Center shall be advised as soon as practical.
2. The on-duty supervisor shall be advised as soon as practical.
3. If the Police Canine apprehends a suspect, the arrest will be made under the direction of the Canine Officer.
4. Immediately report any bite or injury consistent with this policy and the department's use of force policy.

318.8.2 POLICE PURSUITS

Police Canine Team vehicle pursuit requirements and tactics:

(a) The Canine Officer shall follow all guidelines as outlined in the department's Vehicle Pursuit policy.

(b) In the event a Police Canine Team initiates a pursuit, the Canine Officer shall relinquish the role as primary vehicle when another marked patrol vehicle can safely take the primary role.

(c) The Canine Officer shall advise the Communications Center and the on-duty supervisor that a Police Canine Team is involved in the pursuit.

(d) At the termination point of a police pursuit the Canine Officer may deploy the Police Canine to apprehend fleeing suspects.

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(e) Should the determination be made to deploy a Police Canine to apprehend any fleeing person at the termination of a police pursuit, and prior to deploying the Police Canine, the Canine Officer shall, if practical, advise the Communications Center and other involved officers that the Police Canine will be deployed.

318.8.3 PHYSICAL CONTACT

The following actions shall be taken after a Police Canine apprehension, grab, bite, nibble, pinch or any other circumstance where the Police Canine either comes into physical contact with a person and that person complains of an injury, or there is visible injury:

(a) The person shall be secured as soon as possible to prevent escape.

(b) First aid shall be rendered by officers present.

(c) The on-duty supervisor shall be notified as soon as practical by the Canine Officer.

(d) The Canine Team supervisor shall be notified as soon as practical.

(e) The Canine Officer is responsible for ensuring the person is transported to a medical facility for medical attention. The person shall be transported by someone other than the Canine Officer. An examination shall be conducted and necessary treatment provided. When applicable, a medical clearance shall be obtained prior to booking.

(f) The Canine Officer shall conduct an interview with the person for the purpose of determining the person's actions prior to contact with the Police Canine. If possible, the interview shall occur subsequent to medical attention and prior to any booking.

(g) The Canine Officer shall take digital photographs of the person and the area(s) of the person that was contacted by the Police Canine. The digital photographs shall be booked into Evidence. Copies of the photographs shall be attached to the Police Canine Activity Report.

(h) The Canine Officer shall complete a Police Canine Activity Report (PCAR) in addition to any other required reports.

(i) The Police Canine Activity Report shall be routed to the Canine Program supervisor, lieutenant, and the City's Risk Manager within twenty-four (24) hours.

(j) If the Canine Officer is the victim of a crime such as a felony assault, an uninvolved officer may be assigned to investigate the crime. If the Canine Officer is the victim of a misdemeanor offense, the on-duty patrol sergeant will evaluate whether the Canine Officer or an uninvolved officer should investigate the offense.

318.8.4 PUBLIC EDUCATION EXHIBITIONS AND DEMONSTRATIONS

(a) All requests for public education exhibitions and demonstrations of the Police Canine Teams shall be forwarded to the Canine Team supervisor.

(b) The Canine Team supervisor shall make the decision whether or not to approve all requests for public education exhibitions and demonstrations.

(c) Police Canine Teams shall conduct only authorized exhibitions or demonstrations.

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318.9 CONTROLLED SUBSTANCE TRAINING AIDS

(a) Police Canine Activity Report (PCAR) Form (available in the "pdcommon" directory in the "Forms" folder).

1. This form shall be completed by the Police Canine Officers for each deployment of a Police Canine Team. This includes training, tracking, searches, apprehensions, public education exhibitions or demonstrations, and veterinary visits.
2. These reports shall be submitted to the Canine Team supervisor within five (5) working days of the incident requiring the PCAR form.
3. The Activity Reports shall be maintained by the Canine Team supervisor.

(b) Canine Team Monthly Training and Activity Summary (available in the "pdcommon" directory in the "Forms" folder).

1. Monthly Canine Team training shall be documented in accordance with the department's formatted training outline criteria. Vendor training or certification forms shall be attached to the canine training outline. The Canine Program supervisor shall forward the monthly training outline and attachments to the Canine Program lieutenant and Training Manager by the last day of each month.
2. The monthly training outlines will be maintained by the Canine Program supervisor and department Training Manager.
3. All training records, activity reports, and any other records pertaining to the individual canines will be maintained by the Canine Program supervisor. These records will be kept and stored by the department for at least one year past the service life of each canine.

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Domestic Violence

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 3-10-16 by Chief Robert L. Schreeder.

Revised 5-16-18 by Chief Robert L. Schreeder.

Revised 8-1-19 by Chief Robert L. Schreeder.

320.1.1 DEFINITIONS

The following definitions are provided by Penal Code § 13700:

(a) **Abuse** - means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury.

(b) **Cohabitant** - means two unrelated adult persons living together for a substantial period of time, resulting in some permanence of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

1. Sexual relations between the parties while sharing the same living quarters.
2. Sharing of income or expenses.
3. Joint use or ownership of property.
4. Whether the parties hold themselves out as husband and wife.
5. The continuity of the relationship.
6. The length of the relationship.
7. The above definition of cohabitant is used for the application of enforcing Penal Code § 273.5. Family Code § 6209 expands the definition of cohabitant to include a person who regularly resides in the household for the application of enforcing Penal Code § 836(d).

(c) **Court Order** - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

(d) **Dating Relationship** - Frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

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(e) **Domestic Violence** - is abuse committed against an adult or minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or is having or has had a dating or engagement relationship.

(f) **Officer/Deputy** - means any law enforcement officer employed by a local police department or sheriff's office, consistent with Penal Code § 830.1.

(g) **Victim** - means a person who is a victim of domestic violence.

320.2 POLICY

The Santa Rosa Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

320.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officer or involved parties.

320.4 INVESTIGATIONS

Officers shall document all domestic violence related calls when a crime has been committed or alleged on a Crime/Case Report.

The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document spontaneous statements and statements solicited during the investigation from the victim, the suspect and any neighbors, witnesses, including children, in or around the household or location of occurrence.

(c) The officers should document the emotional state of the victim upon arrival and departure.

(d) Officers shall document in detail the relationship of the victim to the suspect.

(e) This shall include all emergency medical personnel and any witnesses statements who made the emergency call.

(f) Officers shall make every reasonable attempt to use a certified bilingual officer, the Language Line Services, and/or a certified hearing/speech impaired interpreter whenever clear communication cannot be established between the investigating officers and the involved parties.

(g) Family members, friends, neighbors, or other persons who may not be objective investigative sources shall not be used to provide interpretive services except during the initial contact to determine the following:

1. The need for emergency medical care.
2. The identity and location of the involved parties.

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3. Necessary officer safety information.

4. What crime has occurred, and when and where it occurred.

5. Names, addresses and telephone numbers of all witnesses shall be documented in the report.

(h) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

(i) When practicable and legally permitted, video or audio record all significant statements and observations.

(j) All visible injuries shall be photographed regardless of severity and all victims shall receive proper medical care prior to being photographed, if needed or desired All injuries should be documented in the police report, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations Bureau in the event that the injuries later become visible. An accurate description of observable physical injuries shall be included in the report narrative.

(k) If the victim elects to leave the residence, it shall be necessary to obtain the name, address and telephone number of the friend, relative or location where he/she will be staying.

(l) Pursuant to Penal Code § 13730(c), officers shall indicate "domestic violence" on the face sheet of the report under the category of Classification or Title. Officers shall document in the body of their reports:

1. Whether or not officers observed any signs that the alleged abuser was under the influence of alcohol or a controlled substance.

2. Whether or not any law enforcement agency had previously responded to a domestic violence call at the same address involving the same alleged abuser or victim.

3. Officers shall check ILEADS to determine if there is any previous history of domestic violence at the address or involving the abuser or victim.

(m) If officers are aware of any previous incident(s) of domestic violence in which the parents or caretakers were informed, these incident(s) shall also be documented.

(n) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(o) Officers shall provide the victim with the report number, or if not immediately available, explain how the number may be obtained.

(p) Officers shall advise the parents or caretakers of the harmful effects on children who witness domestic violence and include in the report that the parents or caretakers were informed.

(q) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

(r) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(s) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the

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name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(t) Officers shall follow procedures outlined in the Evidence policy.

(u) Officers shall complete and attach a Domestic Violence Checklist for each report.

(v) Officers shall complete the Lethality Checklist

(w) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Marital status of suspect and victim.
2. Whether the suspect lives on the premises with the victim.
3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

320.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

(a) Advise the victim there is no guarantee the suspect will remain in custody.

(b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.

(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

320.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

(a) Advise the parties of any options, including, but not limited to:

1. Voluntary separation of the parties.
2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

(b) Document the resolution in a report.

320.5 EMERGENCY PROTECTIVE ORDERS

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320.5.1 EMERGENCY PROTECTIVE ORDERS

(a) Family Code § 6241 mandates the Superior Court to provide a judge, commissioner, or referee to hear applications and issue Emergency Protective Orders based on criteria outlined in Family Code § 6250(c). A judicial officer may issue an Emergency Protective Order whenever a law enforcement officer asserts reasonable grounds that:

1. A person is in immediate and present danger of domestic violence based upon the person's allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought.
2. The domestic violence threat must be reasonably close in time to the request for the Domestic Violence Emergency Protective Order.
3. The ability to obtain a Domestic Violence Emergency Protective Order shall not be affected by the fact that the endangered person's abuser is no longer at the scene, has been taken into police custody, or that the endangered person has vacated the household to avoid abuse (e.g., women's shelter or motel).
4. A child is in immediate and present danger of abuse by a family or household member, based on an allegation of a recent incident of abuse or threat of abuse by the family or household member.
5. A child is in immediate and present danger of being abducted by a parent or relative, based on a reasonable belief that a person has intent to abduct a child or flee with the child from the jurisdiction or based on an allegation of a reasonable threat to abduct the child or flee with the child from the jurisdiction.
6. An elder or dependent adult is in immediate and present danger of abuse as defined in Welfare and Institutions Code § 15610.7 based on an allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought, except that no emergency protective order shall be issued based solely on an allegation of financial abuse.

(b) Under Penal Code § 646.91, a peace officer may also obtain an Emergency Protective Order when the officer has reasonable grounds to believe that a person or the person's immediate family is in immediate and present danger of being stalked.

1. Any such Emergency Protective Order shall be reduced to writing, signed by the officer and include all of the information required by Penal Code § 646.91(c).
2. Any officer seeking such an order shall serve the order on the restrained person if such person can be reasonably located and shall provide the person protected with a copy of the order. A copy of the order shall also be filed with the court as soon as practicable after issuance.
3. Any officer requesting such an order shall use every reasonable means to enforce the order.

(c) (c) Emergency Protective Orders may be obtained by telephone to prohibit a suspect who resides with a complainant, regardless of their marital status or relationship from:

1. Physically or verbally contacting the victim or disturbing his/her peace.
2. Remaining or returning to the victim's residence, regardless of who holds legal title to, or leases the residence.
3. Continuing a specified behavior as described in the order.

(d) Officers investigating the scene of current or recent situations of domestic violence should remain cognizant of the potential for continued and escalated violence. An Emergency Protective Order should be sought if there is reason to believe, based on factual evidence such as a recent history of violence that the victim may still be in danger.

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(e) Domestic Violence Emergency Protective Orders may determine the temporary care and custody of any minor children belonging to or in custody of the endangered person and the person against whom the order is sought.

1. Child custody shall be determined when there exists potential danger, (i.e., physical injury, threats, or threat of child stealing, or similarly appropriate reasons). Officers shall proceed cautiously with child custody issues due to the potentially volatile nature of child custody and the short term duration of the Domestic Violence Emergency Protective Order.

(f) Officers should consider requesting an EPO if

1. The victim requests an EPO and the requirement for such an order has been established (Family Code § 6241).

2. The investigating officer or victim believes the suspect may be able to make bail and the potential for further violence exists.

320.5.2 SERVICE OF THE EMERGENCY PROTECTIVE ORDER

(a) The Domestic Violence Emergency Protective Order shall be served upon the restrained person if the restrained person can reasonably be located, and a copy shall be given to the protected person.

(b) Officers shall advise the victim and the restrained party of all the conditions, requirements, prohibitions and warnings of the order, which are on both sides of the Domestic Violence Emergency Protective Order to both the restrained person and the protected person. This may include child custody, stay away, and move out orders. Officers will explain to the protected person the actual date and time the Domestic Violence Emergency Protective Order expires. Additionally, officers shall instruct protected persons to retain their pink copy and take it to Court if they are going to seek a Temporary Restraining Order.

320.5.3 PROCESSING EMERGENCY PROTECTIVE ORDERS

(a) Domestic Violence Emergency Protective Orders shall be entered into the California Law Enforcement Telecommunications System (C.L.E.T.S.) by the Communications Bureau.

(b) Upon servicing the Domestic Violence Emergency Protective Order, the officer shall immediately provide the Communications Bureau with a copy of the order for entry into C.L.E.T.S. by the Communications Bureau.

(c) The Domestic Violence Emergency Protective Order need not be served prior to entry into C.L.E.T.S.

320.5.4 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.

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1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information. Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

320.5.5 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

320.5.6 PROOF OF SERVICE NOT VERIFIED

When the officer verifies that a restraining order exists but cannot verify proof of service or prior knowledge of the order by the suspect, the officer shall perform the following:

(a) At the request of the complainant and upon presentation of an endorsed copy of the restraining order and a proof of service form, serve a copy of the order on the suspect. Submit the completed proof of service form to the court, regardless of whether or not the suspect is taken into custody (Code of Civil Procedure § 527.8(i)(2)).

(b) Immediately inform the suspect of the terms of the order and place the suspect on notice that violation of the order will result in arrest.

(c) Obtain the suspect's address.

(d) Enforce the order but do not make an arrest for any violation of the order occurring prior to verified proof of service or before an officer's admonition of the terms of the order. If the suspect continues to violate the order after being advised of the terms, an arrest should be made (Code of Civil Procedure § 527.8(i)(4)).

If the suspect complies with the order the officer shall complete a report detailing the specific terms of the order and advisement, the name of the advising officer, and the date and time of the advisement (Penal Code § 13730(c). The department copy of the restraining order shall be updated to reflect the information listed above.

320.5.7 WHEN ORDERS ARE NOT VERIFIABLE

If the victim is not in possession of the restraining order and/or for any reason the officer cannot verify the validity of the order the following action shall be taken:

(a) Write a report, give the police report number to the victim.

(b) Inform the victim of the right to make a private person's arrest for the appropriate violation. In domestic violence cases where the suspect has left the scene, an investigation should be conducted to determine if a crime has

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been committed. In such circumstances a written report shall be completed and the victim shall be informed of the case number and the follow-up criminal procedure (Penal Code §§ 13730(c) and 13701(c)).

320.6 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

(a) Recognize that a victim's behavior and actions may be affected.

(b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.

(c) Alert the victim to any available victim advocates, shelters and community resources.

(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.

(e) Seek medical assistance as soon as practical for the victim if he/she has sustained injury or complains of pain.

(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.

(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(h) Seek or assist the victim in obtaining an emergency order if appropriate.

320.6.1 VICTIM INFORMATION AND NOTIFICATION EVERYDAY PROGRAM

When appropriate, officers should advise the victim of the availability of the Victim Information and Notification Everyday (VINE) Program. VINE is a free, computer-based telephone service that allows victims to check on an offender's custody status and register to receive automatic notification when an inmate is released from County Jail. The contact phone number for VINE is (877) 411-5588 or www.sonomasheriff.org/jail-inmate-search. It is printed inside the Resource Information for Victims of Crime booklet.

320.6.2 WRITTEN NOTICE TO VICTIMS

Penal Code § 13701 requires that victims of domestic violence be furnished written notice which includes the victim's rights.

Officers shall provide victims of domestic violence a Resource Information for Victims of Crime Booklet.

320.6.3 DOMESTIC VIOLENCE SUPPORT

Victims of domestic violence or abuse have the right to have a domestic violence counselor (as defined in Evidence Code § 1037.1) and a support person of the victim's choosing present at any interview by law enforcement authorities (Penal Code § 679.05).

The investigating officer must advise the victim of his/her right to have an advocate and support person present at any subsequent interview(s), including additional interviews by the reporting officer and/or detectives handling the case. The victim should be advised that any advocate working for the agencies listed on the Domestic Violence resource card would qualify.

(a) For the purposes of this section, an initial investigation by law enforcement to determine whether a crime has been committed and to determine the identity of the suspect(s) shall not constitute a law enforcement interview.

(b) The support person may be excluded from an interview if the law enforcement authority or the District Attorney determines the presence of that person would be detrimental to the purpose of the interview.

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320.6.4 PUBLIC RECORD ADVISEMENT

The officer shall inform the victim that the victim's name will become a matter of public record pursuant to Government Code § 6254, unless the victim requests that it not become a matter of public record.

(a) This advisement does not apply to victims of all domestic violence related crimes. Read the top of SRPD Form 253B for proper application. In particular, it does not apply to victims of Penal Code §§ 243(e)(1) or 273.6.

The officer shall document that the victim was properly informed and the victim's response on SRPD Form 358, and have the victim sign SRPD Form 253B.

320.7 RESPONSE TO DOMESTIC VIOLENCE REPORT PER PENAL CODE SECTION 11160

(a) After receiving a report from a health practitioner, per Penal Code § 11160, each report will be reviewed by the Domestic Violence/Sexual Assault Investigations Team supervisor or designee, who will assign an officer to follow-up the reports when necessary.

1. If victims inform the practitioner they wish no law enforcement contact and there is no report of a traumatic condition, no contact shall be initiated; however, a domestic violence advocate may be assigned to contact the victim.
2. "Traumatic condition" is a condition of the body such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force.
3. If the report reflects "traumatic condition" was inflicted, a contact with the victim shall be initiated regardless of the victim's wishes.
4. If the report does not include information about the victim's wishes concerning contact or the victim desires contact, contact shall be initiated regardless of the extent of injury noted in the report.

(b) Whether or not a contact is initiated, a report shall be initiated by the receiving agency, documenting whether or not a contact is made and further information is developed.

1. When initiating contact, it should be done by telephone at a time when the perpetrator is unlikely to be present, or at the victim's workplace.
2. The caller should preface remarks using such language as "Is this a good time to call?"
3. If no phone is available to the victim, contact should be made in person at a time when the perpetrator is unlikely to be present.

(c) If there is a previous documented history of domestic violence involving the victim, contact shall be initiated upon the receipt of a second report regardless of the injury received or the victim's wishes.

(d) If no contact shall be initiated, or attempts to contact are unsuccessful, or contact is made and the victim refuses law enforcement services, a copy of the Penal Code § 11160 report shall be forwarded to the appropriate advocacy agency (e.g., Y.W.C.A. or Verity).

(e) All Penal Code § 11160 forms and accompanying police reports shall be maintained by the receiving agency for a minimum of three (3) years. If the agency decides prosecution is warranted, a copy of the Penal Code § 11160 report shall be forwarded to the District Attorney with police reports.

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320.8 LEGAL MANDATES AND RELEVANT LAWS

320.8.1 STANDARDS FOR ARRESTS

In accordance with state law, an arrest should be made when there is probable cause to believe a felony has occurred.

Officers investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is reasonable cause to do so requires supervisor approval.

1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) If the officer has probable cause to make an arrest for 273.5PC, but the officer has not located the suspect to make that arrest:

1. A Stop and Hold shall be issued.
2. A Statement of Probable Cause, per Penal Code § 964, shall be completed and attached to the report and forwarded to the District Attorney's Office for complaint review.

(c) Both of the following conditions must be present in order to make an arrest for 243(e)(1)PC in this situation pursuant to Penal Code § 836(d):

1. The peace officer has probable cause to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.
2. The peace officer makes the arrest as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

(d) The peace officer makes the arrest for 243(e)(1)PC as soon as probable cause arises to believe that the person to be arrested has committed the assault or battery, whether or not it has in fact been committed.

1. Once an officer stops the continuous investigation of a 243(e)(1) PC case, the officer should still attempt to contact the suspect, but only to complete the investigation and submit it to the District Attorney's Office for complaint instead of arresting the suspect.
2. A Stop and Hold should not be issued, but a Stop and FI shall be issued.
3. A Statement of Probable Cause, per Penal Code § 964, shall be completed and attached to the report and forwarded to the District Attorney's Office for complaint review.

(e) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Citizen's Arrest Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).

(f) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a) (3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant).
2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child).

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3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party.
4. Penal Code § 646.9 (stalking).
5. Other serious or violent felonies specified in Penal Code § 1270.1.

(g) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

(h) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer's presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

The court orders under Penal Code § 13701(b) may be captioned as follows:

- Domestic Violence Protective Order.
- Criminal Court Protective Order (CPO).
- Emergency Protective Order (EPO).
- Order to Show Cause and Temporary Restraining Order (TRO).
- Order After Hearing.
- Restraining Order - Juvenile.
- Judgment of Dissolution and Order.

Santa Rosa police officers shall make an arrest when a suspected violated the terms of a restraining order pursuant to Penal Code § 836(a)(1) whenever the officer has reasonable probable cause to believe the person to be arrested has committed a public offense in the officer's presence.

(a) If the officer has probable cause to make an arrest for the restraining order violation, but the officer has not located the suspect to make the arrest, a Stop & Hold shall be issued.

(b) The officer shall attach a copy of the restraining order and proof of service to the police report.

Penal Code § 836(c)(3) establishes that in situations where mutual protective orders have been issued, liability for arrest applies only to those persons who are reasonably believed to have been the dominant aggressor. In those situations, prior to making an arrest, the officer shall make reasonable efforts to identify, and shall arrest, the dominant aggressor involved in the incident. The dominant aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the dominant aggressor, an officer shall consider:

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(a) The intent of the law to protect victims of domestic violence from continuing abuse;

(b) The threats creating fear of physical injury;

(c) The history of domestic violence between the persons involved; and,

(d) Whether either person acted in self-defense.

320.8.2 RETURN OF FIREARMS

(a) If, within five days after the seizure, a firearm or other deadly weapon is not retained for use as evidence related to criminal charges brought as a result of the domestic violence incident and the officer has no reason to believe that such firearm or weapon would further endanger the victim or person reporting the domestic violence, the department shall notify the lawful owner or other person who was in lawful possession of the firearm or weapon of its availability (Penal Code § 12028.5(b)).

(b) If, however, any officer has reasonable cause to believe that a firearm or other deadly weapon seized in a domestic violence incident would likely result in further danger to the victim or person reporting such incident or that further investigation of such firearm or weapon is required through the Department of Justice or other sources, the department shall within five days of the seizure, notify the owner or other person who was in lawful possession of the firearm or weapon that such firearm or weapon will be retained for up to 60 days of the seizure.

(c) If, after 45 days, the department has been unable to clear the firearm or other deadly weapon for release, the department shall commence the process of preparing a petition to the Superior Court to determine if the firearm or other weapon should be returned. Such petition shall be filed within 60 days of the initial seizure or upon timely application to the court for an extension within no more than 90 days (Penal Code § 12028.5(f)).

(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice which conforms to the provisions of Penal Code § 12021.3(e).

(e) The department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 12021.3(g)).

320.9 DISPATCH ASSISTANCE

This department considers calls of reported, threatened, imminent, or ongoing domestic violence, and the violation of any protection order, including orders issued pursuant to Penal Code § 136.2, and restraining orders of extreme importance and shall be ranked among the highest priorities. Dispatchers are not required to verify the validity of the protective order before responding to the request for assistance. All calls of domestic violence should be dispatched as soon as practical.

320.10 RECORD KEEPING RESPONSIBILITIES

Penal Code § 13730 also requires that all law enforcement agencies maintain records on the number of domestic violence related calls reported to their agency and to include whether or not weapons were used in the incident. This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Technical Services Division Manager to maintain and report this information as required.

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320.11 DOMESTIC VIOLENCE/SEXUAL ASSAULT INVESTIGATION TEAM RESPONSIBILITY

In all domestic violence cases where the original investigating officer could not make a probable cause determination to arrest, a detective shall review the case for disposition.

The Domestic Violence/Sexual Assault Team supervisor or designee will make any necessary case follow-up assignments if needed to patrol officers or detectives.

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Unmanned Aerial System (UAS) Operations

321.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

Adopted 8-2-18 by Chief Robert L. Schreeder.

Revised 9-24-18 by Chief Robert L. Schreeder.

Revised December 17, 2018 by Chief Robert L. Schreeder.

321.2 DEFINITION

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

321.3 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

Department UAVs may be flown under two FAA regulatory authorizations:

(a) Per the conditions of a Certificate of Authorization (COA); or

(b) Under Title 14 of the Code of Federal Regulations, Part 107 – commercial regulations.

321.4 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

321.5 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

(a) Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring the COA is current.

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(b) Coordinating the training for all department pilots to be certified under Title 14, CFR Part 107.

(c) Ensuring that all authorized pilots and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.

(d) Developing a uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

(e) Ensure UAS missions are flown according to department policy, state law, and federal authority.

(f) Implementing a system for public notification of UAS deployment.

(g) Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.

(h) Developing a protocol for fully documenting all missions.

(i) Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.

(j) Developing protocols to ensure all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

(k) Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

(l) Facilitating law enforcement access to images and data captured by the UAS.

(m) Recommending program enhancements, particularly regarding safety and information security.

(n) Ensuring established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

321.6 USE OF UAS

Only authorized operators who have completed the required training and certifications shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

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321.7 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

(a) To conduct random surveillance activities.

(b) To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

(c) To harass, intimidate or discriminate against any individual or group.

(d) To conduct personal business of any type.

(e) The UAS shall not be weaponized.

321.8 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

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Temporary Custody of Juveniles

324.1 PURPOSE AND SCOPE

This policy provides guidelines and requirements for the detention and disposition of juveniles taken into temporary custody by members of the Santa Rosa Police Department.

Approved 5-22-13 by Chief Thomas E. Schwedhelm.

324.2 POLICY

Legal authority for taking custody of juvenile offenders is found in Welfare and Institutions Code § 625.

324.2.1 CONSTITUTIONAL RIGHTS ADVISEMENT

In any case where a juvenile is taken into temporary custody, the juvenile should be promptly advised of his/her constitutional rights to ensure the admissibility of any spontaneous statements, whether or not questioning is intended (Welfare and Institutions Code § 625).

324.2.2 CHILDREN UNDER THE AGE OF 14

Whenever a child under the age of 14 is arrested, the arresting officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

324.3 JUVENILES WHO SHOULD NOT BE HELD

No juvenile may be held in temporary custody at the Santa Rosa Police Department without authorization of the arresting officer's supervisor or the Watch Commander. An individual taken into custody for Welfare and Institutions Code § 300 or § 601 shall be processed as soon as practical. Juveniles detained under Welfare and Institutions Code § 602 may not be held at the Santa Rosa Police Department for more than six (6) hours from the time of arrival at the department.

When a juvenile is taken into custody, the arresting officer or the detective assigned to the case shall take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that such juvenile is in custody and provide the location where the juvenile is being held and the intended disposition (Welfare and Institutions Code § 627).

Status offenders and abused or neglected children (juveniles falling within provisions of Welfare and Institutions Code §§ 300 and 601) may not be detained in police jails or lockups. They may be taken to welfare workers but may not be held in a secured environment or come into contact with adults in custody in the station.

324.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

All juveniles held in temporary custody shall have the following made available to them:

(a) Access to toilets and washing facilities.

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(b) One snack upon request during term of temporary custody if the juvenile has not eaten within the past four hours or is otherwise in need of nourishment. The snack shall be provided by the arresting officer, jailer or as directed by a supervisor.

(c) Access to drinking water.

(d) Privacy during visits with family, guardian, or lawyer.

(e) Immediately after being taken to a place of temporary confinement, and except where physically impossible no later than one hour after being taken into custody, the detaining officer shall advise and provide the juvenile an opportunity to make at least three telephone calls. The telephone calls must be made to a parent, guardian, responsible relative, employer, or an attorney (Welfare and Institutions Code § 627 and Penal Code § 851.5).

324.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

Contact between juveniles in temporary custody, both secure and non-secure, and adult prisoners shall be restricted as follows:

(a) There will be no communication between the juvenile and adult prisoners allowed.

(b) If an adult prisoner is present with the juvenile in the same room or area, a Santa Rosa Police Department employee trained in the supervision of inmates shall maintain a constant side-by-side presence with either the juvenile or adult prisoner to assure there is no communication between the juvenile and adult prisoner.

(c) Situations in which a juvenile and adult prisoner may be in the same room or corridor shall be limited to:

1. Booking
2. Medical screening
3. Movement of persons in custody within the Santa Rosa Police Department

324.4 CUSTODY OF JUVENILES

The following provisions apply to types of custody, and detentions of juveniles brought to the Santa Rosa Police Department.

324.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

All juveniles not meeting the criteria to be placed in a locked detention room, or any juvenile under the age of 14 years taken into custody for a criminal violation, regardless of the seriousness of the offense, may be temporarily detained in the police facility; however, the custody must be non-secure. Non-secure custody means juveniles shall be placed in an unlocked room or open area. Juveniles may be handcuffed, but not to a stationary or secure object. Juveniles shall receive constant personal visual supervision by law enforcement personnel. Monitoring a juvenile using audio, video or other electronic devices does not replace constant personal visual supervision.

324.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

A juvenile may be held in secure detention in the jail if the juvenile is 14 years of age or older and, if in the reasonable belief of the peace officer, the juvenile presents a serious security risk

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of harm to self or others, as long as all other conditions of secure detention set forth below are met. Any juvenile in temporary custody who is less than 14 years of age, or who does not, in the reasonable belief of the peace officer, present a serious security risk of harm to self or others, shall not be placed in secure detention, but may be kept in non-secure custody in the facility as long as all other conditions of non-secure custody are met (Welfare and Institutions Code § 602, California Code of Regulations, Title 15, § 1145).

(a) In making the determination whether the juvenile presents a serious security risk of harm to self or others, the officer may take into account the following factors:

1. Age, maturity, and delinquent history of the juvenile.
2. Severity of the offense(s) for which the juvenile was taken into custody.
3. The juvenile's behavior, including the degree to which the minor appears to be cooperative or non-cooperative.
4. The availability of staff to provide adequate supervision or protection of the juvenile.
5. The age, type, and number of other individuals who are detained in the facility.

(b) A juvenile may be locked in a room or secured in a detention room subject to the following conditions:

1. The juvenile is 14 years of age or older.
2. The juvenile is taken into custody on the basis of having committed a criminal law violation as defined in Welfare and Institutions Code § 602.
3. Detention at the Santa Rosa Police Department does not exceed six (6) hours from the time of arrival at the police station, when both secure and non-secure time is combined.
4. Detention is for the purpose of giving the officer time to investigate the case, facilitate the release of the juvenile to parents, or arrange transfer to Juvenile Hall.
5. The officer apprehending the juvenile has a reasonable belief the juvenile presents a "serious security risk of harm to self or others." Factors to consider include:
   (a) Age, maturity, and delinquent history of the juvenile.
   (b) Severity of offense(s) for which the juvenile was taken into custody.
   (c) The juvenile's behavior.
   (d) The availability of staff to provide adequate supervision or protection of the juvenile.
   (e) The age, type, and number of other individuals who are detained in the facility.

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324.4.3 CUSTODY OF JUVENILE OFFENDERS

While in secure detention, minors may be locked in a room or other secure enclosure, secured to a cuffing rail, or otherwise reasonably restrained as necessary to prevent escape and protect the juvenile or others from harm.

(a) Minors held in secure detention outside of a locked enclosure shall not be secured to a stationary object for more than thirty (30) minutes unless no other locked enclosure is available. If a juvenile is secured, the following conditions must be met:

1. A department employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.
2. Juveniles who are secured to a stationary object are moved to a detention room as soon as one becomes available.

(b) In the event a juvenile is held inside a locked enclosure, the juvenile shall receive adequate supervision which, at a minimum, includes:

1. Constant auditory access to staff by the juvenile.
2. Unscheduled personal visual supervision of the juvenile by department staff, no less than every thirty (30) minutes.

(c) Males and females shall not be placed in the same locked room unless under direct visual supervision.

(d) If an officer detains a minor in a locked interview room or by securing the minor to a stationary object, the officer shall complete all fields on the log sheet for that respective interview room and inform the minor of the reason and expected time period of the detention.

324.4.4 JUVENILE'S PERSONAL PROPERTY

The officer placing a juvenile into a detention room must make a thorough search of the juvenile's property. This will ensure all items likely to cause injury to the juvenile or the facility are confiscated and placed in a property bag. The property shall be inventoried in the juvenile's presence and sealed into the bag. The property will be maintained by the responsible officer or detective or locked in a property locker until the juvenile is released from the custody of the Santa Rosa Police Department.

324.4.5 MONITORING OF JUVENILES

The juvenile shall constantly be monitored by the audio/video system during the entire detention. An in-person visual inspection shall be done to ensure the welfare of the juvenile and shall be conducted at least once each half hour, on an unscheduled basis, until the juvenile is released. This inspection shall not be replaced by video monitoring.

More frequent visual inspections should be made as circumstances dictate as in the case of an injured or ill juvenile being detained, or if specific circumstances exist such as a disciplinary problem or suicide risk. In such instances the Watch Commander shall be fully informed about the special circumstances in order to evaluate continued detention of such a juvenile. Juvenile

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Security Report Logs and Confinements of Juvenile Logs shall be collected at the end of each month by the Investigations Bureau lieutenant or his/her designee.

324.4.6 FORMAL BOOKING

Any juvenile, 14 years of age or older, who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted, or photographed upon the approval of the Watch Commander or supervisor, giving due consideration to the following:

(a) The gravity of the offense.

(b) The past record of the offender.

(c) The age of the offender.

324.4.7 DISPOSITIONS

(a) Any juvenile not transferred to a juvenile facility shall be released to one of the following:

1. Parent or legal guardian.
2. An adult member of his/her immediate family.
3. An adult person specified by the parent/guardian.
4. An adult person willing to accept responsibility, when the juvenile's parents are unavailable as approved by the Watch Commander.
5. Valley of the Moon Children's Hospital.

(b) If the six (6) hour time limit has expired, the juvenile should be transported to Juvenile Hall to accept custody.

(c) After an officer has taken a juvenile into temporary custody for a violation of law, the following dispositions are authorized:

1. The arresting officer may counsel or admonish the juvenile and recommend no further action be taken.
2. The juvenile may be transferred to Juvenile Hall with authorization of the appropriate supervisor or the Watch Commander when the violation falls within the provisions of Welfare and Institutions Code § 602.

(d) If a juvenile is to be transported to Juvenile Hall, the following forms shall accompany the juvenile:

1. Application for Petition.
2. Any personal property taken from the juvenile at the time of detention.

324.5 ADVISEMENTS

Absent exigent circumstances, officers should make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

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(a) Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student.

(b) Whenever circumstances warrant the temporary detention or formal interview of a juvenile student on campus, the officer should:

1. When practical and when it would not unreasonably interfere with the investigation, take reasonable steps to notify a parent, guardian, or responsible adult, including those phone numbers listed on any contact card on file with the school or provided by the student. All efforts to make contact with parents and/or reasons contact was not attempted should be documented.
2. If efforts to contact a parent, guardian or responsible adult are unsuccessful or not attempted, a formal interview with the juvenile may proceed without them. Upon the request of the juvenile, a school official or lawyer may be present during the interview in lieu of a parent.
3. If contacted, the selected parent, other responsible adult or school official may be permitted to be present during any interview.
    (a) An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult, who in the opinion of the officer appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.
    (b) If the officer reasonably believes that exigent circumstances exist which would materially interfere with the officer's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report

(c) Any juvenile student who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support and such staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

324.6 JUVENILE CUSTODY LOGS

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Employees of this department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

324.6.1 RELEASE OF INFORMATION BY SUPERIOR COURT ORDER

The current policy of the Juvenile Court concerning authorized release of information and appropriate acknowledgment forms are authorized by Welfare and Institutions Code § 827.

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324.6.2 RELEASE OF INFORMATION TO OTHER AGENCIES

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Technical Services Division Manager and the appropriate Detective Supervisors to ensure that personnel of those bureaus act within legal guidelines.

324.7 NO-CONTACT REQUIREMENTS

324.7.1 CURFEW VIOLATIONS

Juveniles detained for curfew violations may be released in the field or brought to the police station but should only be released to their parent, legal guardian, or responsible adult.

324.7.2 PROTECTIVE CUSTODY

Pursuant to Welfare and Institutions Code § 300 et seq., a child may be taken into protective custody if he/she is the victim of suspected child abuse. Before taking any minor into protective custody the officer shall receive supervisory approval and make reasonable attempts to contact the appropriate child welfare authorities to ascertain any applicable history or current information concerning the minor.

324.8 TEMPORARY CUSTODY REQUIREMENTS

Juveniles who are arrested while intoxicated may be at risk for serious medical consequences, including death. Examples include acute alcohol poisoning, seizures and cardiac complications of cocaine, markedly disordered behavior related to amphetamines or hallucinogenic drugs, and others.

A medical clearance shall be obtained prior to detention of juveniles at the Santa Rosa Police Department when the juvenile displays outward signs of intoxication or is known or suspected to have ingested any substance that could result in a medical emergency (California Code of Regulations, Title 15, § 1431). In addition to displaying outward signs of intoxication, the following circumstances require a medical evaluation:

(a) Known history of ingestion or sequestration of a balloon containing drugs in a body cavity.

(b) Minor is known or suspected to have ingested any substance that could result in a medical emergency.

(c) A juvenile who is intoxicated to the level of being unable to care for him or herself.

(d) An intoxicated juvenile whose symptoms of intoxication are not showing signs of improvement.

Juveniles with lower levels of alcohol in their system may not need to be evaluated. An example is a juvenile who has ingested one or two beers would not normally meet this criterion.

(a) A juvenile detained and brought to the Santa Rosa Police Department who displays symptoms of intoxication as a result of alcohol or drugs shall be handled as follows:

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1. Observation of the juvenile's breathing to determine breathing is regular. Breathing should not be erratic or indicate the juvenile is having difficulty breathing.
2. Observation of the juvenile to ensure there has not been any vomiting while sleeping and ensuring the intoxicated juvenile remains on his/her side rather than his/her back to prevent the aspiration of stomach contents.
3. An arousal attempt to ensure the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.

(b) Personal observation shall be conducted on a frequent basis while the juvenile is in the custody of the Santa Rosa Police Department, and no less than once every 15 minutes until such time as the symptoms are no longer present. For juveniles held in secure detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting the in-person visual checks. All other forms of detention require the officer to maintain constant visual supervision of the juvenile.

1. The fifteen (15) minute checks of the juvenile shall be documented on the Juvenile Detention Log in the Watch Commander's office.

(c) Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns, or convulsions), shall be considered an emergency. Paramedics should be called and the juvenile taken to a medical treatment facility.

(d) Juveniles undergoing acute withdrawal reactions shall immediately be transported to a medical facility for examination by a physician.

(e) A medical clearance is required before the juvenile is transported to Juvenile Hall if it is known the juvenile ingested any intoxicating substances or appears to be under the severe influence of alcohol.

Once the juvenile no longer displays symptoms of intoxication, the requirements noted above will no longer be required. The juvenile will still be monitored on a 30-minute basis as outlined in this policy. The juvenile will continue to be monitored as required for secure or non-secure detentions.

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Elder/Dependent Adult Abuse

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Santa Rosa Police Department members as required by law.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.
Revised 8-1-19 by Chief Robert L. Schreeder.

326.2 DEFINITIONS

For purposes of this policy, the following definitions are provided (Welfare and Institutions Code § 15610 et seq. and Penal Code §368).

(a) **Adult Abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement (Penal Code §368).

(b) **Abuse of an Elder or a Dependent Adult** - Physical abuse, neglect, financial abuse, abandonment, isolation or other treatment with resulting physical harm, pain, mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

(c) **Adult Protective Services (APS) Agency** - A county agency that investigates suspected incidents of elder and dependent adult abuse, neglect or exploitation. APS provides 24-hour response to life-threatening emergencies involving elder and dependent adults. APS also educates the community about elder abuse prevention and identification.

(d) **Dependent Adult** - Is any person residing in this state, between the ages of 18 and 64 years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. Dependent Adult includes any person between the ages of 18 and 64 years who is admitted as an inpatient to a 24-hour health facility, as defined In Health and Safety Code §§ 1250, 1250.2, and 1250.3.

(e) **Elder** - Any person residing in this state, 65 years of age or older.

(f) **Financial Abuse** - A situation in which any person who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates their money or property to any use or purposes not in the due and lawful execution of his or her trust.

(g) **Neglect** - The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care which a reasonable person in a like position would exercise. Neglect includes, but is not limited to, all of the following:

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1. Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.
2. Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone instead of medical treatment.

326.3 MANDATORY NOTIFICATION

The Santa Rosa Police Department will investigate all reported incidents of alleged adult abuse to ensure proper reporting and notification as required by law.

326.4 MANDATORY NOTIFICATION

Members of the Santa Rosa Police Department are mandated reporters. Employees who observe, have knowledge of, or are told by an elder or dependent adult about any form of abuse (physical abuse, abandonment, abduction, isolation, financial abuse, neglect) shall make a report and notify the appropriate social services representative as soon as practical (see Welfare and Institutions Code § 15630 for reporting details). Failure to make a report within two working days is a misdemeanor (Welfare and Institutions Code § 15630(h)).

The Detective Sergeant is responsible to ensure that cases of suspected elder abuse are forwarded to the Sonoma County District Attorney's Office and any other regulatory agency that may be applicable based upon where the abuse took place (care facility, hospital, etc.) per Welfare and Institutions Code § 15630(b).

326.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of all adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

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(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of names of any other potential victims or witnesses who may reside at the residence.

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

(j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code §15640 (f)).

(k) Whether a death involved the End of Life Option Act:

1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code §443.14).
2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person's life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17).
3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17).
4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

326.6 SUPPORT PERSONNEL

The following person(s) should be considered if it appears an in-depth investigation is appropriate:

(a) Patrol supervisor.

(b) Detective personnel.

1. The Property Crime Investigations Team shall be responsible for follow-up investigations of Fiduciary Abuse cases.
2. The Violent Crime Investigations Team shall be responsible for follow-up investigations of all other Elder/ Adult Abuse cases.

(c) Evidence collection personnel.

(d) Protective Services Agency personnel.

(e) Ombudsman shall be called if the abuse is in a long-term care facility.

(f) Family Justice Center (FJC) Elder Advocate.

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326.7 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

326.8 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably

available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

326.9 MEDICAL EXAMINATION

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

326.10 RECORDS BUREAU RESPONSIBILITIES

The Records Bureau is responsible for:

(a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).

(b) Retaining the original adult abuse report with the initial case file.

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326.11 JURISDICTION

The Santa Rosa Police Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code §368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code §368.5).

326.12 CURRENT RELEVANT STATUTES

Penal Code § 368(c):

Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is guilty of a misdemeanor.

Penal Code § 368(f)

A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

Welfare and Institutions Code § 15610.05

“Abandonment” means the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.

Welfare and Institutions Code § 15610.06

“Abduction” means the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court.

Welfare and Institutions Code § 15610.30

(a) “Financial abuse” of an elder or dependent adult occurs when a person or entity does any of the following:

1. Takes, secretes, appropriates, obtains, or retains real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.
2. Assists in taking, secreting, appropriating, obtaining, or retaining real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.
3. Takes, secretes, appropriates, obtains, or retains, or assists in taking, secreting, appropriating, obtaining, or retaining, real or personal property of an elder or dependent adult by undue influence, as defined in Section 15610.70.

(b) A person or entity shall be deemed to have taken, secreted, appropriated, obtained, or retained property for a wrongful use if, among other things, the person or entity takes, secretes, appropriates, obtains, or retains the

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property and the person or entity knew or should have known that this conduct is likely to be harmful to the elder or dependent adult.

(c) For purposes of this section, a person or entity takes, secretes, appropriates, obtains, or retains real or personal property when an elder or dependent adult is deprived of any property right, including by means of an agreement, donative transfer, or testamentary bequest, regardless of whether the property is held directly or by a representative of an elder or dependent adult.

(d) For purposes of this section, "representative" means a person or entity that is either of the following:

1. A conservator, trustee, or other representative of the estate of an elder or dependent adult.
2. An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney.

Welfare and Institutions Code § 15610.43

(a) "Isolation" means any of the following:

1. Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls.
2. Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons.
3. False imprisonment, as defined in Section 236 of the Penal Code.
4. Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors.

(b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care.

(c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safe

Welfare and Institutions Code § 15610.57

(a) "Neglect" means either of the following:

1. The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise.
2. The negligent failure of an elder or dependent adult to exercise that degree of self-care that a reasonable person in a like position would exercise.

(b) b. Neglect includes, but is not limited to, all of the following:

1. Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.
2. Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.

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3. Failure to protect from health and safety hazards.
4. Failure to prevent malnutrition or dehydration.
5. Failure of an elder or dependent adult to satisfy the needs specified in paragraphs (1) to (4), inclusive, for himself or herself as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

Welfare and Institutions Code § 15610.63

15610.63. “Physical abuse” means any of the following:

(a) Assault, as defined in Section 240 of the Penal Code.

(b) Battery, as defined in Section 242 of the Penal Code.

(c) Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.

(d) Unreasonable physical constraint, or prolonged or continual deprivation of food or water.

(e) Sexual assault, that means any of the following:

1. Sexual battery, as defined in Section 243.4 of the Penal Code.
2. Rape, as defined in Section 261 of the Penal Code.
3. Rape in concert, as described in Section 264.1 of the Penal Code.
4. Spousal rape, as defined in Section 262 of the Penal Code.
5. Incest, as defined in Section 285 of the Penal Code.
6. Sodomy, as defined in Section 286 of the Penal Code.
7. Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.
8. Sexual penetration, as defined in Section 289 of the Penal Code.
9. Lewd or lascivious acts as defined in paragraph (2) of subdivision (b) of Section 288 of the Penal Code.

(f) Use of a physical or chemical restraint or psychotropic medication under any of the following conditions:

1. For punishment.
2. For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the time the instructions are given.
3. For any purpose not authorized by the physician and surgeon.

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Graffiti Control Program

329.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures whereby the Police Department shall join with other City departments and local law enforcement agencies in an effort to reduce the incidents of graffiti and assertively identify and prosecute those responsible for its occurrence. It shall serve to direct each of the department's three divisions in their response to graffiti crimes.

Adopted on 2-26-16 by Chief Robert L. Schreeder.

329.2 FIELD SERVICES DIVISION

(a) Field Services Division personnel shall be responsible for documenting graffiti reports. These investigations will be thorough and consistent with the department's case follow-up guidelines. Photos should be taken. If no photos are taken, an extensive description with a sketch should be completed and attached with the report.

(b) Field personnel observing and reporting graffiti shall make every practicable attempt to make personal contact with the owner or representative of the vandalized property. They shall seek to have the property owner commit to removing the graffiti as soon as possible.

(c) All field personnel are encouraged to develop sources of information (school officials, students, store owners, etc.) identifying suspects of graffiti incidents and to communicate that information to the Property Crime detective responsible for investigating graffiti incidents.

(d) Primary responsibility for the field enforcement of graffiti laws rests with the Patrol supervisors who shall make use of directed patrol and other resource utilization options in order to apprehend violators.

329.3 TECHNICAL SERVICES DIVISION

329.3.1 COMMUNICATIONS BUREAU

Public reports of graffiti shall be dispatched or handled as follows:

(a) Public reports of graffiti with a known suspect requires a field unit response to investigate the incident.

(b) Incidents where there is no known suspect but the damage is extensive and highly visible, requires a field unit response to investigate the incident.

(c) For those incidents where there is no known suspect and the damage is minor in nature (less than $400 in damage) a Citizen Crime/Case Report (CCR) shall be used.

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329.3.2 RECORDS BUREAU

(a) Telephone or personal inquiries regarding graffiti shall be transferred as follows:

1. Incidents of graffiti on non City-owned property shall be referred to the Graffiti Abatement Hotline at (707) 543-3499, and choose Option 2, or to Dispatch.
2. Inquiries regarding investigative follow-up shall be referred to the Graffiti Abatement Officer.
3. General inquiries regarding crime prevention or anti-graffiti programs shall be referred to the Graffiti Abatement Coordinator.

(b) Incidents of graffiti that occur on City-owned property shall be reported to personnel of the department responsible for maintenance of the property or to the Graffiti Hotline at (707) 543-3499, and choose Option 1.

(c) The routing of completed graffiti crime reports shall occur as follows.

1. One copy to the Property Crime Investigations Team.
2. Additional distribution as noted on the report routing box (i.e. Gang Crime Team).
3. One copy to the Graffiti Abatement Coordinator.

329.4 SPECIAL SERVICES DIVISION

329.4.1 GANG CRIME INVESTIGATIONS TEAM

The officers designated as being responsible for gang and school liaison programs shall assist with developing and sharing information related to gang involvement in graffiti crimes.

329.4.2 PROPERTY CRIME INVESTIGATIONS TEAM

(a) One officer shall be designated as the graffiti crimes investigator who will work closely with the Graffiti Abatement Coordinator.

(b) The graffiti crimes investigator shall be responsible, as a central review authority, for graffiti crimes in order to ensure that citywide trends and activities are identified and acted upon. Tasks include:

1. Ensure timely investigative follow-up of graffiti crimes in order to identify and prosecute persons responsible for graffiti vandalism. Investigative follow-up includes the following.
    (a) Interview suspects, victims, witnesses, and informants.
    (b) Write supplemental reports detailing investigative activities.
    (c) Obtain evidence including handwriting examples.
    (d) Obtain arrest and search warrants.

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2. Serve as liaison between Field Services and Special Services Divisions in order to share information relevant to suspects, graffiti targets, trends, etc.

    (a) Attend patrol briefings, be available for field investigative activities, and notify field supervisors of possible directed patrol opportunities.

3. Daily review of graffiti reports received from Patrol, Records and Communications personnel.

4. Maintenance of workable graffiti crime reports for review by the Gang Crime Team, Graffiti Abatement Coordinator and other investigative staff.

5. Track prosecution of graffiti crimes following arrests.

6. Coordinate efforts with the City Attorney's Office to seek restitution for graffiti crimes against City property.

7. Liaison with schools and other allied agencies to develop suspect information and coordinate enforcement and prosecution efforts.

(c) The Graffiti Abatement Coordinator shall be responsible for public education, community outreach, media releases, and special needs coordination that are associated with department graffiti control efforts.

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Child Abuse Reporting

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines and procedures for reports of suspected child abuse and taking minors into protective custody. The Santa Rosa Police Department shall document all reported or suspected cases of child abuse utilizing the departmental crime case report form.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 3-21-17 by Chief Robert L. Schreeder.

330.2 DEFINITIONS

(a) **Child -** A person under the age of 18 years.

(b) **Child Abuse** - Any act of omission or commission that endangers or impairs a child's physical or emotional well-being. Child abuse includes any of the following acts committed against a person under 18 years of age: Physical abuse, neglect, sexual abuse, emotional abuse.

1. Child abuse also means a physical injury which is inflicted by other than accidental means on a child by another person.
2. Child abuse also means the sexual abuse or any act or omission prescribed by Penal Code § 273a (willful cruelty or unjustifiable punishment of a child) or Penal Code § 273d (unlawful corporal punishment or injury).
3. Child abuse also means the neglect of a child or abuse in out-of-home care.
4. Child abuse does not include a mutual affray between children.
5. Child abuse does not include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer (Penal Code § 11165.6).

(c) **Child Protective Agency -** A police department or sheriff's office, a county probation department or a county welfare department. This section does not include school district police or security department.

330.3 MANDATORY NOTIFICATION

Child Protective Services (CPS) shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare.

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(b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

Additionally, the District Attorney's Office shall be notified in all instances of known or suspected child abuse or neglect reported to the Santa Rosa Police Department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision, when no physical injury to the child has occurred, should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g. foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code §§ 11166.1 and 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1), neglect (Penal Code § 11165.2), the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3, and unlawful corporal punishment or injury (Penal Code § 11165.4).

330.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

330.3.2 POLICE REPORTS

Employees responding to incidents of suspected child abuse shall document the incident in a police or incident report. This includes instances where it cannot initially be shown that a crime occurred.

330.3.3 RELEASE OF REPORTS

Reports of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to Penal Code § 11167.5.

330.4 INVESTIGATIVE RESPONSIBILITY

Cases of suspected child abuse that are reported to the Police Department will normally be referred to the Field Services Division for the initial investigation and crime report. Exceptions to the above procedure shall be in cases where the suspected child abuse report is made directly to the Domestic Violence/Sexual Assault (DVSA) Team. In those situations, the DVSA Team supervisor shall have the option of assigning the case directly to an investigator, or referring the case to the Field Services Division if deemed appropriate.

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330.4.1 PHYSICAL ABUSE, EMOTIONAL ABUSE, AND NEGLECT INVESTIGATIONS

(a) The welfare and protection of the child shall be the primary concern of the investigating officer. Officers shall be sensitive to the many differences in culture when evaluating potential abuse cases. It is essential to differentiate between harmful practices and those that are solely reflective of cultural differences and are not harmful to the child's well-being.

(b) When interviewing the child in the home, the officer shall attempt to isolate the child and question the child as to the cause of any injuries. The officer shall also examine the child thoroughly for injuries. A visual examination of the child shall be conducted to ascertain if there are any injuries that might be hidden by clothing.

(c) Evidence Collection - The officer shall photograph and collect any evidence of child abuse and neglect as soon as possible. Photographs shall be taken of any bruises, marks, lesions, burns or areas requiring medical treatment. In those situations where the child's living conditions are in question, photographs shall be taken of the child's sleeping area, bathroom facilities, and kitchen area, including the contents of a refrigerator and food storage areas.

330.4.2 SEXUAL ABUSE INVESTIGATIONS

(a) Sexual abuse investigations shall be handled according to the following procedures.

1. Officers shall attempt to obtain the necessary information for the initial crime report without interviewing the child. This can normally be accomplished by interviewing the reporting party.
2. Officers shall not contact or interrogate the alleged suspect unless circumstances make it unavoidable. Such contacts or interrogations may be counterproductive if undertaken prior to an in-depth interview with the child victim.
3. Officers should discuss the investigation with their sergeant to determine if the incident meets the criteria for advising the on-call DVSA detective.

(b) Mandated Advisement

1. The officer shall inform the child's nonoffending parent or guardian that the victim's name will become a matter of public record unless the parent or guardian requests that it not be, pursuant to Government Code § 6254.
2. The officer shall document that the nonoffending parent or guardian was properly informed and document the response to the advisement on SRPD form 253-B.
3. If the officer taking the initial report is not able to make the advisement, that fact and the reason why the advisement was not made shall be documented in the report.

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(c) Sexual Abuse Examinations

1. A detective from the Domestic Violence/Sexual Assault (DVSA) Team shall be notified of any investigation where it appears a sexual assault examination needs to be performed immediately. A sexual abuse examination shall be performed only when authorized by a detective or supervisor from the DVSA Team.
2. The sexual abuse exam shall be performed by a child sexual abuse examiner at the appropriate facility.
3. Any evidence collected by a detective, officer or employee shall be properly marked and placed into evidence.

330.4.3 DOMESTIC VIOLENCE/SEXUAL ASSAULT TEAM RESPONSIBILITIES
The DVSA Team supervisor shall be responsible for reviewing, assigning or referring to another agency all reports of suspected child abuse made to the Santa Rosa Police Department.

DVSA detectives shall be responsible for completing the necessary investigative action on each child abuse case assigned to them. Detectives shall ensure the following is accomplished.

(a) Review the report and make follow-up contact with victims, witnesses and suspects as needed.

(b) In situations where a child has been placed into protective custody, within 48 hours insure that Child Protective Services (CPS) has all needed information for any dependency action.

(c) Complete the investigation in a timely manner and make an appropriate recommendation for disposition, based upon the investigative findings.

330.5 PROTECTIVE CUSTODY OF JUVENILES

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Department employees should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the Valley of the Moon Children's Home (VOMCH) and;

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(a) Complete a “Juvenile Referral” form utilizing the appropriate Welfare and Institutions Code section and subsection as the authority section.

(b) List the names of parents or caretakers who by virtue of the investigation should not be allowed visitation with the juvenile(s) and list the reason for no contact on the Juvenile Referral form.

(c) Medical Examinations - Any child taken into protective custody who appears to be in need of medical treatment because of illness or physical injury shall be taken to Sutter Hospital and evaluated by medical personnel prior to placement at VOMCH.

(d) In any case where there is a question as to the need for a medical examination, the child shall be taken to Sutter Hospital so that the medical staff can make the determination.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300 or a commercially exploited child under Penal Code § 647 and penal Code § 653.22 and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child’s health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

(b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code§ 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child, or, by flight or concealment, evade the authority of the court.
2. There is no known lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.
5. The child is in the company of, or under the control of, a person arrested for Penal Code §§ 278 or 278.5.

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330.6 INTERVIEWS

Any person whose name was placed on the California's Child Abuse Central Index (CACI) as a result of an investigation by this agency may request that his/her name be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution which precipitated the entry to CACI. All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI Hearing Officer.

330.6.1 CACI HEARING OFFICER

A Special Services Division Supervisor will normally serve as the hearing officer but must not be actively connected with the case which resulted in the person's name being submitted to CACI. Upon receiving a qualified request for removal the hearing officer shall promptly schedule a hearing to occur during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

330.6.2 HEARING PROCEDURES

The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to the following:

(a) Case reports including any supplemental reports.

(b) Statements by investigators.

(c) Statements from representatives of the District Attorney's Office.

(d) Statements by representatives of a child protective agency who may be familiar with the case.

After considering all information presented the hearing officer shall make a determination as to whether to recommend the removal of the requesting party's name from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are unfounded. Unsubstantiated or inconclusive findings are not sufficient reasons to proceed with a request for removal from CACI.

If, after considering the evidence, the hearing officer finds that the allegations are unfounded, he/she shall cause a request to be completed and forwarded to the Department of Justice that the person's name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

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Missing Person Reporting

332.1 PURPOSE AND SCOPE

This policy describes the procedure for accepting, reporting, documenting and investigating missing persons. Penal Code §§ 14200 through 14213 and §§ 14250 and 14251, as well as United States Code Title 42, 5779(a), specify certain requirements relating to missing persons.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 3-21-17 by Chief Robert L. Schreeder.

332.1.1 DEFINITIONS

(a) **At-Risk** - Includes, but is not limited to, evidence or indications of any of the following:

1. The person missing is the victim of a crime or missing under suspicious circumstances.
2. The person missing is in need of medical attention.
3. The person missing has no pattern of running away or disappearing.
4. The person missing may be the victim of a parental abduction.
5. The person missing is mentally impaired.
6. The person missing is a runaway under 12 years of age.

(b) **Child** - While California considers a child to be a person under 18 years of age, for purposes of this policy federal law considers any person under the age of 21 years to be a child.

(c) **Missing Person** - Any person whose whereabouts are unknown to the reporting party including, but not limited to, a child taken, detained, concealed, enticed away or retained by a parent in violation of Penal Code § 277.

1. Missing person also includes any child who is missing voluntarily, involuntarily or under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance.

332.2 POLICY

All personnel shall accept any report, including any telephone report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property (Penal Code § 14205(a)). Reports shall be taken on missing persons regardless of jurisdiction. The reporting party need not be related to the missing person to file a report.

- Patrol personnel should handle the initial missing person report.

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- Department personnel shall promptly assist any person who is attempting to make a report of a missing person or runaway.
- The person, parent or legal guardian making the missing person report shall be given in person, or by mail, an authorization form to release dental/skeletal x-rays/photograph and description information of the missing persons (D.O.J. form BCIA 4048 (Rev. 3/00)).
- Every reasonable effort shall be made to obtain a current dated photograph of the missing person.
- When the missing person is an emancipated juvenile, a written statement from a parent, legal guardian, family member or any other authoritative source supporting the conditions under which a person is missing, shall accompany the report.

In all cases involving a person at risk or a child under 16 years of age the handling employee shall ensure a supervisor is notified as soon as possible.

332.2.1 INVESTIGATION DILIGENCE

Members of this department shall accept any report, including any telephone report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property (Penal Code § 14205). The required actions include the following:

The officer or technician taking the report shall assess what reasonable steps may be taken to locate the person.

When the missing person is 16 years of age or older and not "at risk," ensure a local "Be On the Lookout" bulletin is broadcast and the missing person information is entered into M.U.P.S. within two hours. When the missing person is under 16 years of age or in any other instance when the missing person is determined to be "at risk," the following steps shall be taken:

(a) Immediately inform an on-duty patrol supervisor to assess whether an area search, detective call-out or notification of the DVSA or VCI supervisor may be appropriate.

(b) Ensure a "Be On the Lookout" bulletin is locally broadcast without delay.

(c) Ensure the missing person information is entered into the Department of Justice Missing/Unidentified Person System (M.U.P.S.) within two hours.

(d) When the "at risk" missing person is confirmed to be the victim of a child abduction, consideration shall be given to the employment of one or more components of the California Child Safety AMBER Network (AMBER Alert). The AMBER Network is comprised of four different public alert systems designed to ensure the immediate dissemination of vital information regarding the victim and/or suspect(s):

1. Critical Reach - Critical Reach is an image based system linking state, county and local law enforcement agencies, as well as some major media outlets and airports.

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2. Emergency Alert System (EAS) -- EAS messages, when accepted by participating radio and television stations, pre-empt local programming and are preceded and concluded with alert tones. Law enforcement access to EAS is through the California Highway Patrol's Emergency Notification and Tactical Alert Center (ENTAC).
3. Emergency Digital Information Service (EDIS) -- EDIS provides a direct computer link to media outlets and other agencies via the California Law Enforcement Telecommunications System (CLETS) for text messages, and via an internet site for images and graphics.
4. Changeable Message Signs (CMS) -- CMS and the Highway Advisory Radio (HAR) system are used to disseminate real-time traffic safety and congestion information to motorists. Access to CMS is through the California Highway Patrol's Emergency Notification and Tactical Alert Center (ENTAC). Mobile CNS units may also be available through the CHP.
5. The following criteria must be met prior to activation of the AMBER Alert Network. Under no circumstances will the Emergency Alert System (EAS) or Changeable Message Signs (CMS) be activated for an incident which does not meet all of the criteria below:
    (a) Confirmation that an abduction has occurred.
    (b) The victim is 17 years of age or younger, or has a verifiable mental or physical disability.
    (c) The victim is in imminent danger of serious bodily injury or death.
    (d) There is information available that, if disseminated to the public, could assist in the safe recovery of the victim.
6. The AMBER Alert system can only be activated by a law enforcement agency making a direct request to the California Highway Patrol's Emergency Notification and Tactical Alert Center (ENTAC) at (916) 843-4199.
7. ENTAC is available to assist in evaluating whether the specifics of a given incident meet the AMBER Alert criteria.

(e) When the missing person resides in another jurisdiction and/or when the missing person was last seen in another jurisdiction, Records personnel shall be advised of the need for priority routing.

(f) A "Stop & F.I." bulletin shall be completed including the missing person's photograph, if available. The bulletin shall be routed by the Records Bureau and a copy shall be placed on the Field Services Division briefing board.

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(g) The agency having jurisdiction over the missing person's residence normally will handle the case after the initial report is taken, however department members may assist in the investigation of a person who was last seen in this jurisdiction.

(h) The Domestic Violence/Sexual Assault (DVSA) Team is responsible for follow-up investigation of missing persons under 18 years of age. Photographs of missing persons under 18 years old shall be routed to DVSA.

(i) The Violent Crime Investigations Team is responsible for investigating missing persons 18 years of age or older, and make an assessment of reasonable steps to be taken to locate the person.

(j) If the missing person is under 16 years of age, or there is evidence the person is at-risk, the department shall broadcast over the radio a "Be On the Lookout" (BOL) transmission without delay within this jurisdiction.

332.3 REQUIRED FORMS AND DNA COLLECTION KITS

Missing person reports require special handling and timely notifications. See 332.5 for a reference chart.

Technical Services Division Responsibilities:

(a) All missing person reports shall be routed immediately to the Special Services Division.

(b) Reports and photographs of missing persons under 18 years old shall be routed to the DVSA Team.

(c) Reports and photographs of missing persons over 18 years old shall be routed to the VCI Team.

332.3.1 TRANSMITTING REPORTS TO OTHER JURISDICTIONS

When the Santa Rosa Police Department takes a missing person report on a person who lives outside of this jurisdiction, the Records Bureau shall promptly notify and forward a copy of the report to the agencies having jurisdiction over the missing person's residence and where the missing person was last seen. If the missing person is under 16 or there is evidence the person may be at-risk, the reports must be forwarded within no more than 24 hours to the jurisdiction of the agency where the missing person was last seen (Penal Code § 14205(c)).

332.3.2 TELETYPE NOTIFICATIONS

In all missing persons cases, Records Bureau personnel shall send a teletype to the Department of Justice and the National Crime Information Center (M.U.P.S. entry) within two hours after accepting the report. (Mandated by United States Code Title 42, 5779(a) and 57803)(C) when the missing person is under the age of 21.)

332.3.3 AT-RISK REQUIREMENTS

If a missing person is under 18 years of age and at-risk or under 16 years of age and missing for more than 14 days, the department employee assigned to the case shall immediately submit to

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the dentist, physician/surgeon, or medical facility the signed request for dental or skeletal x-rays or both (Penal Code § 14206(a)(2)).

In all cases the handling employee may confer with the coroner or medical examiners and may submit reports including the dental/skeletal x-rays within 24 hours to the Attorney General's office for submission to the center.

332.3.4 MISSING MORE THAN 45 DAYS

If a person is still missing after 45 days, the detective or assigned police department personnel may check with the appropriate coroner(s) or medical examiner(s) and send to the Department of Justice both Department of Justice forms and dental records along with a photograph and this must be noted on the Santa Rosa Police Department Missing Persons Report Form. If dental records are unobtainable, this should be noted on the Santa Rosa Police Department Missing Persons Report Form (Penal Code § 14206(b)).

The assigned employee should verify and update the required missing person databases in accordance with United States Code Title 42 5780(4)(a), within 60 days of the original entry of the missing person into the systems and within 45 days thereafter until the missing person is located. The initial follow-up entry shall not exceed 60 days from the date of original entry. The assigned employee must also make reasonable efforts to locate the missing person and document these efforts with a supplemental report at least every 45 days. These reasonable efforts will include, if the missing person is under the age of 21, maintaining a close liaison with the National Center for Missing and Exploited Children.

332.4 ACCEPTANCE OF REPORTS

The investigation may be concluded when the missing person is located or when another agency accepts the case and formally assumes the investigative responsibilities.

If a missing person under the age of 21 is located, the police department employee receiving the information must ensure a teletype is sent within 24 hours to the Department of Justice noting that information.

When all other missing persons are located, the police department employee receiving the information must ensure a teletype is sent within seven (7) days to the Department of Justice noting that information.

When any person reported missing is found, it shall be the responsibility of the police department employee receiving such information to ensure the following is accomplished:

(a) Cancel any automated systems entries and local "Be On the Lookout" bulletins.

(b) If the AMBER Alert system was utilized, immediately contact CHP's ENTAC.

(c) Notify the reporting party and other involved agencies.

(d) Notify the law enforcement agency that took the initial report.

(e) Ensure the cancellation is documented on either the original report or on a supplemental report. The documented cancellation shall be forwarded to the Special

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Services Division. The information included in the original or supplemental report documenting the location of a missing person shall, at a minimum, include the following information:

1. The names of any involved parties associated with locating the missing person.
2. Address where the missing person was located.
3. Any other facts related to locating the missing person that may assist in future missing persons investigations involving the same person.

332.5 REFERENCE CHART

	ENTRY INTO MUPS/ NCIC	BOLO TELETYPE	CORONER CHECK	SEND DENTAL X-RAYS	SEND PHOTO	SCHOOL NOTICE
CHILD "AT-RISK"	Within 2 hours	Without delay	Within 24 hours	Within 24 hours to DOJ	Within 24-hours to DOJ	Within 10 days, written notice & photo
CHILD NOT "AT-RISK" (under 21)	Within 2 hours	Under 16 Without delay	After 45 days	After 45 days	If available, send after 45 days	Within 10 days, written notice & photo
ADULT "AT-RISK"	Within 2 hours	Without delay	After 45 days	After 45 days	Not mandated	N/A
ADULT NOT "AT-RISK"	Within 4 hours (Mandated within 45 days)	DOJ suggests	After 45 days	After 45 days	Not mandated	N/A

332.6 REPORT PROCEDURES AND ROUTING

Education Code § 49068.6 requires law enforcement to notify the school in which the missing child is enrolled. The school shall "flag" a missing child's record and immediately notify law enforcement of an inquiry or request for the missing child's records.

The Special Services Division shall be responsible for notifying, in writing, the missing child's school that the child is missing or has run away.

332.7 INVESTIGATIONS BUREAU FOLLOW-UP

(a) In any case in which a report is taken concerning a person missing under high-risk circumstances, the assigned detective or department personnel shall, within no more than 30 days, inform the parents or other appropriate relatives that they may give a

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voluntary sample for DNA testing or may collect a DNA sample from a personal item belonging to the missing person, if available (Penal Code §14250(c)).

1. For the purpose of this policy, "high-risk" missing person means a person missing as a result of a stranger abduction, a person missing under suspicious circumstances, a person missing under unknown circumstances, or where there is reason to assume the person is in danger, or deceased, and that person has been missing more than 30 days, or less than 30 days in the discretion of the investigating agency (Penal Code § 14250(a)(4)).

(b) Such samples shall be collected in a manner prescribed by the Department of Justice, using a DOJ model kit.

(c) After 30 days, the reporting officer, department personnel or assigned detective shall verify the status of the missing person. If still missing, the DNA sample and a copy of the original report and any supplemental reports shall be sent to the Department of Justice for testing and inclusion in the DNA database.

332.8 JUVENILE ESCAPEES

Any juvenile who has been committed to a custodial facility who voluntarily leaves shall be deemed an escapee as defined in Welfare and Institutions Code § 871.

(a) The following facilities are the only 871 W.I.C. facilities in the County of Sonoma.

1. Sierra Youth Program, Los Guilicos
2. Juvenile Correction Program, Los Guilicos
3. Juvenile Hall, Los Guilicos
4. Sonoma County Probation Youth Camp, Forestville

(b) These incidents shall be documented on a crime/case report.

Any juvenile placed in a residential treatment program, as a condition of probation, who voluntarily leaves shall be deemed a runaway and the case documented as a Missing Person Report.

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Public Alerts

334.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 10-1-18 by Chief Robert L. Schreeder.

334.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), and/or media channels including, but not limited to: social media platforms, opt-in notification services, local radio, television, press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria. It may be appropriate to use multiple messaging platforms to distribute information about the same incident.

334.2.1 AMBER ALERT DEFINITIONS

Abduction - Any child under the age of 18 years who has been unwillingly removed from his/her environment without permission from the child's legal guardian or a designated legal representative.

AMBER Alert™ Program - A voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

334.2.2 CHILD ABDUCTION CRITERIA

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

(a) Abduction has been determined to have occurred.

(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.

(c) The victim is in imminent danger of serious injury or death.

(d) There is information available that, if provided to the public, could assist in the child's safe recovery.

334.2.3 PROCEDURE FOR AMBER ALERT

In the event of a confirmed child abduction, the following procedures designed to alert the media shall be followed.

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(a) The assigned media representative will prepare an initial press release that includes all available information which might aid in locating the child:

1. The child's identity, age and description.
2. Photograph if available.
3. The suspect's identity, age and description, if known.
4. Pertinent vehicle description.
5. Details regarding the location of the incident, direction of travel, and potential destinations if known.
6. Name and phone number of the assigned media representative or other authorized individual to handle media liaison.
7. A telephone number for the public to call to provide leads and information.

(b) A supervisor shall contact CHP's Emergency Notification and Tactical Alert Center (ENTAC) at 916-843-4199 or entac@chp.ca.gov with the pertinent information.

(c) Forward the press release through the appropriate notification channels.

(d) The information in the press release should also be forwarded to the Communications Bureau so that a county-wide broadcast B.O.L. can be generated using the CAD system and CLETS.

(e) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:

1. The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
2. California Law Enforcement Telecommunication System (CLETS) message to activate the Emergency Digital Information System (EDIS).
3. FBI local office.
4. Prompt entry of information into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
5. National Center for Missing and Exploited Children, 800-843-5678.

(f) The investigation team supervisor investigating the abduction or other individual responsible for making notifications shall prepare and forward to the previously described public and private resources, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.

334.3 BLUE ALERTS

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

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334.3.1 PROCEDURE FOR BLUE ALERT

In the event of an assault with a deadly weapon, serious bodily injury or death of an, the following procedures designed to alert the media shall be followed.

(a) The assigned media representative will prepare an initial press release that includes all available information which might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle.
2. Photograph, description and/or identification of the suspect.
3. The suspect's identity, age and description, if known.
4. Details regarding the location of the incident, direction of travel, and potential destinations if known.
5. Name and phone number of the assigned media representative or other authorized individual to handle media liaison.
6. A telephone number for the public to call in with leads/information.

(b) Forward the press release through the appropriate notification channels.

(c) The information in the press release should also be forwarded to the County Sheriff's Office Emergency so general broadcasts can be made to local law enforcement agencies.

(d) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:

1. The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.
2. California Law Enforcement Telecommunication System (CLETS) message to activate the Emergency Digital Information System (EDIS).
3. FBI local office.

(e) The investigation team supervisor investigating the incident or other individual responsible for making notifications shall prepare and forward to the previously described public and private resources, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the suspect and/or suspect vehicle (Government Code § 8594.5).

334.4 YELLOW ALERTS

Yellow Alerts are notifications related to hit-and-run incidents resulting in death or injury (Vehicle Code § 20001; Government Code § 8594.15).

334.4.1 CRITERIA FOR YELLOW ALERTS

All of the following conditions must be met before requesting the activation of a Yellow Alert (Government Code § 8594.15):

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(a) A person has been killed or has suffered serious bodily injury due to a hit-and-run.

(b) It is likely the suspect may be seen on a state highway.

(c) There is additional information concerning the suspect's vehicle, including, but not limited to any of the following:

1. The suspect or the suspect's vehicle can be particularly described (e.g., a complete or partial license plate number).
2. Unique vehicle characteristics (e.g., make, model and color of suspect's vehicle).
3. The identity of the suspect.

(d) Public assistance can mitigate danger to the public or quicken the apprehension of the suspect.

334.4.2 PROCEDURE FOR YELLOW ALERT

Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

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Hate Crimes

338.1 PURPOSE AND SCOPE

The purpose of this policy is to meet or exceed the provisions of Penal Code § 13519.6(c) and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

338.2 DEFINITIONS

Hate Crimes – A criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim (Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.57 :

(a) Disability

(b) Gender

(c) Nationality

(d) Race or ethnicity

(e) Religion

(f) Sexual orientation

(g) Association with a person or group with one or more of these actual or perceived characteristics.

(h) Examples of hate crimes include, but are not limited to:

1. Interfering with, oppressing or threatening any other person in the free exercise or enjoyment of any right or privilege secured by the constitution or laws because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6).
2. Defacing a person's property because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6(b)).
3. Terrorizing a person with a swastika or burning cross (Penal Code § 11411).
4. Vandalizing a place of worship (Penal Code § 594.3).

The federal Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act expands federal hate crimes to include crimes motivated by a victim's actual or perceived sex, sexual orientation, gender identity or disability (18 USC § 249).

Victim – Includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public agency, library or other victim or intended victim of the offense (Penal Code §422.56).

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338.3 POLICY

The Santa Rosa Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

338.4 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by, among other things:

(a) Making an affirmative effort to establish contact with persons and groups within the community, who are likely targets of hate crimes, and forming networks that address prevention and response.

(b) Accessing assistance by, among other things, activating the California Department of Justice Hate Crime Rapid Response Protocol when necessary.

(c) Providing victim assistance and follow-up as outlined in this policy, including community follow-up.

338.5 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

(d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

1. Officers should contact the property owner to remove any evidence that cannot be physically removed (i.e. painted words or signs on a wall) by the officer once the offense is documented.

(e) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

1. No victim of or a witness to a hate crime who is not otherwise charged with or convicted of a crime under state law may be detained for or turned over to federal authorities exclusively for any actual or suspected immigration violation (Penal Code § 422.93(b)).

2. Statements of victims and witnesses should be audio or video recorded if practicable (see the Mobile Audio and Video System Policy 446).

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(f) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(g) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.

(h) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes (Penal Code § 422.92). Such brochures will also be available to members of the general public upon request. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.

(i) The assigned officer(s) and supervisor should take reasonable steps to ensure any such situation does not escalate further (e.g., possible Temporary Restraining Order through the District Attorney or City Attorney Penal Code § 136.2 or Civil Code § 52.1 as indicated).

338.5.1 INVESTIGATIONS BUREAU RESPONSIBILITY

If a case is assigned to the Investigations Bureau, the assigned detective will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

(c) Maintain statistical data on suspected hate crimes and tracking as indicated and provide to the Technical Services Division Manager for required reporting to the Attorney General (Penal Code § 13023).

(d) Make reasonable efforts to identify additional witnesses.

(e) Utilize available criminal intelligence systems as appropriate.

(f) Provide the supervisor and the assigned Public Information Officer (PIO) with the information that can be responsibly reported to the media.

1. When appropriate, the assigned PIO should reiterate that the hate crime will not be tolerated and will be taken seriously.

338.5.2 SUPERVISOR RESPONSIBILITY

The supervisor should confer with the initial responding officers to identify reasonable and appropriate preliminary actions. The supervisor should:

(a) Review related reports to verify whether the incident is appropriately classified as a hate crime for federal and state bias crime-reporting purposes.

(b) Notify other appropriate personnel in the chain of command, depending on the nature

(c) and seriousness of the offense and its potential inflammatory and related impact on the community.

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(d) Consider the need for further action to be taken for the protection of the victims or vulnerable sites, such as assigning an officer at specific locations that could become targets or increase neighborhood surveillance.

(e) Ensure that members who are responsible for the conduct and maintenance of information on criminal groups are notified and that they make appropriate inquiries and entries into criminal intelligence systems.

338.6 TRAINING

All sworn members of this department will receive POST approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should also include recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group.

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Operations Plan

343.1 PURPOSE AND SCOPE

It is the purpose of this policy to establish guidelines and procedures for Basic and Tactical Operations plans when officers are conducting special investigations and details.

It is the policy of the Santa Rosa Police Department to prepare an operations plan when officers will be involved in special investigations or details that have the potential of jeopardizing the safety of officers or the public. It is the intent of this policy to ensure an operations plan be completed prior to the operation beginning. Officers preparing operations plans will complete either a Basic or a Tactical Operations plan as described by this policy. The intent of this policy is to address known safety issues, to protect involved officers and the public, and ensure the notification of the on-duty Watch Commander and supervisors in case of an emergency.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

343.2 DEFINITIONS

Special Investigation or Detail - Any pre-planned operation which requires specific personnel and is conducted within the scope of their duties. Special investigations and details include but are not limited to:

(a) Search warrants

(b) High-risk arrests

(c) Surveillances

(d) Undercover operations

343.3 OPERATIONS PLAN AND NOTIFICATION

(a) The responsibility to complete the operations plan rests with the primary investigating officer on any investigation, special event, or operation, and shall be prepared using the approved format (forms located in "pdcommon.forms.OpsPlan" folder).

(b) Every effort should be made to complete an operations plan prior to the commencement of an operation. Execution of an operation prior to the completion of an operations plan may only take place with the approval of a supervisor.

(c) All operations plans shall be approved by a supervisor.

(d) All personnel involved in the operation shall be briefed on the operation and be provided a copy of the operations plan.

(e) The officer completing the plan or his/her designee shall e-mail the operations plan to PDSARGE prior to the commencement of the operation.

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(f) The officer completing the operations plan or his/her designee shall make personal contact with the on-duty patrol sergeant to discuss details of the operations plan and any possible hazards.

(g) The officer completing the operations plan or his/her designee shall deliver a hard copy of the operations plan to Communications.

1. The communications dispatcher who receives the operations plan shall be noted on the case agent's copy of the operations plan.
2. Communications will enter the address of the operation into the CAD system with the highlighted advisement "NOT FOR BROADCAST."
3. If more than one location is noted on the operations plan, each location will have a number designator. The number designator will be how the location is referred to over the radio.

343.4 BASIC OPERATIONS PLAN

A Basic Operations Plan is a one page document that may be utilized for operations involving surveillances, undercover operations where the likelihood of arresting suspects is remote, or any other planned operation the primary investigating officer or supervisor deems appropriate.

The following information shall be included in the Basic Operations plan:

(a) Name of the primary investigating officer and supervisor in charge.

(b) The location of the operation.

1. If more than one location is to be a part of the operations plan, all the locations will be listed on the plan.
2. Locations shall be numbered and referred to by number over the radio.

(c) The names of all personnel assigned to the operation.

1. This information will include call signs, badge numbers, cell phones, and vehicles being utilized.

(d) Suspect name and description, if available.

(e) Any officer safety concerns or potential hazards.

1. Officers completing operations plans shall assess risk factors associated with their operations plan by utilizing the Santa Rosa Police Department's Special Weapons and Tactics (SWAT) High Risk Operations/Entry Guide (form located in "pdcommon.forms.OpsPlan-SWAT-HighRisk").

(f) The objective or mission of the operations plan (i.e. surveillance in order to place target suspect at residence, or undercover buy of ounce of narcotics from suspect, etc.).

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343.5 TACTICAL OPERATIONS PLAN

A Tactical Operations Plan is a comprehensive multi-page document that may be utilized for operations involving high risk arrest operations, search warrants, surveillances and undercover operations where there is a greater likelihood of officers encountering noncompliant suspects or any other planned operation that the primary investigating officer or supervisor deems appropriate.

(a) All Tactical Operations Plans incorporate the Basic Operations Plan as page one of the completed document.

(b) All sections of the Tactical Operations Plan shall be completed in its entirety. If a particular section of the Tactical Operations Plan is not applicable, the officer completing the plan shall mark the section N/A.

(c) The Santa Rosa Police Department's Special Weapons and Tactics (SWAT) High Risk Operations/Entry Guide (form located in "pdcommon.forms.OpsPlan-SWAT-HighRisk") shall be completed and included as an attachment to this document.

(d) Only page one of the document, The Basic Operations Plan, shall be e-mailed to PDSARGE and delivered to Communications.

1. A copy of the entire Tactical Operations Plan may be submitted for review by the patrol supervisor upon request.

343.6 OPERATIONS PLAN TERMINATION

(a) Upon termination of the operation the primary investigating officer, or the supervisor, will notify Communications that all assigned officers are clear and the operation is over.

(b) Operations plans shall be considered sensitive documents and treated accordingly. All copies of the operations plan shall be shredded or returned to the primary investigating officer upon termination of the operation.

(c) An operation will be considered over after a 24-hour period unless otherwise noted.

(d) At the conclusion of an operation a debriefing will occur to identify and evaluate any safety concerns that should be addressed. All officers participating in the operation should attend the debriefing. The debriefing will minimally include the supervisor and primary investigating officer. It is the responsibility of the supervisor to ensure the debriefing takes place.

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Holdover Reports

345.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a method for processing, completing and correcting deficient reports and assuring their timely completion.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

345.2 HOLDOVER CRITERIA

(a) In custody reports shall not be held over and must be reviewed by a supervisor prior to the employee leaving at the end of shift unless all of the following conditions are met:

1. Supervisor approval is granted.
2. Arraignment will not occur the following day.
3. The report is not required for additional followup.
4. The reporting employee is scheduled to return to work the next work day.

(b) All reports that require the issuance of a Stop and Hold request shall not be held over and must be reviewed by a supervisor prior to the reporting employee leaving at the end of shift.

(c) All reports of a serious nature that require immediate follow up by Special Services Division personnel shall not be held over and must be reviewed by a supervisor prior to the reporting employee leaving at the end of shift. Some examples of these cases are call-out situations where a Special Services Division investigator has been asked to respond to assume investigative responsibilities; cases involving multiple jurisdictions; and any other case where the victim has a reasonable expectation of immediate followup.

345.3 SUPERVISOR RESPONSIBILITIES

(a) If the reporting employee is unavailable, deficiencies shall be noted on the ILEADS Report Review form (SRPD form 261A). The supervisor shall assign a due date for completion or correction of the report, taking into consideration days off and length of time needed to finish the report.

(b) Complete the information (crime type, crime report number, officer, etc.) on the ILEADS Report Review form. Attach the ILEADS Report Review form to the original report and forward to the Records Bureau.

(c) On the following work day, recover the report from the holdover report file. Discuss the report with the reporting employee and explain deficiencies and due date.

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(d) The supervisor who receives holdover reports will assure the due date assigned is met and deficiencies are corrected.

(e) Approve corrected report and forward to the Records Bureau for final processing.

345.4 OFFICER RESPONSIBILITIES

(a) Complete in-custody reports and have them reviewed by an on-duty supervisor as indicated above.

(b) Complete reports that generate a Stop and Hold form and have them reviewed by an on-duty supervisor before leaving at the end of shift.

(c) If an employee is unable to complete other reports on the original workday, discuss with a supervisor and ask to have the ILEADS Report Review form filed by the supervisor. Officers are not authorized to hold over reports without supervisory approval.

(d) Upon receipt of a holdover report, discuss the deficiencies with the supervisor, make necessary corrections, and re-submit for approval by the due date.

345.5 RECORDS BUREAU RESPONSIBILITIES

(a) Upon receipt of reports with ILEADS Report Review forms attached, place the report into the holdover file in the appropriate team/section slot.

(b) The holdover file will remain accessible for supervisors to retrieve reports for completion.

(c) A separate holdover file for front counter personnel shall be maintained at the Records counter.

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Media Relations and Release of Public Information

346.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

346.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Watch Commanders and designated Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

346.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department's Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

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(c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

(a) The department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

1. The date, time, location, case number, type of crime, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
2. The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
3. The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

(b) At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).

(c) Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

(d) Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

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346.5 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

(a) Confidential peace personnel information.

(b) Copies of traffic collision reports, except to the involved parties and their authorized representatives (Vehicle Code § 20012).

(c) Criminal history information.

(d) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(e) Information pertaining to pending litigation involving this department.

(f) Information obtained in confidence.

(g) Any information that is otherwise privileged or restricted under state or federal law. (Government Code § 6254(k)).

346.6 RELEASE OF INFORMATION

346.6.1 RELEASE OF INVESTIGATIVE INFORMATION

From the initial stage of a criminal investigation until the completion of trial or disposition without trial, department personnel shall refer all requests for information to the designated media representative unless the supervisor or other representative of the investigative team responsible for the criminal investigation has been assigned to respond to media inquiries.

Information which may be released in connection with investigations includes:

(a) Factual circumstances surrounding the crime or incident including the arrested suspect's name, age, residence, occupation, and family status if applicable, and, if the suspect has not been apprehended, any further information necessary to aid in the suspect's apprehension or to warn the public of any dangers that may exist.

(b) The location, date and time of the incident, general extent of injuries sustained, damaged property or weapons involved, and a general description of how the incident occurred.

(c) The identity and approximate address of a victim except when prohibited by law and in cases where reprisals or intimidation may occur.

(d) Requests for aid in locating evidence, a complainant, witness, or a suspect.

(e) Numbers of officers or people directly involved in an event or investigation, except the estimated number of persons in crowds or attending events, and the length of the investigation.

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(f) The name of the officer, investigative team or Bureau in charge of an investigation (except the name of any undercover officer which is not to be released).

346.6.2 INVESTIGATIVE AND INTELLIGENCE INFORMATION THAT SHALL NOT BE RELEASED

Information which may **not** be released in connection with the investigation of an event or crime, unless authorized by the Chief of Police or his/her designee, includes:

(a) The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger.

(b) The identity of any victim of specific crimes as prohibited by law (Government Code § 6254), or any related information which, if divulged, could lead to the identity of the victim.

(c) The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in personal danger.

(d) Detailed information about the location, number, or extent of injuries sustained by a victim if such disclosure would jeopardize a pending investigation.

(e) The names, addresses and identifying information of individuals reporting crimes or incidents to the Santa Rosa Police Department.

(f) The identity of juvenile arrestees, detainees or suspects (17 years old or younger) in a case subject to the jurisdiction of the juvenile court, except as outlined in this policy.

(g) The identity of confidential informants.

(h) The identity of individuals taken into custody per Welfare and Institutions Code § 5150.

(i) The identity of individuals detained but not arrested (Penal Code § 849.5 detention only).

(j) The identity of individuals listed as suspects, when no reasonable cause exists for either an arrest or the filing of a complaint.

(k) The telephone number of any individual listed on a report or incident.

(l) Criminal offender information except as authorized by law.

(m) Information that may endanger the safety of any person, including law enforcement personnel.

(n) Information that may jeopardize an investigation, related investigation or law enforcement proceeding.

(o) Any portion of an investigative report which reflects the analysis, recommendation or conclusion of the investigating officer.

(p) Confidential information provided only by a confidential source.

(q) Information that may constitute an unwarranted invasion of privacy.

(r) Information that may disclose confidential investigative techniques and/or procedures.

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(s) Information that may deprive a person of a fair trial. The following are examples of prejudicial information:

1. Suspect's statements, admissions, confessions, alibis or lack thereof.
2. Statements as to the character, reputation or credibility of involved parties.
3. Statements concerning the identity, credibility or anticipated testimony of a prospective witness.
4. Statements of the defendant's guilt or innocence or matters related to the merits of the case.
5. Opinions concerning evidence or arguments in a case.
6. The possibility of a plea of guilty to the offense charged or a lesser offense or other disposition.
7. Investigative procedures such as laboratory tests, fingerprints, ballistic tests, etc.
8. Polygraph examination or statement indicating a refusal or lack thereof.

(t) Information contained in applications for licenses to carry concealed weapons which indicate when or where the applicant is vulnerable to attack or which concern the applicant's medical or psychological history or that of members of the applicant's family.

(u) Records which have other legal protection.

346.6.3 DISCRETIONARY RELEASE OF INFORMATION

Exceptions may be made to the exemptions for release of information when not prohibited by law, on a case by case basis and when the release of information will:

(a) Aid in an investigation.

(b) Assist in the arrest of a suspect.

(c) Warn the public of danger.

(d) Death Releases - In cases involving death, the deceased's name shall not be released until the next of kin has been notified and clearance obtained from the Coroner's Office.

(e) Injury Releases - In cases involving serious injury, the victim's name shall not be released until the next of kin has been notified.

(f) Suicide Notes - Contents of suicide notes shall not be released, but the existence of a suicide note may be acknowledged.

(g) Multi-Jurisdiction Investigations and Assisting Other Agencies - Inquiries shall be referred to the agency with primary jurisdiction or as outlined in established County-wide protocols or policies.

346.6.4 RELEASE OF INFORMATION IN ACCORDANCE WITH MEGAN'S LAW

The release of any registered sex offender information authorized under California's Megan's Law shall only be released in accordance with established departmental policies.

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346.6.5 RELEASE OF INFORMATION FROM RECORDS PENDING LITIGATION
Records pertaining to pending litigation to which the City, Police Department or an employee is a party shall not be released.

346.7 INFORMATION REGARDING EMPLOYEE INFORMATION, PERSONNEL ISSUES, AND POLICY

(a) Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy, shall not be disclosed.

(b) Personnel issues and matters of policy shall be referred to the Chief of Police or the Special Services Division Captain.

(c) Issues involving internal affairs matters or other administrative investigations shall be referred to the Chief of Police or the Special Services Division Captain.

346.8 ISSUANCE OF MEDIA RELEASES

(a) Media releases shall be issued when:

1. A major crime or incident occurs.
2. An arrest for a major crime occurs.
3. An employee is involved in any outstanding accomplishment.
4. Newsworthy events occur in which department employees sustain injuries while on duty.
5. Any event not previously described that, in the opinion of the on duty supervisor, would be of interest to the news media.

(b) Under most circumstances the initial media release shall be the responsibility of the on-duty Watch Commander. Media releases shall be disseminated as soon after the incident as practical.

1. In cases where an investigator is called to the scene, the investigator shall be consulted concerning the omission or addition of information contained in the media release.
2. The on-duty Watch Commander may designate a media representative to handle the initial media release at a major incident.

(c) In situations where a Special Services Division investigation warrants a media release, the release may be prepared by a designated media liaison or by the investigative team supervisor or lieutenant.

(d) All follow-up media releases shall be prepared and released by the designated media representative or designee.

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346.8.1 MEDIA RELEASE FORMAT AND DISTRIBUTION

Media Releases shall be prepared using the media release template and include the following:

(a) The name of the individual preparing the release.

(b) The date of the release.

(c) The nature of the release and crime/case number (if applicable) in the Subject line in bold type.

(d) The name and telephone number of the individual to be contacted for additional media information.

(e) Saved as the crime report number and the type of incident.

Subsequent media releases involving the same incident or event shall be identified by the same Subject title with the addition of a notation indicating the release is an update with a sequential number; i.e., Update #1, Update #2, etc.

346.9 PUBLIC DISCLOSURE AND INSPECTION PROCEDURE

(a) Arrest reports, crime reports, and investigative reports shall be available to the public in accordance with the limitations of law and consistent with this policy.

(b) Reports shall be reviewed prior to public disclosure to ensure names and information subject to an exemption are redacted, and for a determination whether any other exemptions from disclosure exist.

(c) Information provided to the media other than that which is mandated is considered a voluntary public disclosure. Such information loses its exempt status and must then be made available to any member of the public who demands access or review. A report may not be "selectively" disclosed.

(d) All requests for exceptional disclosure of reports shall be referred to an on-duty supervisor who shall review the report to:

1. Ensure the report does not qualify for a specific exemption to be labeled "No Disclosure."

2. Summarize the content of the report and/or respond to the questions of the requestor.

(e) Requests to review a report may require retrieval, redaction of information that qualifies for exemption, duplication and payment of reasonable fees to off-set the cost.

346.9.1 DENIAL OF DISCLOSURE

(a) The denial of a request for disclosure of a report labeled "No Disclosure" or for specific information deleted from a report or withheld in a media release may be appealed to the Special Services Division Captain or his/her designee during normal business hours, Monday through Friday, 0800-1700 hours, excluding holidays.

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(b) The Special Services Division Captain may modify or maintain the claimed exemption.

(c) The decision of the Special Services Division Captain may be appealed to the Chief of Police.

1. This appeal and demand for disclosure shall be made in writing citing the reasons/authority requiring disclosure of the information.

(d) If disclosure is denied, the department will respond to the requestor in writing, within ten (10) days of the initial receipt of the request, giving the reason or exemption for the denial.

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Courtesy & Late Reported Crime or Incident by Counter Report, Telephone or Mail

347.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth procedures for processing police reports as a courtesy for another law enforcement agency in a consistent manner; and to facilitate a reporting system whereby citizens can report non-emergency criminal offenses or incidents by coming into the Police Department for a counter report, by telephone, or on a form designed for mail-out and return.

Approved 5-22-13 by Chief Thomas E. Schwedhelm.

347.2 POLICY

(a) It shall be the policy of the Santa Rosa Police Department to take counter reports or offer a Citizen Crime/Case Report form to citizens who walk into the Police Department.

(b) A mail-out Citizen Crime/Case Report shall be used if a citizen prefers not to come to the Police Department or utilize the on-line reporting system on the SRPD website.

347.3 PROCEDURE

347.3.1 LATE REPORTED CRIMES

(a) The employee receiving the initial request for service shall ask the appropriate questions to determine if a crime has occurred and if it meets the criteria for a counter, on-line or mail report.

(b) If the request meets the specified criteria, the employee shall notify the caller of the options for generating a police report and appropriately direct the caller to his/her chosen option.

(c) If the employee or the caller believes there is a potential for evidence collection at the scene, such as fingerprints, a Field and Evidence Technician or Police Officer should respond to determine the value of the evidence.

(d) Any department supervisor may direct field personnel to any call for service after reviewing the statements of the caller and evaluating the immediate workload.

(e) Officers contacted by a citizen in the field reporting a late reported crime may give the citizen a Citizen Crime/Case Report or refer the citizen to the on-line reporting system on the SRPD website if the crime meets the criteria outlined in this policy. The officer shall not refer a citizen to call the Communications Bureau, Records Bureau, or Front Counter for a Citizen Crime/Case Report or counter report without supervisor approval.

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347.3.2 FRONT COUNTER REPORTS

(a) Crimes against property reports shall be taken at the front counter when the following conditions exist:

1. No suspects have been seen;
2. No suspects are known;
3. No physical evidence exists; and,
4. No immediate follow-up is indicated due to the lack of investigative leads.

(b) All crimes against persons reports shall be handled by a Police Officer.

(c) Miscellaneous reports that involve phone calls, lost/found property, and other such incidents shall be handled by front counter personnel following the criteria above.

(d) Traffic collisions that are classified as a Hit and Run shall be taken by front counter personnel, unless injuries substantiate a felony.

347.3.3 TELEPHONE REPORTS

The reports handled by telephone include:

(a) Missing persons not at risk.

(b) Runaway juveniles not at risk.

(c) Missing juveniles not at risk 16 or over.

347.3.4 MAIL-OUT REPORTS

The Citizen Crime/Case Report shall be used only when the Telephone Reporting Unit is not available or the citizen prefers a mailed report. The following criteria shall be met when utilizing the Citizen Crime/Case Report form:

(a) Misdemeanor crimes against property and lost property.

1. Petty thefts, 537 P.C., and vandalism where the value of damage does not exceed $5,000;
2. No suspects were seen or known to the reporting party; and,
3. No investigative leads apparently exist.

(b) Felony crimes against property.

1. Vehicle burglaries, thefts from open garages, grand thefts, insurance only reports when the value does not exceed $5,000;
2. No suspects were seen or known to the reporting party; and,
3. No investigative leads apparently exist.

(c) Annoying phone calls.

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1. No follow-up required until the telephone company advises the Police Department of a successful trap.

347.4 COURTESY REPORTS

(a) Reports taken as courtesy reports shall be documented on the appropriate Santa Rosa Police report form with "COURTESY REPORT" noted in ILEADS.

(b) A case number shall be assigned and the report shall be reviewed by the employee's supervisor prior to being forwarded to the Records Bureau for routing.

(c) The assigned Records personnel shall mail a copy of the report to the agency with jurisdiction.

1. In cases where the report is needed immediately, the report can be faxed prior to the copy being mailed.

2. The original copy of the report shall be retained by the Santa Rosa Police Department.

(d) All courtesy reports shall be entered in ILEADS.

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Court Appearance and Subpoenas

348.1 PURPOSE AND SCOPE

This policy establishes the guidelines for acceptance of subpoenas and employee appearances in court.

Adopted 5-16-18 by Chief Robert L. Schreeder.

Revised 10-1-18 by Chief Robert L. Schreeder.

348.1.1 DEFINITIONS

(a) **On-Call** - When an employee has appeared in court, or is at the time on duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or pager if called back.

(b) **Mandatory Appearance -** Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

(c) **Standby** - When an employee receives a subpoena of a type which allows him or her to not appear in court, but remain available by phone so that he or she may be directed to appear in court within a reasonable amount of time.

(d) **Trailing Status** - When an employee remains on standby status for additional court sessions until notified otherwise.

348.2 COURT SUBPOENAS

Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

348.2.1 SERVICE OF SUBPOENA

Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished by personal service on the employee or other authorized departmental agent (Government Code § 68097.1 and Penal Code § 1328(c)).

348.2.2 VALID SUBPOENAS

No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

348.2.3 ACCEPTANCE OF SUBPOENA

(a) Any authorized employee accepting a subpoena shall immediately provide a copy of the subpoena to Court Services. Court Services personnel shall maintain a log of all department subpoenas and facilitate their timely service.

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(b) All subpoenas shall go out for service and be served at the first opportunity. In the event of a scheduling conflict, the served employee is responsible for completing a subpoena conflict form and delivering it to Court Services as soon as possible. If it is short notice the served employee shall contact the issuing party directly in an attempt to have the subpoena released or modified.

(c) In the event the employee is on leave during the scheduled date of the court appearance, the subpoena shall be logged and delivered to the employee's manager for consideration. If the employee cannot be served it will be returned to Court Services who shall contact the issuing party with an appropriate reason as to why it cannot be served. Scheduled vacations and/or trainings are not considered leave and are to be handled according to the provisions of this policy.

(d) In the event the subpoena is served directly to an employee, a copy of the subpoena shall be promptly delivered to Court Services for tracking.

348.2.4 REFUSAL OF SUBPOENA

(a) Valid reasons for refusal to accept subpoenas include illness/disability leave or military leave. Subpoenas should not be refused for any other reason than those listed above unless there is something incorrect with the subpoena. Regular scheduled days off are not valid reasons for refusing the subpoena or missing court. If the subpoena has been received by the individually named employee from the subpoena clerk and a valid reason exists for refusing the subpoena, the subpoena shall be promptly returned to Court Services with a specified reason for refusal as well as the dates when the employee will become available. It shall then become the responsibility of the Court Services Technician to notify the assigned Deputy District Attorney or other attorney of record of the bona fide unavailability of the employee.

(b) If a subpoena is presented for service to an immediate supervisor or other authorized individual less than five working days prior to the date listed for an appearance, the supervisor or other authorized individual may refuse to accept service (Penal Code § 1328(d)).

(c) If, after initially accepting service of a subpoena, a supervisor or other authorized individual determines that he/she will be unable to deliver a copy of the subpoena to the individually named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or a Court Services Technician shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

348.2.5 COURT STANDBY

To facilitate court standby agreements with the courts, employees are required to provide and maintain current information on their address and phone number with the department. Employees are required to notify the department as soon as practical (per Code of Conduct, Lexipol Policy 105) of any change in residence address or contact phone number, and to provide accurate and reasonably reliable means or methods for contact.

If an employee on standby changes his/her location during the day, the employee shall notify the subpoena clerk of how he/she can be reached by telephone. Employees are required to remain

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on standby each day the case is trailing. In a criminal case the Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

348.2.6 OFF-DUTY RELATED SUBPOENAS
Employees receiving valid subpoenas for actions taken off duty not related to their employment with Santa Rosa Police Department shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

348.2.7 FAILURE TO APPEAR
Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions. The Court Services Technician shall notify the immediate supervisor when an employee misses a court appearance.

348.3 CIVIL SUBPOENAS
The department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties as directed by the current employee Memorandum of Understanding. In such situations, the department will also reimburse any employee for reasonable and necessary travel expenses.

The department will receive reimbursement for the employee's compensation through the civil attorney of record who subpoenaed the employee.

348.3.1 PROCEDURE
To ensure the employee is able to appear when required, that the employee is compensated for such appearance, and to protect the department's right to reimbursement, employees shall follow the established procedures for the receipt of a civil subpoena.

348.3.2 CIVIL SUBPOENA ACCEPTANCE
Subpoenas shall not be accepted in a civil action in which the employee or department is not a party without properly posted fees pursuant to Government Code § 68097.6.

348.3.3 FEES
The party in the civil action who seeks to subpoena an employee for personal appearance or for records shall deposit the required fees (Government Code § 68097.2).

(a) Any funds paid over the actual cost for the employee’s hours of appearance will be refunded. Any fees due that exceed the actual cost for the employee’s hours of appearance will be billed.

(b) Additional requested appearances will require an additional deposit in advance.

(c) A subpoena for records (Subpoena Duces Tecum) requires a $15 fee.

(d) If the material cost of the records provided to the requestor exceeds the posted fees, the requestor will be billed. Clerical retrieval costs may be billed at a rate of $24 per hour per person or $6 per quarter hour or fraction thereof (Evidence Code § 1563).

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348.4 OVERTIME APPEARANCES

If the employee appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee Memorandum of Understanding.

348.5 COURTHOUSE DECORUM

The following guidelines ensure proper decorum while in the courtroom.

(a) Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed. Before the date of appearance, the subpoenaed employee should request a copy of relevant reports and become familiar with the content in order to be prepared for court.

(b) Employees shall dress in uniform or business attire per the department's Uniform Regulations Policy (Lexipol Policy 1046).

(c) Employees shall observe all rules of the court in which they are appearing and remain alert to the changes in the assigned courtroom where their matter is to be heard.

(d) Refrain from use of tobacco in any form (i.e. cigarettes, smokeless tobacco, e-cigs), chewing gum, and be discreet in use of smartphones, electronic devices and/or tablets.

348.6 SPECIAL NOTIFICATION REQUIREMENTS

Any subpoena received for an employee to testify or provide information on behalf of or at the request of any party other than the People of the State of California, will be researched by a Court Services Technician prior to service of the subpoenaed employee if there is an ongoing criminal case. The Court Services Technician will notify the District Attorney's Office, County Counsel, and/or the City Attorney, as may be indicated by the case.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding;

(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees; or

(c) Providing testimony or information on behalf of or at the request of any party other than any county, city, or any county or city official in any administrative proceeding, including but not limited to a personnel and/or disciplinary matter.

For personnel or disciplinary related testimony, the Court Services Technician will notify the Office of the Chief of Police to determine if additional legal support is necessary.

348.7 LEAVE OF ABSENCE

An employee who is on a leave of absence is responsible for communicating with a Court Services Technician to advise of any served subpoenas that they will not be able to attend. In the event

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the employee is unable to do this, the employee's immediate supervisor will be responsible for notifying Court Services. If the employee is on Administrative Leave, the Chief's Office will be responsible for communicating any served subpoenas to Court Services. A Court Services Technician will be responsible for contacting the necessary parties to advise of any leave.

348.8 SUBPOENA CANCELLATION

Employees required to appear in court on City business during off-duty hours shall be required to confirm the status of the subpoena prior to 1900 hours the day prior to the scheduled court appearance.

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Law Enforcement Report of Firearms Prohibition

349.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for complying with the Dangerous Weapons Control Law of 1996; specifically, persons who are prohibited from possessing, purchasing, or attempting to purchase any firearms or other deadly weapons.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

349.2 AUTHORITY

Pursuant to Welfare and Institutions Code § 8100(b)(1), any person who communicates to a licensed psychotherapist, a serious threat of physical violence against a reasonably identifiable victim or victims is prohibited from possessing, having under his or her custody or control, purchasing, receiving or attempting to purchase or receive any firearm or other deadly weapon for a period of six months.

Pursuant to Welfare and Institutions Code § 8105(c), licensed psychotherapists shall immediately report the identity of persons subject to Welfare and Institutions Code § 8100(b) to local law enforcement. The firearms prohibition begins on the date the licensed psychotherapist reports the identity of the prohibited person to the local law enforcement agency. Upon receipt of the report from the licensed psychotherapist, the local law enforcement agency must immediately complete and submit the Law Enforcement Report of Firearms Prohibition (B.C.I.I. form 4074) to the Department of Justice (D.O.J.) thereby notifying the D.O.J. of the person who is subject to Welfare and Institutions Code § 8100(b).

349.3 PROCEDURE

Santa Rosa Police Department personnel who are made aware of any serious threat of physical violence as described under Welfare and Institutions Code § 8100(b)(1) shall complete a crime case report documenting the nature of the threat and the circumstances. The report should be documented as an informational report unless there are specific circumstances that support a criminal violation.

Reports subject to this policy will primarily be made by telephone and will normally occur during regular business hours. An employee taking such reports over the telephone shall insure all applicable information is obtained for the crime case report.

349.3.1 FIELD SERVICES DIVISION RESPONSIBILITIES

There may be occasions where police officers or police field and evidence technicians are made aware of circumstances that would require a report as described in this policy. In these circumstances, Field Services Division personnel shall initiate a crime case report, conduct the appropriate investigation, and complete B.C.I.I. form 4074.

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349.3.2 TECHNICAL SERVICES DIVISION RESPONSIBILITIES

Records personnel shall ensure B.C.I.I. form 4074 has been completed and is attached to all crime case reports that involve threats of physical violence as described in this policy. Reports submitted without B.C.I.I form 4074 shall be returned to the officer or technician who prepared the report for completion. Records personnel shall ensure B.C.I.I. form 4074 is completed for all reports generated in the Records Bureau.

Records personnel shall attach the yellow copy of B.C.I.I. form 4074 to the crime case report and forward the white copy to:

California Department of Justice Firearms Program

P. O. Box 820200

Sacramento, CA 94203-0200.

349.3.3 SPECIAL SERVICES DIVISION RESPONSIBILITIES

Copies of reports made pursuant to this policy shall be forwarded to the Violent Crime Investigations Team for review in case additional follow up investigation is necessary.

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Weapon Retention for W&I Code Section 5150 and D.V. cases

351.1 PURPOSE AND SCOPE

This policy establishes procedures for handling firearms or other deadly weapons confiscated during the course of Welfare and Institutions Code § 5150 or Domestic Violence investigations.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

351.2 POLICY

Weapon retention investigations shall be given a high priority, due to the short period of time during which a petition for retention and possible destruction of the weapon must be filed with the Court by the City Attorney's Office.

Weapon retention investigations shall be initiated immediately by the assigned sergeant, designee, or the Domestic Violence Investigator assigned to the case, in order to meet statutory deadlines.

351.3 GENERAL

Review and consideration for retention and possible destruction of weapons in Welfare and Institutions Code § 5150 or Domestic Violence cases will be made jointly by the Domestic Violence Investigator and the Assistant City Attorney assigned to the case. In cases where weapons will be retained, the Domestic Violence Investigator will provide any follow-up and assistance in filing a petition with the Court.

351.4 INITIATING OFFICER RESPONSIBILITIES

(a) Officers responding to Domestic Violence or Welfare and Institutions Code § 5150 calls shall confiscate weapons in plain sight or discovered pursuant to a consensual or other lawful search.

(b) The officer confiscating the weapon(s) shall provide details as to the probable cause for the seizure, including an assessment by the victim of any danger posed if the weapon is returned, a full description of the weapon(s), its condition (operable, loaded, unloaded, etc.), the weapon(s) ownership, the location where it was found and if the weapon was seized in plain view or with the consent of the party or parties involved.

1. Under Welfare and Institutions Code § 8102, a peace officer shall confiscate any firearm or other deadly weapon owned by or in possession or control of a person who is detained or apprehended for a mental health (5150 W&I) evaluation.

2. Under Penal Code § 12028.5, an officer at the scene of a domestic violence incident involving a threat to human life or physical assault, shall take temporary

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custody of any firearm or deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search.

351.5 PROPERTY/EVIDENCE STORAGE

(a) The Property/Evidence Storage Technician is responsible for proper storage of weapons confiscated in all Welfare and Institutions Code § 5150 or a Domestic Violence case and for initiating the documentation for retention review considerations.

(b) The Property/Evidence Storage Technician, upon receipt of a weapon confiscated in a Welfare and Institutions Code § 5150 or a Domestic Violence case, shall prepare two packets of materials to include the following:

1. A copy of the case report.
2. A copy of any I/LEADS data associated with the involved individuals.
3. Copies of any reports identified in the I/LEADS check.
4. A copy of the CAD incident report associated with the case.
5. A weapon registration check.
6. A CORI (Rap) check.

(c) The Property/Evidence Storage Technician shall forward copies of the complete packet to the assigned sergeant, designee, or Domestic Violence Investigator and the City Attorney's Office.

1. The packets will include a color coded cover sheet attached by the Technician to readily identify the type of investigation and include a statement that the checks or information requested above has been completed.

351.6 ASSIGNED SERGEANT OR DOMESTIC VIOLENCE INVESTIGATOR RESPONSIBILITIES

(a) The assigned sergeant, designee, or Domestic Violence Investigator shall review all Welfare and Institutions Code § 5150 and Domestic Violence Weapon Confiscation cases.

(b) The assigned sergeant, designee, or Domestic Violence Investigator shall contact the Assistant City Attorney for a joint determination as to further retention of the weapon, additional follow-up investigation as needed, and subsequent filing of a petition with the Court.

1. If a decision is made to retain the weapon, the assigned sergeant, designee, or Domestic Violence Investigator shall contact the City Attorney's Office to identify the need for any additional investigation, if necessary.

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2. If a decision is made not to retain the weapon(s), the assigned sergeant, designee, or Domestic Violence Investigator shall notify the Property/Evidence Team and prepare a property release for the weapon(s) in question.

351.7 CONSIDERATION FOR PETITION FOR RETENTION

The joint decision made by the City Attorney's Office and the Police Department whether to petition for retention of a confiscated weapon may take into consideration, to the extent applicable, the following information:

(a) The number and type of prior calls for service related to the address or the individual.

(b) Escalation of events during the primary incident in question or between a series of incidents.

(c) Any actual or implied use of a weapon.

(d) The availability of reliable witnesses regarding the current or prior incidents.

(e) Any medical treatment required by participants in either the current or previous cases.

(f) The necessity for responding officers to draw their weapons or become involved in a physical confrontation with the subject.

(g) The presence of children in the home who were witness to the series of events leading to the arrest or detention.

(h) The immediate accessibility to any weapon(s) seized.

(i) Indications of alcohol or drug use during the current incident and/or a history of substance abuse.

(j) Threats of violence to self or others.

(k) In domestic violence cases, the victim's own assessment of danger if weapons are returned.

351.8 CITY ATTORNEY RESPONSIBILITIES

The City Attorney's Office will prepare the pleadings necessary for continued retention or destruction of a confiscated weapon. During the course of proceedings initiated by the City Attorney's Office, the Police Department Property/Evidence Storage Team will be notified of the status of the case and final disposition.

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Sonoma County Mutual Aid Plan

352.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth operational guidelines in requesting mutual aid for the Santa Rosa Police Department or responding to a mutual aid request. The purpose of this plan is to prescribe a procedure for the coordination of the alerting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires assistance from other jurisdictions.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

352.2 DEFINITION

For purposes of this plan, and by authority of the California Emergency Services Act, a county is referred to as an Operational Area. Further, that the Operational Area Law Enforcement Coordinator shall be the sheriff of the county. The chief of police is the official responsible for determining the magnitude of an emergency within his/her city and the necessity of calling for assistance from the county sheriff in accordance with mutual aid procedures. When an emergency situation develops or appears to be developing which cannot be handled by a law enforcement agency within an operational area, it is the responsibility of the Operational Area Coordinator to provide assistance and coordination to control the problem (Government Code § 26602).

352.2.1 CALIFORNIA EMERGENCY MANAGEMENT AGENCY

The California Office of Emergency Services and the Office of Homeland Security have merged into California Emergency Management Agency (Cal EMA).

352.3 PROCEDURE FOR OBTAINING MUTUAL AID

(a) When the Chief of Police of a city determines an emergency situation may become, or is already beyond control of his/her department's resources, it is his/her responsibility to request mutual aid from the Operational Area Coordinator.

(b) The Police Department's commanding officer on duty must make his/her request directly to the Sheriff's Office's commanding officer on duty.

(c) When an emergency situation exists within the jurisdiction of the Sheriff's Office, the commanding officer on duty shall make initial requests to the various police departments in the same manner.

(d) All mutual aid requests will include the type of emergency, the number of officers required, and any special equipment needed.

(e) All law enforcement agencies contacted by the Operational Area Coordinator for mutual aid shall make an immediate response as to the number of officers and equipment available.

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(f) If the number of officers responding from the agencies contacted exceeds five (5), at least one of the officers shall hold the rank of sergeant or above, and shall be in charge of those officers.

(g) The Operational Area Coordinator shall direct the personnel from all responding agencies to report to the commanding officer of the requesting law enforcement agency.

(h) If the resources of this operational area are depleted in coping with an emergency, the Operational Area Coordinator shall request additional mutual aid from the Area II Regional Coordinator.

352.4 PROCEDURE FOR REGIONAL AND STATE MUTUAL AID

The Regional Law Enforcement Coordinator is responsible for requesting mutual aid from the state level. California Emergency Management Agency (formerly Office of Emergency Services) is responsible for coordination and application of state resources in support of local jurisdictions.

352.5 CALIFORNIA HIGHWAY PATROL: DEPARTMENT POLICY

(a) Officer Needs Assistance (11-99 or 999). Assistance will be provided when any officer's safety is in jeopardy, and immediate rescue or backing is required. Assistance shall be withdrawn when the hazard ceases to exist.

(b) Emergency Traffic Assistance may be provided when an event has occurred that has unexpectedly developed to the point where local authorities must deploy the majority of their on-duty personnel to mitigate the incident. Assistance will be limited to on-highway perimeter traffic control, unless incidents occur in an officer's presence which require action necessary to save lives or property.

(c) Mutual Aid Support shall be provided when an event is planned or has occurred that is, or probably will become, beyond the capabilities of the responsible law enforcement agency and adjacent agencies, and the Operational Area Coordinator requires mutual aid and requested department support, or the Governor has determined involvement to be in the best interest of the state.

(d) Commitment of California Highway Patrol resources in support of local law enforcement mutual aid operations will be on approval of the Commissioner or Deputy Commissioner.

(e) California Highway Patrol resources are not a part of the available local resources within an Operational Area. Personnel committed to the support of local authorities shall remain under the control of California Highway Patrol Commanders and supervisors, who may accept missions from the responsible local authorities.

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352.6 STATE MILITARY FORCES

Request for State Military Forces will be originated by a local government when it has been determined that the emergency is beyond the capabilities of local forces. The request should be forwarded to the Governor through the California Emergency Management Agency channels.

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Searching, Handcuffing, Transporting and Processing Arrestees

354.1 PURPOSE AND SCOPE

The purpose of this policy is to set procedural guidelines for searching, handcuffing, caring for, transporting and processing arrestees.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

354.2 SEARCH - PHYSICAL ARRESTS

(a) All persons physically arrested shall be searched for weapons and dangerous items or contraband by the arresting officer. Weapons, dangerous items, and criminal evidence shall be removed from the arrestee.

(b) The arresting officer shall remove purses and any other personal item in which contraband or weapons may be concealed from the possession of arrestees. The item shall remain in the custody of an officer until it is searched.

(c) Prior to detaining any individual in any police vehicle, an officer shall conduct a pat-down search of that individual.

354.3 HANDCUFFING

(a) The decision to use handcuffs is a matter of the arresting officer's discretion and sound judgment shall be exercised. A number of factors should be considered, such as the nature of the offense, the arrestee's behavior, the distance to be traveled, and any other factor related to the specific circumstances of the arrest.

(b) When the decision is made to handcuff, the following guidelines shall apply:

1. When applying handcuffs, the arrestee's hands shall be in a position to provide maximum protection to the officer and to the arrestee.
2. The arrestee's hands shall be positioned to the rear unless the arrestee's physical condition prevents handcuffing behind the back.
3. Handcuffs shall be secured to the extent necessary to prevent escape.
4. Officers shall check for proper fit of handcuffs to avoid or reduce undue discomfort or possible injury. The double lock mechanism shall be set in order to prevent accidental tightening and minimize the possibility of the lock being picked.

(c) Restraining measures in addition to handcuffing may be necessary when dealing with combative arrestees.

(d) Situations may arise where it may be reasonable to handcuff an individual who may, after subsequent investigation, be released without being arrested. Such a situation is considered a detention, rather than an actual arrest. Unless arrested, the use of

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handcuffs on detainees should continue for only as long as is reasonably necessary to assure the safety of officers and others. Officers should continuously weigh the safety interests at hand against the intrusion upon the detainee when deciding to remove handcuffs from a detainee.

1. When an individual is handcuffed and released without an arrest, a Field Interview Card should be filled out and submitted to a supervisor for review and approval.

(e) The arresting officer shall use only that amount of force that is reasonable and necessary to effect the arrest, to prevent escape, or to overcome resistance.

354.4 INJURY OR COMPLAINT OF PAIN

When the arrestee has sustained or complains of an injury, the officer shall ensure that proper medical care is provided and shall document the circumstances regarding the injury in the police report. Photographs shall be taken of the injured area or the alleged injured area. The officer shall immediately notify his/her supervisor to report the injury or complaint of pain.

354.5 TRANSFER OF CUSTODY

Transfer of arrestee custody requires an immediate search by the receiving officer.

354.6 TRANSPORTATION

(a) The seating arrangement for arrestees transported in department vehicles which are not equipped with protective screens shall be as follows:

1. Single officer with single arrestee: The arrestee shall be seated in the right front seat.
2. Two officers with single arrestee: The second officer shall sit in the left rear seat and the arrestee in the right rear.
3. Two officers with multiple arrestees: When transporting two arrestees, one shall be seated in the right rear seat, the other in the middle rear seat. The second officer shall sit in the left rear seat.
4. The seating arrangement for arrestees transported in department vehicles which are equipped with protective screens shall be as follows:
    (a) All arrestees shall be seated in the rear seat behind the protective screen.
    (b) No more than two arrestees shall be transported in a single vehicle, unless such vehicle is designed to accommodate more arrestees (i.e. van) and there are at least two officers facilitating the transportation.
5. Arrestees shall be securely seat-belted while being transported whenever practical.

(b) Arrestees confined to a wheelchair shall be transported by ambulance if they cannot be separated from the wheelchair.

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354.7 CUSTODY AND CONTROL OF ARRESTEES

(a) At the start of each shift, officers shall inspect their assigned police vehicles to ensure that no contraband or inappropriate items are present. Officers shall report the discovery of such contraband to a supervisor.

(b) Upon placing an arrestee in a police vehicle, it shall be the responsibility of the arresting officer to maintain control and observation of the arrestee.

1. The arresting officer shall ensure the arrestee makes no attempt to escape, retrieve a secreted weapon, damage the police vehicle, hide or destroy evidence.

(c) On each occasion where an arrestee has been removed from a police vehicle, the officer shall inspect the vehicle to ensure that no contraband, property or inappropriate items have been left by the arrestee.

354.8 ARRESTEES TRANSPORTED TO SANTA ROSA POLICE DEPARTMENT

Adult and juvenile arrestees shall be temporarily detained at the Santa Rosa Police Department only to facilitate an investigation, to arrange for the release of a minor to a parent/responsible adult, the release of an adult on driving while intoxicated charges to another adult, or the occasional citation release of an adult where a release from the station would be more appropriate.

(a) The locations for detaining individuals within the Police Department shall be the downstairs lobby interview room or the investigative interview rooms located on the second floor.

(b) An officer shall monitor an arrestee at all times.

(c) Arrestees shall be segregated by gender, and juveniles from adults.

(d) Juveniles subject to the provisions of Welfare and Institutions Code §§ 602 (under 14 years of age), 601 or 300 shall not be detained in any locked room.

(e) Juveniles 14 years of age or older may be handcuffed when the act committed is of a felonious nature or when their acts have amounted to crimes where the officer has a reasonable suspicion the suspect may have a desire to escape, injure themselves, injury the officer, or destroy property.

(f) Juveniles under 14 years of age generally will not be handcuffed unless their acts have amounted to a dangerous felony or when they are of a state of mind which suggests a reasonable probability of their desire to escape, injure themselves, injure the officer, or destroy property.

(g) The taking of fingerprints and photographs of arrestees at the Police Department, outside a custody facility, shall be at the discretion of the arresting officer or at the direction of a supervisor.

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Megan's Law

356.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for the dissemination of information regarding registered sex offenders under California's Megan's Law (Penal Code §§ 290 and 290.4). It is the policy of this department to facilitate public access to information allowed by legislation on registered sex offenders.

Adopted 3-21-17 by Chief Robert L. Schreeder.

356.2 DEPARTMENTAL DISSEMINATION OF INFORMATION

Whenever this department determines it is necessary to make a notification to the public regarding a person required to register as a sex offender pursuant to Penal Code § 290 in order to ensure the public safety, such information may only be released by means determined by the Chief of Police to be appropriate (Penal Code § 290.45(a)(1)). Public notifications may be made through phone calls, written notices, neighborhood canvasses, Santa Rosa Police Department internet and social media sites, or any other means determined appropriate in ensuring public safety.

Officers shall obtain approval from a supervisor prior to the public notification of any information regarding a registered sex offender. Under exigent circumstances, an officer may release the information without prior supervisory approval. However, a supervisor shall be notified of the public notification as soon thereafter as is practical.

Included with all public notifications of information about any registered sex offender will be a statement that the purpose of the release is to allow members of the public to protect themselves and their children from sex offenders (Penal Code § 290.45(a)(2)).

When public notification of a sex offender is made, the release shall be documented in an Incident/ Investigation report. The report shall include the reason for the release and the method by which it was disseminated. If the information is released to residents of a specific geographical area, that area shall be documented in the report. The report shall be forwarded to the Domestic Violence/ Sexual Assault Investigations Team for information.

Members of the public should be informed it is illegal to use any information to commit a crime against any sex offender or to engage in illegal discrimination or harassment against any sex offender (Penal Code §§ 290.45(e)(1) and 290.45(e)(2)).

356.2.1 INFORMATION PROHIBITED FROM PUBLIC NOTIFICATION

The following information shall not be released when making a public notification:

- Any information identifying the victim.
- The name and address of the offender’s employer.
- All criminal history of the offender, other than the specific crimes for which the person is required to register.

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356.2.2 INFORMATION PERMITTED FOR PUBLIC NOTIFICATION
The following information may be included when making a public notification:

- The offender’s full name.
- The offender’s known aliases.
- The offender’s gender.
- The offender’s race.
- The offender’s physical description.
- The offender’s photograph.
- The offender’s date of birth.
- The offender’s address, which shall be verified prior to release.
- Crimes resulting in the registration of the offender under Penal Code § 290.
- The community of residence and zip code in which the registrant resides or the county in which the person is registered as a transient.

Any other information which the department deems relevant, such as:

- Description and license plate number of the offender’s vehicle(s) or vehicle(s) the offender is known to drive (only if the offender is currently wanted for a criminal offense).
- Type of victim targeted by the offender.
- Relevant parole or probation conditions, such as prohibited contact with children.
- Dates of crimes resulting in current classification.
- Dates of release from confinement.
- The offender’s enrollment, employment, or vocational status with any university, college, community college, or other institution of higher learning.

356.3 LIMITATIONS ON EXTENDED RELEASE

Individuals and entities receiving information regarding registered sex offenders may only be authorized to disclose such information to additional persons if the department determines the appropriate scope and that such disclosure will enhance the public safety. The department may not authorize any disclosure of such information by its placement on a non-departmental internet website (Penal Code § 290.45(c)(1)).

356.4 RELEASE OF INFORMATION VIA THE INTERNET

Information about a specific offender may be publicly disclosed by way of the department internet website only when the department determines such disclosure is necessary to ensure the public safety (Penal Code § 290.46(g)). Information released via the internet shall meet the guidelines as defined in section 356.2.

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356.5 PUBLIC INQUIRIES

As a general rule information may not be given over the telephone. Members of the public may access detailed sexual offender information by way of their personal computer through the Internet at the Megan's Law website maintained by the Department of Justice (www.meganslaw.ca.gov). They may also submit a list of at least six persons directly to the Department of Justice on a designated form to inquire whether any of those persons are required to register as a sex offender and are subject to public notification (Department of Justice fees may apply) (Penal Code § 290.4(a)).

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Command Staff Notification and On-Call Watch Commander Responsibilities

358.1 PURPOSE AND SCOPE

It is critical Police Department Command Staff be available to provide support, assistance and direction in resolving matters of community and organizational importance. It is also important Command Staff be provided timely notification of relevant department information regardless of time of day or day of the week. A system of Command Staff notification and on-call availability as described in this policy shall assist in the process to properly manage specific department events and timely notification of Command Staff.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

358.2 DESIGNATION OF WATCH COMMANDER

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a lieutenant heads each watch. When a lieutenant is unavailable for duty as a Watch Commander, in most instances the senior sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits. The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification and shall attempt to make the notifications as soon as practical. Notification can be made by calling the home phone number, the internal paging system, pager or department cellular telephone. When a sergeant is serving as Watch Commander he/she shall make notification of qualifying or significant events to a member of the command staff.

358.3 COMMAND STAFF AND SCHEDULE

(a) Command Staff consists of the following classifications:

1. Chief of Police
2. Captain
3. Technical Services Division Manager
4. Lieutenant
5. Administrative Services Officer

(b) A weekly schedule shall be established to designate one lieutenant each week as the on-call Watch Commander. The schedule shall be maintained in Telestaff.

(c) The rotational on-call period shall commence on Monday at 0800 hours and cease the following Monday at 0800 hours.

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(d) Changes to the established schedule shall be reported by the calendared on-call Watch Commander to the Communications Bureau and appropriate changes shall be entered into Telestaff. It is the responsibility of the calendared on-call Watch Commander to find a replacement for those on-call periods when the lieutenant will be unavailable (i.e., vacation, training, etc.).

358.4 COMMAND STAFF NOTIFICATION CRITERIA

(a) A Specific Notification Event (SNE) is a department-related incident or occurrence that requires notification of a member of Command Staff. SNEs and the appropriate command staff member to notify are listed below.

(b) It is the responsibility of the highest ranking on-duty employee aware of a Specific Notification Event to ensure timely contact is made with Command Staff.

(c) If the identified Command Staff member is not on duty, any on-duty Command Staff member shall immediately be notified. If there is no on-duty Command Staff member, the designated on-call lieutenant shall be contacted. In the extraordinary event that the on-call lieutenant is unavailable, contact shall be made with any member of Command Staff.

(d) The on-duty employee making notification is only required to make direct contact with one member of Command Staff. Actual notification of Command Staff may be made by personnel other than the highest ranking employee if that ranking employee directs it due to necessity.

(e) Upon notification, the Command Staff member shall provide appropriate assistance and direction within the department, and as needed, notify other members of Command Staff.

358.5 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Manager. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

(a) Homicides.

(b) Traffic accidents with fatalities.

(c) Officer-involved shooting, on or off duty.

(d) Significant injury or death to an employee, on or off duty.

(e) Death of a prominent Santa Rosa official.

(f) Arrest of a department employee or prominent Santa Rosa official.

(g) Aircraft crash with major damage and/or injury or death.

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(h) In-custody deaths.

358.6 NOTIFICATION

SSD Captain

(a) Homicide or other major crime which causes substantial demand for investigative resources and/or will lead to invocation of the Countywide Employee-Involved Fatal Incident Protocol.

(b) Arrest or criminal investigation of any elected official, or any other government official to include peace officers of other agencies.

(c) Any department employee involved on or off duty as a suspect in any alleged criminal offense occurring inside or outside of Santa Rosa.

(d) Any arrest of a City employee; or any significant violation of Police Department Polices or Procedures, and/or City of Santa Rosa Rules and Regulations involving any City employee which could bring discredit upon the Police Department and/or the City.

FSD Captain

(a) Any event that necessitates formal call-out of SWAT or HNT.

(b) Any traffic accident fatality.

(c) Any department employee who is admitted to a hospital for emergency care or injury preventing immediate return to duty.

(d) Any incident where an employee on or off duty acting in the scope of a peace officer, discharges a firearm, except during approved training activities or to dispatch an animal.

(e) Any incident where an individual, in police custody, or as a result of a police incident, receives significant injury or is admitted to a hospital for emergency care.

(f) An emergency incident in which officers are deployed out of the City for lengthy periods (i.e., Code 30, out of county pursuit, etc.).

(g) Any event requiring activation of the Emergency Operations Center.

(h) Any situation involving systems at the Public Safety Building that interfere with the normal or safe operation of the facility that cannot be corrected.

Any Command Staff

Good judgment and the best interest of the department shall dictate notification in any other situation that may have an impact on the community.

Chief of Police

In the event an incident occurs as described above, the Chief of Police shall be notified along with the affected Division Manager and the detective lieutenant if that division is affected. The Chief of

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Police shall also be contacted at any time deemed warranted by any member of the management staff.

358.7 ADDITIONAL NOTIFICATIONS

Detective Notification: If the incident requires a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.

Traffic Bureau Notification: In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator. The Traffic Sergeant will notify the Traffic Lieutenant.

358.8 ACTING CHIEF OF POLICE

In the absence of the Chief of Police, when no Acting Chief has been previously designated, department command authority shall be in the following descending order:

(a) Special Services Division Captain

(b) Field Services Division Captain

(c) Available Lieutenant with Highest Seniority

(d) Available Sergeant with Highest Seniority

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Death Investigation

360.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for conducting investigations of the death of human beings. It is the policy of the Santa Rosa Police Department to conduct an investigation into all reported human deaths excluding non-criminal deaths occurring in a licensed medical or care facility.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

360.2 INVESTIGATION CONSIDERATIONS

(a) Officers encountering dead bodies shall protect the scene, prevent contamination of evidence and notify a field supervisor. The first officer on the scene is responsible for control of the scene until arrival of a supervisor.

(b) When applicable, a supervisor shall initiate the callout of investigative personnel (See Callout Policy, Lexipol 601).

(c) Officers encountering a dead body shall attempt to determine the circumstances of the death and document their findings in a report. In homicide cases, assigned detectives shall assume case responsibility. Accidental deaths, suicides and natural deaths shall generally be investigated by patrol officers.

(d) Dead human bodies, as well as mutilated or dismembered remains shall only be moved by the deputy coroner or at the direction of the deputy corner unless necessary to preserve evidence or if an emergency exists.

360.3 NATURAL DEATH INVESTIGATIONS

(a) If the death appears natural the investigating officer shall:

1. Request the deputy coroner respond.
2. After the deputy coroner conducts an inspection of the body, solicit an opinion as to the cause of death.
3. Document findings in a report which includes identification of witnesses, a brief synopsis of statements, and photographs of the scene.

(b) At the direction of the supervisor or detective, Field and Evidence Technicians may be dispatched to take photographs and collect physical evidence.

360.4 HOMICIDE INVESTIGATIONS

(a) The first arriving officer shall be in charge of the scene and immediately notify a field supervisor.

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(b) Arriving officers shall protect the scene, locate and identify witnesses, and take enforcement action as appropriate.

(c) Officers shall advise the field supervisor or detective immediately upon their arrival about the known circumstances.

(d) The field supervisor shall ensure notification of the appropriate investigative bureau and designate an officer to initiate a Major Incident Log (SRPD 336). Personnel entering the crime scene shall be limited to those necessary for the investigation.

1. Detectives or their immediate supervisors will be responsible for coordinating the investigation and contacting the Coroner's Office.
2. Any evidence used or suspected of being used in the commission of a homicide shall be seized pursuant to applicable policy and law.
3. After consulting with officers and field supervisor, the assigned detective shall accept responsibility of the crime scene investigation.

(e) Field and Evidence Technicians shall fingerprint all victims of criminal homicides. These shall include palm prints as well as fingerprints.

360.5 SERIOUS ASSAULTS INVESTIGATIONS

If a person is seriously injured and may die as a result of the assault, the officers on the scene shall:

(a) Immediately request an ambulance and notify a field supervisor.

(b) Protect the scene, locate and identify witnesses, and take appropriate action while allowing medical personnel to administer medical attention.

(c) If practical, assign an officer to accompany the injured person in the ambulance to preserve evidence and attempt to obtain a dying declaration from the injured person.

360.6 SUICIDES AND ACCIDENTAL DEATH INVESTIGATIONS

(a) In cases involving suspected suicide or accidental death, the field supervisor shall determine if detectives should be notified.

1. Suicide notes shall remain in the possession of the deputy coroner. Officers shall copy the note and attach the copy to the report, or if lengthy, summarize its contents.
2. Any weapon(s) involved in a suspected suicide shall be seized pursuant to applicable policy and law.

(b) The deputy coroner is responsible for the removal of the dead body and the collection of related evidence.

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(c) The deputy coroner has authority to take possession of all medication such as pills, capsules or other ingested material; poisons, narcotics or drugs; and all other fluids, tissues and personal property belonging to the deceased.

360.7 TRAFFIC-RELATED DEATH INVESTIGATIONS

(a) The first officer to arrive shall be in charge of the scene and immediately notify a field supervisor.

(b) Arriving officers shall protect the scene, locate and identify witnesses, and take action as appropriate.

(c) The field supervisor shall ensure notification of a traffic supervisor. The traffic supervisor shall be responsible for assigning investigative responsibilities to on-duty traffic personnel, and if necessary, the call-back of off-duty traffic personnel in accordance with the department's investigative call-out policy. Traffic personnel shall assume responsibility for the investigation upon their arrival.

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Identity Theft

362.1 PURPOSE AND SCOPE

Identity theft is a crime that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for reporting and investigating such crimes.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

362.2 REPORTING

(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall complete a report for victims residing within the jurisdiction of this department. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the law enforcement agency where the victim resides, or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department shall investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in the victim's name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting officer should inform the victim of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate agency for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

(g) Officers shall document an identity theft investigation using the standard crime reporting process in the Records Management System.

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362.3 PREVENTION AND VICTIM ASSISTANCE

Fraud prevention and victim assistance materials are available on the City of Santa Rosa Police Department website and at www.identitytheftcouncil.org. The Property Crime Investigations Team supervisor is responsible for causing the material on the Santa Rosa Police Department website to be updated when necessary.

Employees should refer victims to the City of Santa Rosa Police Department website and/or the Identity Theft Council and document the referral in the narrative of the crime report. Employees should offer an identity theft victim a Victims of Identity Theft Information Pamphlet as it contains information to further assist victims in reestablishing their credit and identity.

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Citizen's Arrests

364.1 PURPOSE AND SCOPE

Officers of the Santa Rosa Police Department often respond to calls for service where a citizen's arrest is contemplated. In such instances, it is important officers are aware of statutory requirements, limitations, and procedures. The purpose of this policy is to provide guidelines for employees of the Santa Rosa Police Department for handling a citizen's arrest. All officers of the Santa Rosa Police Department shall adhere to the applicable Sections of the California Penal Code and this policy in handling a citizen's arrest.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

364.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Arrest - An arrest is defined as taking a person into custody in a case and in a manner authorized by law. An arrest may be made by a peace officer or by a private person (Penal Code § 834).

Arrest by Private Person (Penal Code § 837) - A private person may arrest under the following circumstances:

(a) For a public offense committed or attempted in his/her presence.

(b) When the person arrested has committed a felony, although not in his/her presence.

(c) When a felony has, in fact, been committed, and he/she has reasonable cause to believe the person arrested committed it.

(d) Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed €" the felony must in fact have taken place.

364.3 ARRESTS BY PRIVATE PERSONS

(a) A private person who has arrested another for the commission of a public offense must, without unnecessary delay, take the person arrested before a magistrate or deliver him/her to a peace officer (Penal Code § 847).

(b) In shoplifting incidents, a merchant may detain a person for a reasonable time for the purpose of conducting an investigation in a reasonable manner whenever the merchant has probable cause to believe the person to be detained is attempting to unlawfully take or has unlawfully taken merchandise from the merchant's premises [Penal Code § 490.5(f)].

(c) 1. This section is the only one which permits a private citizen to detain a party based upon probable cause and is limited to a merchant or his/her employee and permits the detention of a shoplifter for the purpose of conducting an investigation if there is probable cause to believe a theft has occurred and permits such detention to be made without civil or criminal liability.

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(d) Informing the Person Arrested

1. The person making the arrest must, on the request of the person being arrested, inform the arrested party of the offense for which the arrest was made (Penal Code § 841).

2. An exception is permitted when the person making the arrest has reasonable cause to believe the person to be arrested is actually engaged in the commission of or an attempt to commit an offense, or the person to be arrested is pursued immediately after its commission, or after an escape (Penal Code § 841).

364.4 OFFICER RESPONSIBILITIES

The provisions of Penal Code § 142 (Officer Refusing to Receive or Arrest Person Charged with Offense) have been amended. The section no longer applies to a citizen's arrest made pursuant to Penal Code § 837.

(a) To the extent possible, an officer responding to a citizen's arrest shall temporarily detain the accused/arrestee, independently investigate the basis of the citizen's arrest, and determine whether or not the arrest is supported by probable cause. Probable cause exists when the officer has reasonably trustworthy information sufficient to warrant a prudent person in believing the accused/arrestee committed or was committing an offense.

(b) If the responding officer determines probable cause does not exist, then the citizen's arrest shall not be accepted.

(c) When the responding officer is satisfied no probable cause exists for the citizen's arrest, the officer shall release the person detained and complete a detention certificate pursuant to Penal Code § 849(b)(1).

1. The officer shall complete a full report of the incident to include the record of release (Detention Certificate) which will be referred to the Sonoma County District Attorney's Office for review.

2. The detained person is under no obligation to sign any release forms, waivers, or any other papers and must be permitted to leave.

364.5 REPORTING REQUIREMENTS

(a) Release of Person Arrested on Notice to Appear

1. A peace officer may use a written Notice To Appear procedure for any misdemeanor offense in which the officer has arrested a person pursuant to Penal Code § 836 or in which he/she has taken custody of a person pursuant to Penal Code § 837 (Penal Code § 853.6).

(b) Citizen's Arrest Where Arrested Party is Not in Custody

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1. Whenever an officer encounters a situation where a citizen states he/she placed a person under citizen's arrest but the person is no longer at the location, particular caution and discretion must be exercised by the officer since the arrested party is no longer under citizen's arrest. In such situations, officers shall complete an initial investigation to determine whether the alleged offense is a misdemeanor or felony.

    (a) If the offense is a misdemeanor, the officer shall complete an investigation and refer the matter to the Sonoma County District Attorney's Office for a complaint.

    (b) If the offense is a felony, a statement shall be obtained from the complainant and, if probable cause exists, normal investigative procedures shall be followed prior to referring the matter to the Sonoma County District Attorney's Office.

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Overtime - Contract Police Services

365.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for Contract Police Services. The City of Santa Rosa has authorized the Chief of Police to enter into a contract by adoption of Resolution #7014, on July 9, 1963. This resolution sets forth the procedure for determining rates of pay and responsibilities.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

365.2 PROCEDURES

(a) When a request is made to the Police Department for contract police services, it shall be referred to the Field Services Division (FSD) Traffic Lieutenant through the FSD Senior Administrative Assistant.

1. In the event a request requires immediate action, the on-duty sergeant may initiate a contract agreement and proceed to furnish necessary officers, following procedures set forth herein.

(b) All requests for contract police services shall be made, under normal conditions, no later than 30 days prior to the event. No assurance of personnel assignment shall be given any requestor if the request is received less than three weeks prior to the event.

(c) The assigned FSD Traffic Lieutenant shall assume responsibility to secure a sergeant and/or police officers for the contract police services via the FSD Senior Administrative Assistant.

(d) Any contract for 6 or more officers may be required to have, in addition, a police sergeant to supervise the personnel assigned to the event.

(e) Deposits for contract police services:

1. Any agency or individual not within the City of Santa Rosa or unknown to the Police Department or with whom no previous contractual experience exists, shall be required to deposit 100% of the anticipated cost of the contractual agreement.

2. The required deposit may be waived at the discretion of the assigned FSD Traffic Lieutenant for any agency or individual which has an ongoing or frequent contractual agreement; i.e. school district.

3. All deposits/payments shall be by cashier's check, company/personal check or cash.

4. All deposits accepted shall be receipted by the FSD Senior Administrative Assistant and deposited through Cash Track.

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365.3 EXTENSION OF CONTRACT HOURS

(a) Contractors for contract police services may make on-site requests to extend the contract hours.

(b) A request to extend the contract hours may be approved under the following guidelines:

1. The contractor or designated agent makes the request and agrees to pay the City of Santa Rosa for extended contract hours.
2. Adequate police officers are available to continue to staff the event.
3. Extension of the contract hours does not pose a police problem or create a public nuisance; i.e., loud music.

(c) The following personnel have the authority to approve a request to extend the contract hours:

1. Assigned supervisors.
2. On-duty field supervisor.

(d) Responsibilities of the supervisor who approves the request to extend the contract hours shall:

1. Ensure the person making the request to extend the contract hours is the contractor or designated agent.
2. Obtain the name and title of the person making the request.
3. Inform the contractor he/she shall be responsible for and billed for the extended contract hours.
4. Notify the on-duty field supervisor of the extension of the contract hours.
5. Submit a memorandum to the FSD Traffic Lieutenant at the conclusion of the event, identifying by name and title the person who requested the extension and the actual time worked beyond the stated contract hours.

365.4 CONTRACT CHARGES

(a) Each fiscal year the Chief of Police and Chief Financial Officer will establish an hourly rate of pay to be charged to a requestor of contract police services. The hourly rates include administrative and processing costs.

1. An hourly rate of pay to be charged to a requestor shall be established for police officer and sergeant.
2. An hourly rate of pay for the special designated dates shall be established.

(b) All contracts shall reflect and/or include the following:

1. The currently established hourly rate of pay for police officer, and sergeant when applicable.

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2. All contracts shall be for a minimum of 3 hours. If the event is shorter than 3 hours, the contract will be just for the 3 hours and will not be charged the additional 1/2 hour as noted below.
3. For events longer than 3 hours, an additional one-half (1/2) hour will be added to the actual contract time requested for each officer, which is required for the 15 minute briefing and 15 minute debriefing.
    (a) This applies to all requests, including multi-day requests, except those events that are less than 3 hours as noted above.

(c) Contractors for contract police services may terminate their request without cancellation charges at any time prior to 72 hours before the scheduled time of the event.

1. The FSD Traffic Lieutenant shall be responsible for notifying sergeants and officers of cancellations via the FSD Senior Administrative Assistant.
2. Contractors who terminate their request with less than 72 hours prior notice shall be charged a cancellation fee.
3. The cancellation fee shall be a fee equal to a minimum of 3 hours per officer requested.

(d) On the following special designated dates, the Police Department shall charge the Contractor one and one-half (1-1/2) times the established rate for contract police services:

1. New Year's Day
2. Independence Day
3. Thanksgiving Day
4. Christmas Eve
5. Christmas Day
6. New Year's Eve

(e) As a result of signing a contract for police services, the applicant will be held financially responsible to the City of Santa Rosa for all costs associated with any police emergency or crisis response to the event over and above those police resources initially assigned. A police emergency or crisis response will be deemed to have occurred whenever police personnel at the event request assistance by use of radio terminology of a "Code 20" or a "Code 30."

365.5 RATE OF PAY

(a) Regular Contract Overtime

1. A police officer's rate of pay shall be one and one-half (1-1/2) times their hourly rate of pay.
2. A police sergeant's rate of pay shall be one and one-half (1-1/2) times their hourly rate of pay.

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(b) Special Designated Dates

1. Should a request for contract police services be made for the special designated dates (as stated in this policy), the agency or individual requesting such police services should be charged one and one-half (1-1/2) times the established rate for such services. Officers and sergeants assigned to contract police services on special designated dates shall be compensated at the pay rate of one and one-half (1-1/2) times their hourly rate. In addition to the one and one-half (1-1/2) times pay, each of those officers and sergeants shall be credited with compensatory time off (C.T.O.) equal to the specific amount of hours they actually worked.
2. The net effect of this approach will be that the officers and sergeants assigned during those specific dates will benefit by a total of two and one-half (2-1/2) times the regular rate for which one and one-half (1-1/2) times will be paid, and the remainder will be credited to their C.T.O. balance.
3. Special Designated Dates are:
   (a) New Year's Day
   (b) Independence Day
   (c) Thanksgiving Day
   (d) Christmas Eve
   (e) Christmas Day
   (f) New Year's Eve

365.6 ASSIGNMENT PROCEDURE

(a) The assigned FSD Traffic Lieutenant will coordinate and make assignments for contract police services via the FSD Senior Administrative Assistant.

(b) The electronic staffing system will be utilized to make contract overtime assignments.

(c) Exemptions from contract police services:

1. There are specific assignments which, by their very nature, would preclude police officers from contract overtime.
2. New police officers currently in training in the Field Training Program will not normally be assigned to contract overtime.
3. Police officers who, because of special assignments or other reasons, want to waive the opportunity for contract overtime may do so based upon the following limitations:
   (a) No more than 10% of the total current budgeted police officers, excluding management, may exercise the option.
   (b) If more than 10% exercise the option, the exemptions will be determined by seniority.

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(c) At the beginning of every fiscal year, police officers may exercise their option and sign/submit an exemption request.

(d) Police officers hired after the beginning of the fiscal year will not be eligible to submit an exemption for that fiscal year.

(e) Police officers granted an exemption will not normally be considered for any contract overtime for that fiscal year.

(f) In May, prior to the beginning of the fiscal year, a memo will be sent to all sworn officers with the date and to whom the exemption request forms should be submitted. The exemption requests will be reviewed and a list will be distributed.

(d) The FSD Senior Administrative Assistant will email all sworn personnel a contract police services sign-up notification deployed in the electronic staffing system alerting officers of upcoming events.

1. Sign-up will take place in the electronic staffing system.

(e) Voluntary assignments will be made when there is a sufficient number of sergeants/officers signed up according to the following priority:

1. Sergeants/officers with the least contract overtime recorded in the most recent Contract Overtime Report.
2. Most seniority.
3. Order of sign-up via the electronic staffing system.

(f) Mandatory assignments will be made when there is an insufficient number of sergeants/officers signed up according to the following priority:

1. Sergeants/officers with the least contract overtime recorded in the electronic staffing system. Hours will be tracked automatically in the electronic staffing system.
2. Least seniority.
3. Assignment at the discretion of the FSD Traffic Lieutenant or supervisor.

(g) After assignments are made, the FSD Senior Administrative Assistant will send a confirming email to involved officers.The electronic staffing system will place the assignment on the sergeants/officers' electronic staffing system. It is the officers' responsibility to read their e-mail and check their electronic staffing system. If an officer is unable to work the assignment, it is the officer's responsibility to find a replacement and notify the FSD Senior Administrative Assistant of the change.

365.7 RESPONSIBILITY

(a) Sergeants and police officers assigned to contract police services are to perform, as their primary responsibility, law enforcement and/or security service.

(b) Sergeants and police officers are under the authority and control of the Santa Rosa Police Department and shall abide by all rules, regulations, policies and procedures

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of the Police Department and the City of Santa Rosa while performing contract police services.

(c) Sergeant(s) and officer(s) shall report to the Police Department a minimum of 15 minutes prior to the assignment for briefing and they shall return to the Police Department for a 15 minute debriefing.

(d) Sergeants and officers are responsible for initiating and completing appropriate reports and documentation for all reportable crime and activity associated with their assignment.

(e) Sergeants and officers shall record the overtime hours on their timecards to include the project code, extension code, and hour code assigned to the event. The FSD Senior Administrative Assistant will email all assigned personnel the appropriate codes.

(f) Overtime worked beyond the stated contract time for related duties (i.e., arrests, prisoner transport and booking, reports, etc.), shall be:

1. Recorded in the appropriate activity category; and,
2. Listed under "Reason" and amount of time; and,
3. Included with the contract time in the box entitled, Total Time.

(g) Officers are to notify the FSD Senior Administrative Assistant if they worked more or less hours than assigned. The FSD Senior Administrative Assistant will make the appropriate changes in the electronic staffing system based on the notification of updated information from the officer.

(h) Contract police services shall be compensated in pay, or comp time earned, according to the event, with the exception provided for the Special Designated Dates.

365.8 VOLUNTARY OVERTIME LIMITS

(a) Sergeants and officers shall not work regular hours and voluntary overtime exceeding 15 hours in any 24 hour period.

(b) Sergeants and officers assigned to the 4/10 plan, on their regularly scheduled days off, are limited to working a maximum of two of the three days off and 15 hours each of those two days, and must have at least one day off during their scheduled work week.

(c) Sergeants and officers assigned to the 3/12.5 plan, on their regularly scheduled days off, are limited to working a maximum of three of the four days off and 15 hours each of those days, and must have at least one day off during their scheduled work week.

(d) Sergeants and officers assigned to the 5/8 plan, on their regularly scheduled days off, are limited to working a maximum of one of the two days off and 15 hours for that one day, and must have at least one day off during their scheduled work week.

365.9 TRANSPORTATION AND EQUIPMENT

The method of transportation and the assignment of equipment, depending upon availability, shall be determined by a supervisor.

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Anti-Reproductive Rights Crimes Reporting

366.1 PURPOSE AND SCOPE

This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

Adopted 1-31-17 by Chief Robert L. Schreeder.

366.2 DEFINITIONS

Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant

(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant

(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility

366.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

(b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Investigation Bureau Lieutenant.

(c) By the tenth day of each month, it shall be the responsibility of the Investigation Bureau Lieutenant to ensure the Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

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Stolen or Contraband Property Located in Pawn Shops and Secondhand Stores

369.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth a procedure to be followed when officers other than investigators assigned to the Property Crime Investigations Team locate suspected contraband or stolen property in a pawn shop or secondhand store.

When an officer has probable cause to believe property located in a pawn shop or secondhand store is stolen or contraband, the officer is entitled to either seize the property and enter it into evidence or place a "police hold" on it while the business proprietor retains its physical possession.

Approved 10-1-18 by Chief Robert L. Schreeder.

369.2 SEIZURE OF PROPERTY

Under most circumstances an officer should not seize property suspected as contraband or stolen.

If the questioned property is evidence in a felony involving serious bodily injury or if an exigency exists, the property may be immediately seized.

The officer seizing the property shall notify the on-call Property Crimes detective, complete an Evidence/Property Report listing the property seized and provide a receipt with the crime report number to the business proprietor.

369.3 PLACEMENT OF "POLICE HOLD" ON PROPERTY

An officer may place a "police hold" on the property pursuant to California Business & Professions Code § 21647(a).

(a) “A police hold” is written notice that contains an accurate description of the property, the crime case report number, date and time, officer’s name and badge number, and direction to maintain possession of the property for a period of 90 days.

    1. Officers may use the SRPD “Statutory 90-Day Property Hold” form.

(b) The officer shall record the nature of the order given to the proprietor in the crime case report documenting the investigation.

(c) The officer shall notify the Property Crime Investigations Team.

369.4 SUPERVISOR RESPONSIBILITY

The Property Crimes Supervisor, or his/her designee, is responsible for reviewing all reports containing "police holds" and ensuring formal notification is made to those with potential interest in the property (victims, businesses owners, third parties).

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Stolen or Contraband Property Located in Pawn Shops and Secondhand Stores

The supervisor or his/her designee shall ensure property placed on a "police hold" shall be either seized or released within a period not to exceed 90 days.

Property not subject to a hold shall be released in accordance with department policy and State law.

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Neighborhood Complaint Form

371.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of the Neighborhood Complaint Form.

It shall be the policy of the department to make available the Neighborhood Complaint Form in the lobby of the Police Department.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

371.2 DEFINITION

The Neighborhood Complaint Form is a three-part NCR form. This document will be made available to the public for the purpose of advising the Santa Rosa Police Department of issues in the community that are negatively impacting the resident's quality of life. This includes, but is not limited to, traffic issues, gang issues, or any other issue impacting the resident's quality of life. The Neighborhood Complaint Form allows the department to be more accessible and responsive to the community for issues involving Neighborhood Oriented Policing.

371.3 PROCEDURE

(a) The department employee who accepts a Neighborhood Complaint Form shall review the completed document and may assist the citizen in its completion. The accepting employee will provide the citizen with a copy.

(b) The department employee shall verify the location indicated on the Neighborhood Complaint Form is within the City limits.

(c) The department employee shall determine the beat in which the issue is taking place.

(d) The Neighborhood Complaint Form shall be forwarded to the appropriate Vertical Beat Sergeant.

(e) The Vertical Beat Sergeant shall then assess the complaint and make the determination to assign the Neighborhood Complaint Form to a Vertical Beat Officer/ Technician with a due date for the purpose of addressing the complaint. The Vertical Beat Sergeant may deem the complaint as beat information only. The Neighborhood Complaint Form copy would then be forwarded to beat officers/technicians for information only. The original NCR document will be retained by the Vertical Beat Sergeant.

(f) Upon completion of the assigned neighborhood complaint, the officer/technician shall return the Neighborhood Complaint Form to the Vertical Beat Sergeant. The officer/ technician shall document his/her efforts to the Vertical Beat Sergeant detailing the resolution of the complaint. The officer/technician comments shall be documented on the Neighborhood Complaint Form in the space provided.

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(g) The Completed Neighborhood Complaint Form shall be maintained by the Vertical Beat Sergeant.

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Mandatory Employer Reporting

372.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances, and to meet the reporting requirements of California law to minimize the risks to children and others.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

372.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any controlled substance offense enumerated below, the Chief of Police or his/her designee is required to report the arrest as follows.

372.2.1 ARREST OF PUBLIC SCHOOL TEACHER

In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a) or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

372.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE

In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a) or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

372.2.3 ARREST OF PRIVATE SCHOOL TEACHER

In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d) (12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher and to

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immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

372.3 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES

In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating officer shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).

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Communication with Individuals with Hearing or Speech Impairments

373.1 PURPOSE AND SCOPE

It is the policy of the Santa Rosa Police Department that the appropriate auxiliary aids and services be utilized whenever necessary to ensure effective communication with individuals with hearing impairments. The Police Department maintains a contract with a court-qualified interpreting service to provide effective communication with those individuals who have hearing or speech limitations.

(a) It is recognized that there is a high likelihood of miscommunication during the initial contact with a deaf individual. Attempts to have the individual write out what occurred usually will not have the desired effect and should not be relied upon to accurately determine the severity of the crime.

(b) Two levels of interpreting service are available. Standard certified interpreters will be used for status reports. A court-certified interpreter should be requested if there is any likelihood of felony prosecution.

Approved 5-22-13 by Chief Thomas E. Schwedhelm.

373.2 SPECIFIC INTERPRETING SITUATIONS

373.2.1 EMERGENCY LIFE THREATENING SITUATIONS

In the event that a deaf individual contacts the Police Department directly on a TTY or via a third party, relating that a life-threatening or otherwise serious incident is occurring or has just occurred, police response will be immediate. If the responding officer determines an interpreter is needed immediately, the police dispatcher shall contact Communiqué Interpreting Services. Under the terms of the contract, they must provide an interpreter within 45 minutes.

373.2.2 NON-URGENT REPORTING SITUATIONS

If it appears the crime will be a felony which would possibly require follow-up by an investigator, SSD personnel shall make the initial contact with the victim or suspect rather than follow the normal protocol of having FSD generate the initial report.

Where possible, personnel should make arrangements for interviews to take place Monday through Friday, 8:00 a.m. to 5:00 p.m., with at least 48 hours notice. Cancellation of the appointment with less than 48 hours notice will result in the City being billed for the original hours requested.

373.2.3 INTERVIEWING A VICTIM OR CRITICAL WITNESS DURING AN INVESTIGATION OF AN OFFENSE

If an officer is able to communicate effectively by writing questions on a note pad and having the victim or witness with hearing impairment write his/her responses, the officer may proceed

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with the interview without an interpreter present. However, if an investigating officer is unable to communicate effectively with a victim or critical witness by using a note pad or some other means of communication, then the investigating officer must provide the victim or critical witness with a qualified interpreter.

373.2.4 SUSPECT CONTACT

If there is no need to question a suspect with a hearing impairment, then a qualified interpreter is not necessary.

(a) If an officer cannot effectively inform the arrestee of the Miranda admonition without the use of an interpreter, then the officer must secure the services of a qualified interpreter in order to communicate the warning accurately to the arrestee prior to any interrogation.

(b) An officer seeking to interrogate an arrestee with a hearing impairment must obtain the services of a qualified interpreter prior to any interrogation whenever an interpreter is needed for effective communication. If written communication between the officer and the arrestee was effective in conveying an understanding of the Miranda warnings, and if the arrestee specifically declines the opportunity to communicate through an interpreter, the officer may proceed with the interrogation by using a note pad. However, if written communication becomes ineffective, the officer must discontinue the interrogation and wait until a qualified interpreter is present before continuing the interrogation.

373.3 CONTACTING THE INTERPRETING SERVICES

Communiqué can be contacted 24 hours a day at **546-6869**. When contacting them, the supervisor should give a brief synopsis of what is known, a case number, and his/her name. This information is necessary for billing purposes. In the event the 24 hour number does not answer, in an emergency dial 573-7402, or the direct page number of 528-3438, Chris Eggers' home phone number.

Billing: Communiqué has been directed to send the invoice for services to the supervisor who requested the interpreting services. That supervisor should review the invoice for correctness and be sure the case number is included on the invoice. Invoices shall be forwarded to the Administrative Services Officer for payment.

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Child Safety Policy

380.1 PURPOSE AND SCOPE

The Santa Rosa Police Department recognizes that children who are subjected to traumatic events, such as the arrest of a parent or guardian, may experience negative emotional effects that can last throughout the lifetime of the individual. After such an event children may not receive the appropriate care, which can lead to further emotional or physical trauma. This policy is intended to provide guidelines for officers to take reasonable steps to minimize the impact to children when it becomes necessary to take action involving a child's parent or guardian (Penal Code § 833.2(a)).

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

380.1.1 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience children may have when their parent or caregiver is arrested. The Santa Rosa Police Department will endeavor to create a strong cooperative relationship with local, state and community-based child social services to ensure an effective, collaborative response that addresses the needs of affected children.

380.2 POLICY

When encountering an arrest situation officers should make reasonable attempts to determine if the arrestee is responsible for minor dependent children. In some cases this is obvious, such as when children are present. However, officers should inquire if the person has any other dependent minor children who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any dependent minor children.

(b) Check for evidence of children. Officers should be mindful that some arrestees may conceal the fact they have or are responsible for dependent children for fear their children may be taken from them.

Whenever possible, officers should take reasonable steps to accomplish the arrest of a parent or guardian out of the presence of his/her children. Removing children from the scene in advance of the arrest will generally ensure the best outcome for the children.

Whenever it is safe to do so, officers should allow the parent to assure children they will be provided care. If this is not safe to do or the circumstances indicate this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the children that both parent and children will receive appropriate care.

380.2.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered dependent minor children.

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Officers should allow the arrestee reasonable time to arrange for care of minor children. Temporary placement of children with family or friends may be appropriate. However, any decision should give priority to a child-care solution that is in the best interest of the children. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of minor children with a responsible party, as appropriate.

1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent's judgment regarding arrangements for child care. It is generally best if the children remain with relatives or family friends the children know and trust. Consideration should be given regarding the children's familiarity with the surroundings, comfort, emotional state and safety.

2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children with the non-arrested parent or guardian.

(b) Arrestees in the custody of Santa Rosa Police Officers for extended time periods should be allowed to make free local phone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent children.

(c) Provide for the immediate supervision of minor children until an appropriate caregiver arrives.

(d) Notify Child Protective Services if appropriate.

(e) Notify the field supervisor or Watch Commander of the disposition of minor children.

If children are at school or at a known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the parent's arrest and of the arrangements being made for the care of the arrestee's children, and then record the result of such actions in the associated report.

380.2.2 REPORTING

For all arrests where children are present or living in the household, the reporting employee will include information about the children, including names, gender, age and how they were placed.

380.3 PROCEDURES DURING AN ARREST

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any dependent minor children, the handling officer should consider taking children into protective custody and placing them with the appropriate county child welfare service or other department-approved social service (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should children be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

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Child Safety Policy

Under no circumstances should children be left unattended or without appropriate care.

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Service Animals

382.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.
Revised 8-1-19 by Chief Robert L. Schreeder.

382.1.1 DEFINITION

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

382.2 POLICY

It is the policy of the Santa Rosa Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department employees shall protect the rights of persons assisted by service animals in accordance with state and federal law.

382.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

(a) Guiding people who are blind or have low vision.

(b) Alerting people who are deaf or hard of hearing.

(c) Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.

(d) Pulling wheelchairs.

(e) Providing physical support and assisting with stability and balance.

(f) Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

(g) Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

382.4 DEPARTMENT EMPLOYEE RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department employees are expected to treat individuals with service animals with the same courtesy and respect the Santa Rosa Police Department affords to all members of the public (28 CFR 35.136).

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382.5 INQUIRIES

If it is apparent or if an employee is aware an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the employee should ask the individual only the following questions (28 CFR 35.136(f)):

(a) Is the animal required because of a disability?

(b) What task or service has the service animal been trained to perform?

If the individual explains the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

382.6 CONTACT WITH SERVICE ANIMALS

Service animals are not pets. Department employees should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

382.7 REMOVAL OF SERVICE ANIMALS

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Department employees are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

382.8 COMPLAINTS

When handling calls of a complaint regarding a service animal, department employees should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas where other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

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Chapter 4 - Patrol Operations

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Bias-Based Policing

402.1 PURPOSE AND SCOPE

This policy provides guidance to department employees that affirms the Santa Rosa Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

Revised 10-1-18 by Chief Robert L. Schreeder.

402.2 POLICY

The Santa Rosa Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

402.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Employees shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Employees shall not assist federal government authorities (Government Code § 8310.3):

(a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.

(b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

402.4 EMPLOYEE RESPONSIBILITIES

Every employee of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Employees should, when reasonable to do so, intervene to prevent any biased-based actions by another employee.

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402.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall handle any alleged or observed violations in accordance with City and Department Rules and Regulations.

(a) Supervisors should discuss any issues with the involved employee and his/her supervisor in a timely manner.

1. Supervisors should document these discussions in the prescribed manner.

(b) Supervisors shall initiate a personnel inquiry for any actual or alleged violation of this policy.

(c) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any employee of this department who discloses information concerning bias-based policing.

402.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Support Bureau Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the Technical Services Division Manager for required reporting to the DOJ (California Penal Code §§ 13012 and 13020).

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Crime And Disaster Scene Integrity

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

406.2 POLICY

It is the policy of the Santa Rosa Police Department to secure crime or disaster scenes so evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

406.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

406.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.

(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.

(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.

(d) Provide first aid to injured parties if it can be done safely.

(e) Evacuate the location safely as required or appropriate.

(f) Secure the inner perimeter.

(g) Protect items of apparent evidentiary value.

(h) Secure an outer perimeter.

(i) Identify potential witnesses.

(j) Start a chronological log noting critical times and personnel allowed access.

406.5 MEDIA

Authorized and bona fide members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

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(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. In situations where media access would reasonably appear to interfere with emergency operations and/or a criminal investigation, every reasonable effort should be made to provide media representatives with access to a command post at the nearest location that will not interfere with such activities.

(c) No employee of this department shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police or his/her designee and the expressed consent of the person in custody.

The scene of a tactical operation is the same as a crime scene, except that the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as set forth by the supervisor in charge. Department employees shall not jeopardize a tactical operation in order to accommodate the news media and all comments to the media shall be coordinated through a supervisor or the department's designated media representative.

406.6 TEMPORARY FLIGHT RESTRICTIONS

Crime and disaster scenes can sometimes attract news helicopters and other sightseeing aircraft. Whenever such aircraft pose a threat to public safety due to congestion or when the noise levels caused by loitering aircraft hamper incident operations, the field supervisor should consider requesting Temporary Flight Restrictions (TFR) through the Federal Aviation Administration (Federal Aviation Regulations § 91.137). All requests for TFR should be routed through the Watch Commander.

406.7 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

406.7.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

406.8 EXECUTION OF HEALTH ORDERS

Any sworn officer of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

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Special Weapons and Tactics Team (SWAT)

407.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the administration, training, and operation of the Special Weapons and Tactics Team (SWAT).

The Special Weapons and Tactics Team is a designated team of law enforcement officers specially trained and equipped to work as a coordinated team to respond to critical incidents, including, but not limited to hostage taking, barricaded suspects, snipers, terrorist acts and other high risk incidents whether planned or unplanned.

It is not the intent of this policy to limit the necessary discretion that must be exercised by department personnel following the guidelines of the policy.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

407.2 POLICY

(a) It shall be the policy of the Santa Rosa Police Department to have the Special Weapons and Tactics Team provide specialized support in situations wherein the capabilities of the Team are appropriate for responding to an incident or operation.

(b) Deployment Protocol

1. The SWAT Team is normally utilized in conjunction with other department resources dedicated to responding to a critical incident or operation.
2. The SWAT Team may be deployed as mutual aid with other agencies or to relieve other SWAT teams already committed to an incident scene.

(c) SWAT Team deployments may include, but are not limited to:

1. Clearing searches.
2. High risk warrant service.
3. Hostage rescue operations.
4. Arrest operations.
5. Mobile operations.
6. Evacuation/rescue of individuals from an area contained within the inner perimeter.
7. Surrender callout procedures.
8. Chemical agent deployment.
9. Securing a perimeter at a controlled substance laboratory.
10. Inner perimeter containment.

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11. Anti-sniper operations.
12. Undercover officer backup in high risk situations.
13. Crowd control/civil disobedience.
14. Barricaded suspects.
15. Other missions as assigned by the Incident Commander.

407.3 DUTIES AND RESPONSIBILITIES

407.3.1 INCIDENT COMMANDER

(a) The Incident Commander is responsible for the overall command of an incident or operation.

(b) The Incident Commander may be the SWAT or HNT Commander, a police captain or police lieutenant.

(c) The Incident Commander is the primary commander during a specific operation and may function as both the Incident Commander and Tactical Commander.

(d) The Incident Commander assumes overall responsibility for the incident or operation once on scene and provides overall management oversight and direction.

(e) The Incident Commander should establish an Incident Command Post (ICP) as soon as practical. The Incident Commander should manage and conduct the operation from the ICP and if necessary, will employ other personnel to assist in managing the operation.

(f) The Incident Commander will ensure support communication links to all units/officers and Mutual Aid teams are established as needed on a timely basis.

(g) The Incident Commander will ensure investigative efforts to obtain and update information on criminal acts, suspects, threat conditions, and the incident site are initiated as soon as practical.

(h) The Incident Commander may establish/maintain a liaison with the Mutual Aid and other involved agency commanders.

(i) The Incident Commander should ensure appropriate notification has been made to department command staff.

(j) The Incident Commander will establish a "general plan of action" or "strategy" setting forth the operational guidelines for responding to the incident.

(k) The Incident Commander should control responding units' deployment through the ICP unless immediate operational deployment is required.

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(l) The Incident Commander should determine if additional logistical requirements and/or resources are necessary.

(m) The Incident Commander should designate a media liaison for press releases/media contacts.

(n) The Incident Commander should coordinate all post-operation activities. The Incident Commander should ensure, if necessary, that the incident site remains secure until the department can return to normal operations.

(o) Establish rules of engagement for all personnel and teams committed to the incident.

407.3.2 TACTICAL COMMANDER

(a) The Tactical Commander will coordinate operations at the incident site with the Incident Commander.

(b) The Tactical Commander may be a police captain, police lieutenant, or police sergeant.

(c) The Special Weapons and Tactics Team and any other resources directly committed to the incident site will be under the control of the Tactical Commander.

(d) The Tactical Commander should establish a Tactical Command Post which may be at a different location from the Incident Command Post.

(e) The Tactical Commander should oversee the operation or incident plan until the incident or operation is concluded.

(f) The Tactical Commander should request, through the operational chain of command, necessary personnel and resources as needed.

(g) The Tactical Commander should establish liaisons with other law enforcement units committed to the incident.

(h) The Tactical Commander should ensure support radio communication channels and call signs are established.

(i) The Tactical Commander should, to the extent possible, assess and address the following:

1. Collect, process, and cross verify intelligence from on-scene sources.
2. Continue to develop and verify tactical information as it relates to:
    (a) Criminal acts
    (b) Suspect information
    (c) Threat conditions
    (d) Incident site information

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3. Facilitate the exchange of intelligence acquired from deployed tactical teams and negotiation efforts to the command post.
4. As appropriate update personnel so that current information is given to on-scene and relief personnel as necessary to perform assigned duties. Continue to acquire and disseminate updated intelligence on a timely basis up and down the chain of command.

(j) Establish rules of engagement for all officers assigned to the incident site.

(a) Established rules of engagement should not conflict with rules of engagement established by the Incident Commander.

407.3.3 SWAT LIEUTENANT

(a) Command responsibilities for the SWAT operation.

(b) Provide direction and vision to the SWAT team; planning, coordinating, and managing the SWAT team.

(c) Act as the Incident and/or Tactical Commander of SWAT deployments when available.

(d) Command oversight of the team's training, deployments, and all other activities.

(e) Supervise the SWAT sergeants.

407.3.4 SWAT SERGEANT

(a) Report to the SWAT lieutenant and supervise personnel, including:

1. Entry Teams
2. Chemical Agent Teams
3. Sniper Teams
4. Inner Perimeter Personnel

(b) Assist in creating a tactical plan for the Special Weapons and Tactics Team.

(c) Responsible for executing the Special Weapons and Tactics Team's part of the tactical plan.

(d) Responsible for post operational procedures including accounting for all personnel under the supervisor's command.

(e) Conduct debriefing.

(f) Unless otherwise delegated, complete after action reports for documentation of incident.

(g) Plan, coordinate, monitor, and participate in monthly training.

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(h) Complete and maintain all SWAT training records including lesson plans and records of attendance. Assure all training records are forwarded to the department's Training Sergeant.

(i) Evaluate the performance of SWAT officers and team leaders.

(j) Coordinate the selection of new SWAT officers.

(k) Maintain an equipment inventory of all items issued to officers. A list of weapons and primary safety equipment shall be forwarded to the department's Training Sergeant.

(l) Conduct needs assessment annually to ensure training is conducted within team capabilities and agency policy.

407.3.5 SWAT TEAM LEADER

(a) Provide leadership in the following areas:

1. Support the goals of the department and the SWAT Team.
2. Assist in training, leading, and motivating SWAT team members.
3. Promote teamwork and camaraderie within the SWAT team.

(b) Training

1. At the direction of the SWAT sergeant, prepare lesson plans for monthly training.
2. Review new training techniques or practices and make appropriate recommendations to SWAT sergeants.
3. Identify training needs and make appropriate recommendations to SWAT sergeants.
4. Mentor new SWAT members.

(c) Operations

1. At callouts, assist the SWAT sergeants as directed.
2. Complete a callout list.
3. Assist in operation planning at the direction of SWAT sergeants.
4. During operations work under the direction of the SWAT sergeants.
5. In the absence of the SWAT sergeant, lead the team during operations or incidents.
6. Assist with completion of after-action report documentation.

(d) Evaluation

1. Assist in the evaluation of the performance of SWAT members.

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2. Make recommendations to SWAT sergeants for assignment of positions within SWAT.
3. Assist SWAT sergeants in the selection of new team members.

(e) Selection - The selection process for becoming a Team Leader on the SWAT Team is as follows:

1. When an opening occurs on the team the opening will be announced to the team by the SWAT sergeants.
2. Interested team members will contact the SWAT sergeants expressing their interest to be considered for the position.
3. All interested team members will be evaluated for Team Leader based on the following criteria:
    (a) Performance evaluations for the past two (2) years (meeting all key areas of responsibility).
    (b) Electronic evaluation notes for the past year.
    (c) Input from their current and past supervisors for the past year regarding the employees' performance in leadership and supervisory potential in their primary assignment and any other assignments held during that year.
    (d) Performance on the SWAT Team:
        1. Performance during training and call-out missions.
        2. Commitment to the ongoing performance of the team and training of other team members.
        3. Demonstration of leadership qualities and skills during training and missions.
        4. Committed to holding themselves and peers to the highest standards related to professionalism.
4. A list of qualified candidates will then be submitted to the SWAT lieutenant along with the recommendations from the SWAT sergeants.
5. Upon approval from the SWAT lieutenant the selection recommendation will be submitted to the Field Services Division Manager and the Chief of Police for approval.

407.3.6 SWAT MEMBER

(a) All team members function at the direction and discretion of the Incident Commander, Tactical Commander, SWAT lieutenant, sergeants, and team leaders.

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(b) SWAT members must maintain a minimum level of physical fitness as described in this policy.

(c) SWAT members' performance, in all key areas of responsibility of their work plan, must be at least satisfactory on each six month or annual evaluation depending on their current assignment.

(d) Failure to pass or maintain a satisfactory performance in any of the above areas may result in removal from the SWAT team.

407.3.7 SNIPER TEAM MEMBER

The Special Weapons and Tactics Team includes a group of specially trained officers who function as a Sniper Team in order to:

(a) Observe and gather real-time intelligence.

(b) Provide accurate and precise fire against designated human targets with the intent of immediately stopping the dangerous actions of that target.

(c) Each sniper team is designated to function as a two-officer sniper/observer unit deployed as an individual team depending on the situation, position, and duration of the incident.

407.4 CALL-OUT PROCEDURE

It shall be the responsibility of the SWAT sergeants to ensure a current call-out roster is available in a department database and accessible to personnel authorized to conduct a call-out.

The SWAT sergeants and team leader(s) will obtain necessary information to complete an action plan. Upon approval of this action plan by the Tactical/Incident Commander, personnel and equipment will be assembled and deployed to a designated staging area. Upon receiving authorization, the action plan will be implemented. The action plan could be in written or oral form. However, if in oral form, it will need to be put in writing as a post incident review.

407.5 TRAINING

(a) The SWAT training sergeant will compile and distribute a yearly comprehensive training plan. The plan will include an explanation of the training plan, a list of individual and team skills, and a calendar that incorporates the skills relevant to SWAT missions. The SWAT training sergeant shall forward all lesson plans and training documents to the department's Training Sergeant.

1. Training will generally consist of two (2) training days per month and a 24-hour SWAT update every two (2) years.

2. SWAT members unable to attend scheduled training shall contact a SWAT sergeant explaining in writing the reason for the absence.

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3. Annual training may consist of scenario-based joint training with outside agencies and other teams within the department including the Hostage Negotiations Team and Tactical Support Team.

4. SWAT officers train to maintain and improve their skills used in operations. Officers who miss consecutive monthly trainings and/or more than 20 percent of each year's training time may be removed from the call-out list until such time they attend sufficient training to demonstrate an acceptable skill level, as determined by the SWAT sergeants or lieutenant.

(b) SWAT members will be required to maintain the following physical fitness standards and must pass the below physical fitness test on an annual basis:

1. The SRPD SWAT physical fitness standards are modeled after the FBI physical fitness test.

(a) **Event 1: Pursuit/Rescue Climb** . The "Pursuit/Rescue Climb" consists of **two (2) "pull-ups"** with the hands facing outwards. The "pull-ups" will start from a "dead hang" position. The candidate will be wearing a weighted tactical vest. This is to simulate the equipment an average SWAT Officer would be expected to carry. The chin must cross over the bar and the candidate must return to the "dead hang" position before repeating.

(b) **Event 2: Tactical Obstacle Course** . Wearing "work out" clothing, the candidate must complete an 880 yard course, consisting of three job related tasks. At approximately the 220 and 260 yard marks, the candidate must negotiate a forty (40) yard running weave consisting of nine (9) cones placed five (5) yards apart, with a lateral dispersion of five (5) yards. At approximately the 440 yard mark, the candidate must conduct a ten (10) yard body drag of a supine victim ten (10) yards to "safety." The candidate must complete the drag with no assistance. At the 660 yard mark, the candidate must renegotiate the running weave, this time dropping to the prone position (chest and hands in contact with the track) at each cone. **Passing Time is 4 minutes 45 seconds**.

(c) **Event 3: Tactical Dash** . The candidate will begin in the prone position carrying an unloaded shotgun. The candidate will have 7.70 seconds to run forty (40) yards with the shotgun.

(c) Firearms qualifications: SWAT team members shall qualify with their issued firearms at least quarterly with a passing score of 90% or better.

(d) All training shall be documented and include lesson plans and records of attendance. All training records shall be retained by the department's Training Team with copies retained by the SWAT supervisor.

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(e) Members of the SWAT Sniper Team will participate in training specific to their assignment. Written training records will be kept for each training session and retained by the department's Training Team with copies retained by the Sniper Team sergeant.

(f) Sniper/Observers must meet the following requirements to achieve and maintain operational status:

(a) Successfully complete a POST approved police sniper school.

(b) Pass the monthly Sniper Team firearms qualification course with a passing score of 90% or better.

(a) Failure to pass the qualification courses will result in the removal of the sniper/observer from operational status until able to demonstrate passing proficiency.

407.6 SELECTION AND RETENTION

Selection

The selection process for becoming a member of the SWAT team is as follows:

(a) When an opening occurs on the SWAT team, a department-wide memo will be generated by a SWAT sergeant announcing the opening in the team.

(b) Interested officers shall submit a memorandum stating their interest in the position.

(c) All interested officers will participate in a multi-stage testing process.

1. All candidates will participate in the SWAT physical fitness test and must pass in order to continue with the selection process.

2. Inquiry into whether or not the candidates are currently meeting expectations in all key areas of responsibilities shall be completed.

3. An evaluation will be circulated to supervisors requesting their input on the candidates' qualifications.

(d) Candidates who successfully complete all the above noted testing processes will be invited to participate in an oral board.

(e) A list will be established from the information compiled during the selection process. This list of candidates will be submitted to the SWAT lieutenant along with the recommendations from the SWAT sergeants.

(f) Newly selected officers onto the SWAT Team will be placed in a trainee position. Officers in this position shall not be deployed in operational functions and will not receive compensation as outlined in the MOU between the City of Santa Rosa and the Santa Rosa Police Officers Association, until they have demonstrated to the SWAT sergeants a level of proficiency and have completed a POST certified Basic SWAT School.

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(g) All officers selected onto the SWAT Team will be expected to meet the essential job functions of a SWAT Officer as outlined in their annual training curriculum. Officers unable to meet or complete the essential job functions will be removed from the SWAT Team.

(h) Upon approval of the SWAT lieutenant, the selection recommendations will be submitted to the Field Services Division Manager and the Chief of Police for approval

(i) New members of the Sniper Team will be selected from the roster of current SWAT team members, based on the listed criteria:

1. Current team member in good standing.
2. Volunteer for the position.
3. Approval of SWAT supervisors and lieutenant.

Retention

(a) To remain an active SWAT team member or Sniper Team member the following criteria will be used:

(a) Satisfactory performance during the SWAT member's normal assignment and a satisfactory evaluation by the member's supervisor based on his/her work plan.

(b) No unexcused absences from training.

(c) Satisfactory performance during training and operations with the SWAT team.

(d) Satisfactory performance during the annual physical testing.

(e) Satisfactory performance during firearms testing.

(f) At the discretion of the SWAT lieutenant or Chief of Police.

(b) Failure to pass or maintain a satisfactory performance in any of the above areas may result in removal from the SWAT team.

407.7 UNIFORM AND EQUIPMENT

(a) The uniform worn during any mission or training will be dependent upon the circumstances and needs of the Team. The uniform will be designated by a SWAT sergeant prior to the mission or training.

(b) All equipment maintained by the Team or assigned to a team member will be at the discretion of the SWAT sergeants.

(c) A periodic inventory check will be conducted by a designated team member.

(d) All officers shall be responsible for the care, maintenance, and knowing the purpose of all equipment issued to them, including, but not limited to uniforms, helmets, eye

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wear, hearing protection, body armor, chemical agents mask, balaclava, gloves and footwear.

407.8 PUBLIC EDUCATION

(a) SWAT personnel will participate in forums that provide opportunities to educate members of the public about the purpose of SWAT and specifically the Santa Rosa Police Department's Special Weapons and Tactics Team. The focus of these public education programs will be to educate the public on the mission of the SWAT team. Forums may include, but are not limited to, events such as the Citizen's Police Academy, High School Citizen's Police Academy, school presentations, service group presentations, and other community events.

(b) The content, type and amount of resources for any event shall be approved by the SWAT lieutenant.

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Hostage Negotiation and Tactical Support Teams

408.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the administration, training, and operation of the Hostage Negotiation Team (HNT) and the Tactical Support Team (TST). The Hostage Negotiation Team is a designated team of law enforcement officers specifically trained and equipped to work as a coordinated team to respond to critical incidents, including, but not limited to hostage taking, barricaded suspects, snipers, terrorist acts and other high risk incidents, whether planned or unplanned.

It is not the intent of this policy to limit the necessary discretion that must be exercised by department personnel following the guidelines of the policy.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

408.2 LEVELS OF CAPABILITY/TRAINING

(a) It shall be the policy of the Santa Rosa Police Department to have the Hostage Negotiation Team provide specialized support in situations wherein the capabilities of the Team are appropriate for responding to an incident or operation.

(b) The Tactical Support Team may be activated in conjunction with a SWAT and/or HNT assignment. The TST may also be activated in conjunction with the City's Emergency Operations Plan or any other incident or operation at the discretion of a lieutenant or the SWAT/HNT Commander.

(c) Deployment Protocol

1. The Hostage Negotiation Team is normally assigned operations in conjunction with other department resources.
2. The Hostage Negotiation Team may be deployed under mutual aid with other agencies or used to relieve units already committed to an incident scene.

(d) Hostage Negotiation Team deployments include, but are not limited to:

1. Hostage negotiations.
2. Crisis negotiations.
3. Tactical negotiations.
4. Intelligence gathering.
5. Victim/witness/involved party interviewing and debriefing.
6. Risk evaluation and assessment.
7. Mobile and fixed operations.
8. Surrender call-out and arrest procedures.

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408.3 POLICY

408.3.1 POLICY CONSIDERATIONS

(a) The Incident Commander is responsible for the overall command of an incident or operation.

(b) The Incident Commander may be the HNT or SWAT Commander, a police captain or a police lieutenant.

(c) The Incident Commander is the primary commander during a specific operation and may function as both the Incident Commander and Tactical Commander.

(d) The Incident Commander assumes overall responsibility for the incident or operation once on scene and provides overall management oversight and direction.

(e) The Incident Commander should establish an Incident Command Post (ICP) as soon as practical. Depending on the circumstances, the Incident Commander may manage and conduct the operation from the ICP or another location. The Incident Commander shall maintain immediate communication with the ICP and all other resources assigned to the operation.

1. The Incident Commander, if necessary, may employ other personnel to assist in managing the operation. The personnel may consist of one or more individuals performing multiple responsibilities and duties depending upon each situation and resources available.

(f) The Incident Commander will ensure support communication links to all teams/officers and Mutual Aid teams are established as needed on a timely basis.

(g) The Incident Commander will ensure investigative efforts to obtain and update information on criminal acts, suspects, threat conditions, and the incident site are initiated as soon as practical.

(h) The Incident Commander may establish/maintain a liaison with the Mutual Aid and other involved agency commanders.

(i) The Incident Commander should ensure appropriate notification has been made to department command staff.

(j) The Incident Commander will establish a "general plan of action" or "strategy" setting forth the operational guidelines for responding to the incident.

(k) The Incident Commander will authorize tactical actions.

(l) The Incident Commander should control responding units' deployment through the ICP unless immediate operational deployment is required.

(m) The Incident Commander should determine if additional logistical requirements and/or resources are necessary.

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(n) The Incident Commander should designate a media liaison for press releases/media contacts.

(o) The Incident Commander should coordinate all post operation activities. The Incident Commander should ensure, if necessary, that the incident site remains secure until the department can return to normal operations.

408.3.2 ORGANIZATIONAL PROCEDURES

(a) The Tactical Commander will coordinate operations at the incident site with the Incident Commander.

(b) The Tactical Commander may be a police captain, police lieutenant, or police sergeant.

(c) The Hostage Negotiation Team and any other resources directly committed to the incident site will be under the control of the Tactical Commander.

(d) The Tactical Commander should establish a Tactical Command Post which may be at a different location from the Incident Command Post.

(e) The Tactical Commander should oversee the operation or incident plan until the incident or operation is concluded.

(f) The Tactical Commander should request, through the operational chain of command, necessary personnel and resources as needed.

(g) The Tactical Commander should establish liaisons with other law enforcement units committed to the incident.

(h) The Tactical Commander should ensure support radio communication channels and call signs are established.

(i) The Tactical Commander should, to the extent possible, assess and address the following:

1. Collect, process, and cross verify intelligence from on-scene sources.
2. Continue to develop and verify tactical information as it relates to:
    (a) Criminal acts
    (b) Suspect information
    (c) Threat conditions
    (d) Incident site information
3. Facilitate the exchange of intelligence acquired from deployed tactical teams and negotiation efforts to the command post.
4. As appropriate update personnel so current information is given to on-scene and relief personnel as necessary to perform assigned duties. Continue to acquire

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and disseminate updated intelligence on a timely basis up and down the chain of command.

(j) Establish rules of engagement for all officers committed to the incident site.

(a) Established rules of engagement should not conflict with rules of engagement established by the Incident Commander.

408.3.3 OPERATIONAL PROCEDURES

(a) Command responsibilities for the HNT.

(b) Provide direction and assign duties to the HNT.

(c) Act as the Incident and/or Tactical Commander of HNT deployments when available.

(d) Supervise the HNT sergeants.

(e) Plan, coordinate and manage any HNT operation.

(f) Command oversight of the team's training, deployments, and all other activities.

(g) Implement processes and systems that fulfill the goals or objectives of the HNT.

(h) Act as the Incident and/or Tactical Commander of HNT deployments when available.

408.3.4 HNT SERGEANT

(a) Directly supervise the Hostage Negotiation Team which consists of:

1. Primary negotiator
2. Secondary negotiator
3. Intelligence officer
4. Equipment officer
5. Tactical support personnel

(b) Assume responsibilities as a member of the tactical planning team.

(c) Responsible for executing the Hostage Negotiation Team's part of any tactical plan.

(d) Responsible for post operational procedures including accounting for all personnel under the supervisor's command.

(e) Conduct debriefing.

(f) Unless otherwise delegated, complete after action reports for documentation of the incident.

(g) Plan, coordinate, monitor, and participate in monthly training.

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(h) Complete and maintain all HNT training records including lesson plans and records of attendance. Forward copies of all training records and lesson plans to the department's Training Sergeant.

(i) Evaluate the performance of HNT officers and team leaders.

(j) Coordinate the selection of new HNT officers.

(k) Maintain an equipment inventory of all items issued to officers, as well as items maintained by the HNT. Forward a list of all equipment issued to team members to the department's Training Sergeant.

(l) Conduct needs assessment annually to ensure training is conducted within team capabilities and agency policy.

408.3.5 HNT TEAM LEADER

(a) Provide leadership in the following areas:

1. Support the goals of the department and the Hostage Negotiation Team.
2. Assist in training, leading, and motivating HNT members.
3. Assist with supervisory responsibilities, as directed, during operations and training.
4. Promote teamwork and camaraderie within the HNT.

(b) Training

1. At the direction of the HNT sergeant, prepare lesson plans for monthly training.
2. Review new training techniques or practices and make appropriate recommendations to the HNT sergeants.
3. Identify training needs and make appropriate recommendations to the HNT sergeants.
4. Mentor new HNT members.

(c) Operations

1. At callouts, assist the HNT sergeants as directed.
2. Complete a callout list.
3. Assist in operation planning at the direction of HNT sergeants.
4. Assign duties/roles for HNT members for each operation.
5. During operations, work under the direction of the HNT sergeants.
6. In the absence of the HNT sergeant, lead the team during operations or incidents.

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7. Assist with completion of after-action report documentation.

(d) Evaluation

1. Assist in the evaluation of the performance of HNT members.
2. Make recommendations to HNT sergeants for assignment of positions within HNT.
3. Assist HNT sergeants in the selection of new team members.

(e) Selection - The selection process for becoming a Team Leader on the HNT is as follows:

1. When an opening occurs on the team the opening will be announced to the team by the HNT sergeants.
2. Interested team members will contact the HNT sergeants expressing their interest to be considered for the position.
3. All interested team members will be evaluated for Team Leader based on the following criteria:
    (a) Performance evaluations for the past two (2) years (meeting all key areas of responsibility).
    (b) Electronic evaluation notes for the past year.
    (c) Input from their current and past supervisors for the past year regarding the employees' performance in leadership and supervisory potential in their primary assignment and any other assignments held during that year.
    (d) Performance on the HNT:
        1. Performance during training and call-out missions.
        2. Commitment to the ongoing performance of the team and training of other team members.
        3. Demonstration of leadership qualities and skills during training and missions.
        4. Committed to holding themselves and peers to the highest standards related to professionalism.
4. A list of qualified candidates will then be submitted to the HNT lieutenant along with the recommendations from the HNT sergeants.
5. Upon approval from the HNT lieutenant the selection recommendation will be submitted to the Field Services Division Manager and the Chief of Police for approval.

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408.3.6 HNT MEMBER
All team members function at the direction and discretion of the HNT Commander, sergeants, and team leaders.

HNT members must have a satisfactory evaluation in all key areas of responsibilities by the member's supervisor based on their work plan.

408.3.7 TACTICAL SUPPORT TEAM
Personnel assigned to the TST provide staff support to the Incident Commander during an operation or incident, or the Operations Section of the City's Emergency Operations Plan during the activation of the Emergency Operations Center.

408.4 TRAINING NEEDS ASSESSMENT

(a) Primary Negotiator - The team member directly negotiating with the suspect(s) will listen, take intelligence from the Secondary Negotiator, obtain intelligence from the suspect, and coordinate negotiation efforts with HNT's tactical plans.

(b) Secondary Negotiator - The team member working immediately with the Primary Negotiator, will assist in negotiations and provide relief in a support role, communicating strategies, establishing liaisons between the Primary Negotiator, Intelligence Officer, psychological support, and be a liaison for all other communications. In addition, the Secondary Negotiator will monitor all equipment functions and communication lines.

(c) Intelligence Officer - The team member working as an information gatherer will assist by debriefing and interviewing witnesses and victims, updating the Secondary Negotiator and act as liaison with the team leader. Duties will include, but are not limited to: Inquiries through ILEADS, CAD, DMV; input from psychological support; update from the Tactical Support Team (TST); delegation and assigning duties and responsibilities to other back-up team members.

(d) Backup Negotiator - A team member, not assigned primary duties, will assist in areas that include, but are not limited to intelligence gathering, inquiries through ILEADS, CAD, DMV, CLETS, etc.

1. These HNT members will monitor negotiations and tactical operations in the event relief is needed for any of the Primary, Secondary, Intelligence or Equipment positions.
2. These HNT members will also be prepared to move into the field and function as a secondary team.
3. These HNT members will also attempt to identify themes or formulate strategies throughout the course of the mission, working through issues concerning the negotiations and other duties as assigned.

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(e) Equipment Specialist - The team member who is charged with the responsibility of getting the proper equipment to the ICP and setting it up, will maintain and monitor equipment and battery levels, make necessary emergency repairs, make recording media changes throughout the course of the incident as well as other assigned duties.

(f) Each of the above roles are defined but not assigned to specific individuals. All HNT members will be trained in each of the above roles so as to be able to assume any role(s) during an incident.

(g) Psychological Support - A psychologist is generally more adept and more experienced in successfully dealing with depressed and suicidal individuals than most law enforcement officers. Therefore, the psychologist can provide a diagnosis of any psychological problem(s) manifested by the perpetrator, and suggest an appropriate approach or response to deal with the suspect. The psychologist can also function as a mental health liaison.

408.4.1 INITIAL TRAINING

(a) HNT personnel may participate in forums that provide opportunities to educate members of the public about the purpose of the Santa Rosa Police Department's Hostage Negotiation Team. The focus of these public education programs will be to educate the public that the primary mission of the HNT is the preservation of life. Forums may include, but are not limited to, events such as the Citizen's Police Academy, High School Citizen's Police Academy, school presentations, service group presentations, and other community events.

(b) The content, type and amount of resources for any event shall be approved by the HNT lieutenant.

408.5 UNIFORMS, EQUIPMENT, AND FIREARMS

Tactical Support Team duties include:

(a) Maintaining a chronological log of information pertinent to the critical incident or emergency.

(b) Obtaining reference information from law enforcement databases concerning the location and/or parties involved in the incident.

(c) Assisting in the preparation of post-incident debriefings and reports.

(d) Duties as assigned by the Incident Commander related to documentation and management of the critical incident, emergency, or any other major incident.

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408.6 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT

(a) It is the responsibility of the HNT sergeants to ensure a current call-out roster is available in a department database and accessible to personnel authorized to conduct a call-out.

(b) The HNT sergeants and team leader(s) will obtain necessary information to complete an action plan. Upon approval of this action plan by the Tactical/Incident Commander, personnel and equipment will be assembled and deployed to a designated staging area. Upon receiving authorization, the action plan will be implemented. The action plan could be in written or oral form. However, if in oral form, it will need to be put in writing as a post incident review.

(c) If a Tactical Support Team member is on duty at the time of a call-out, the member is expected to assume his/her Tactical Support Team role as soon as possible. This may require calling in other off-duty personnel to fill in for the Tactical Support Team member's regular duties. Off-duty personnel are expected to be reasonably available to respond to a page notification of a call-out. Off-duty personnel receiving such notification are expected to call in to the Santa Rosa Police Department within 15 minutes to determine if their response is needed. The re-occurring inability of a Tactical Support Team member to respond to call-outs may be subject to review by the HNT supervisor and may result in removal from the Tactical Support Team.

408.7 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES

The HNT training sergeant will compile and distribute a yearly comprehensive training plan. The plan will include an explanation of the training plan, a list of individual and team skills, and a calendar that incorporates the skills relevant to operations. The HNT training sergeant shall forward all lesson plans and training documents to the department's Training Sergeant.

(a) All training will be mandatory for HNT and TST members. Members unable to attend scheduled training shall contact a HNT sergeant explaining in writing the necessity to miss training.

(b) Training will generally consist of one day per month.

(c) Annual training may consist of scenario-based joint training with outside agencies and other teams within the department including the SWAT Team.

(d) HNT or TST members who miss consecutive monthly trainings may be removed from the call-out list until such time that they attend sufficient training to demonstrate an acceptable skill level as determined by the HNT sergeants or HNT lieutenant.

408.8 SWAT TEAM ADMINISTRATIVE PROCEDURES

(a) The selection process for becoming a member of the HNT is as follows:

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1. When an opening occurs on the HNT, a department-wide memo will be generated by a HNT sergeant announcing the opening in the team.
2. Interested officers shall submit a memorandum stating their interest in the position.
3. All interested officers will participate in a multi-stage testing process.
    (a) An evaluation will be circulated to supervisors requesting their input on the candidates' qualifications.
    (b) Inquiry into if the candidates are currently meeting expectations in all key areas of responsibilities shall be completed.
4. Candidates who successfully complete the testing processes will be invited to participate in an oral board. The oral board will be formed at the direction of the HNT lieutenant.
5. A list will be established from the information compiled during the selection process. This list of candidates will be submitted to the HNT lieutenant along with recommendations from the HNT sergeants.
6. The selection recommendations will subsequently be submitted to the Field Services Division Manager and the Chief of Police for approval.
7. New HNT officers shall not be deployed in operational functions until they have completed a POST certified Crisis Negotiation School.

(b) The selection process for becoming a member of the Tactical Support Team is as follows:
    (a) When an opening occurs in the Tactical Support Team, a memorandum will be generated by a Tactical Support Team supervisor announcing the opening.
        (a) The memorandum shall include a brief description of the position and the qualifications necessary for the assignment.
    (b) Interested personnel shall submit a memorandum stating their interest in the position.
    (c) Qualified candidates will be invited to participate in an oral board interview process. The oral board will be formed at the discretion of the Tactical Support Team supervisor.
    (d) Selection for the Tactical Support Team will be based upon the candidate's performance during the oral board interview, supervisory input, and satisfactory performance as noted on the most recent performance evaluation.
    (e) The scores and performance factors will be compiled and a list of qualified candidates will be submitted to the SWAT/HNT lieutenant for a final selection.

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(c) Retention of members of the HNT and TST will be based on the following criteria.

1. Satisfactory performance during the HNT or TST member's normal assignment and a satisfactory evaluation by the member's supervisors based on their work plan.
2. No unexcused absences and/or the inability to attend scheduled training.
3. Satisfactory performance during training and actual operations with SWAT.
4. Failure to maintain a satisfactory performance in any of the above areas may result in removal from HNT or TST.
5. At the discretion of the HNT lieutenant or Chief of Police.

408.9 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT

(a) The HNT uniform worn during any operation or training will be dependent upon the circumstances and needs of the Team. The uniform will be designated by a HNT sergeant prior to the operation or training.

(b) Tactical Support Team members will wear the designated uniform during operations or specific training assignments.

(c) All equipment maintained by the Team or assigned to a team member will be at the discretion of the HNT Commander.

(d) An inventory of equipment will be maintained by a HNT sergeant. A periodic inventory check will be conducted by a designated team member.

(e) All HNT and TST members shall be responsible for the care and maintenance of all equipment issued to them, as well as knowing the purpose and function of all equipment issued to them.

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Mobile Field Force (MFF)

409.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the administration, training, and operation of the Mobile Field Force (MFF).

The Mobile Field Force is a designated team of law enforcement officers specially trained and equipped to work as a coordinated team that can be rapidly deployed in disorder situations.

It is not the intent of this policy to limit the necessary discretion that must be exercised by department personnel following the guidelines of the policy.

Adopted 9-28-15 by Chief Robert L. Schreeder.

409.2 POLICY

(a) It shall be the policy of the Santa Rosa Police Department to have the Mobile Field Force provide specialized support in situations wherein the capabilities of the Team are appropriate for responding to an incident or operation.

(b) Deployment Protocol

1. The MFF Team is normally utilized in conjunction with other department resources dedicated to responding to an unusual occurrence or planned event.
2. The MFF Team may be deployed as mutual aid with other agencies or to relieve other MFF teams already committed to an incident scene.

(c) MFF Team deployments may include, but are not limited to:

1. Mass arrest capability.
2. Force protection.
3. Mutual Aid.
4. Crowd control for spontaneous or planned demonstrations or civil disobedience.
5. Respond to secure large perimeters such as the scene of an Officer Involved Shooting (OIS), disaster area, or critical incident scene requiring significant resources to manage and/or drawing large crowds that may be or become hostile.
6. Other missions as assigned by the Incident Commander.

409.3 DUTIES AND RESPONSIBILITIES

409.3.1 INCIDENT COMMANDER

(a) The Incident Commander is responsible for the overall command of an incident or operation.

(b) The Incident Commander may be the MFF Commander, a police captain or police lieutenant.

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(c) The Incident Commander is the primary commander during a specific operation and may function as both the Incident Commander and Tactical Commander.

(d) The Incident Commander assumes overall responsibility for the incident or operation once on scene and provides overall management oversight and direction.

(e) The Incident Commander should establish an Incident Command Post (ICP) as soon as practical. The Incident Commander should manage and conduct the operation from the ICP and if necessary, will employ other personnel to assist in managing the operation.

(f) The Incident Commander will ensure support communication links to all units/officers and Mutual Aid teams are established as needed on a timely basis.

(g) The Incident Commander will ensure investigative efforts to obtain and update information on criminal acts, suspects, threat conditions, and the incident site are initiated as soon as practical.

(h) The Incident Commander may establish/maintain a liaison with Mutual Aid and other involved agency commanders.

(i) The Incident Commander should ensure appropriate notification has been made to department command staff.

(j) The Incident Commander will establish a "general plan of action" or "strategy" setting forth the operational guidelines for responding to the incident.

(k) The Incident Commander should control responding units' deployment through the ICP unless immediate operational deployment is required.

(l) The Incident Commander should determine if additional logistical requirements and/or resources are necessary.

(m) The Incident Commander should designate a media liaison for press releases/media contacts.

(n) The Incident Commander should coordinate all post-operation activities. The Incident Commander should ensure, if necessary, that the incident site remains secure until the department can return to normal operations.

(o) Establish rules of engagement for all personnel and teams committed to the incident.

409.3.2 TACTICAL COMMANDER

(a) The Tactical Commander will coordinate operations at the incident site with the Incident Commander.

(b) The Tactical Commander may be a police captain, police lieutenant, or police sergeant.

(c) The Mobile Field Force and any other resources directly committed to the incident site will be under the control of the Tactical Commander.

(d) The Tactical Commander should establish a Tactical Command Post which may be at a different location from the Incident Command Post.

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(e) The Tactical Commander should oversee the operation or incident plan until the incident or operation is concluded.

(f) The Tactical Commander should request, through the operational chain of command, necessary personnel and resources as needed.

(g) The Tactical Commander should establish liaisons with other law enforcement units committed to the incident.

(h) The Tactical Commander should ensure support radio communication channels and call signs are established.

(i) The Tactical Commander should, to the extent possible, assess and address the following:

1. Collect, process, and cross verify intelligence from on-scene sources.
2. Continue to develop and verify tactical information as it relates to:
    (a) Criminal acts.
    (b) Suspect information.
    (c) Threat conditions.
    (d) Incident site information.
3. Facilitate the exchange of intelligence acquired from deployed tactical teams and negotiation efforts to the command post.
4. As appropriate update personnel so current information is given to on-scene and relief personnel as necessary to perform assigned duties. Continue to acquire and disseminate updated intelligence on a timely basis up and down the chain of command.

(j) Establish rules of engagement for all officers assigned to the incident site.

1. Established rules of engagement should not conflict with rules of engagement established by the Incident Commander.

409.3.3 MFF LIEUTENANT

(a) Command responsibilities for the MFF operation.

(b) Provide direction and vision to the MFF team; planning, coordinating, and managing the MFF team.

(c) Act as the Incident and/or Tactical Commander of MFF deployments when available.

(d) Command oversight of the team's training, deployments, and all other activities.

(e) Supervise the MFF sergeants.

409.3.4 MFF SERGEANT

(a) Report to the MFF lieutenant and supervise personnel.

(b) Assist in creating a tactical plan for the Mobile Field Force.

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(c) Responsible for executing the Mobile Field Force's part of the tactical plan.

(d) Responsible for post operational procedures including accounting for all personnel under the supervisor's command.

(e) Conduct debriefing.

(f) Unless otherwise delegated, complete after action reports for documentation of incident.

(g) Plan, coordinate, monitor and participate in training.

(h) Complete and maintain all MFF training records including lesson plans and records of attendance. Assure all training records are forwarded to the department's Training Sergeant.

(i) Evaluate the performance of MFF officers and team leaders.

(j) Coordinate the selection of new MFF officers.

(k) Maintain an equipment inventory of all items issued to officers. A list of weapons and primary safety equipment shall be forwarded to the department's Training Sergeant.

(l) Conduct needs assessment annually to ensure training is conducted within team capabilities and agency policy.

409.3.5 MFF TEAM LEADER

(a) Provide leadership in the following areas:

1. Support the goals of the department and the MFF Team.
2. Assist in training, leading and motivating MFF team members.
3. Promote teamwork and camaraderie within the MFF team.

(b) Training

1. At the direction of the MFF sergeant, prepare lesson plans for monthly training.
2. Review new training techniques or practices and make appropriate recommendations to MFF sergeants.
3. Identify training needs and make appropriate recommendations to MFF sergeants.
4. Mentor new MFF members.

(c) Operations

1. At callouts, assist the MFF sergeants as directed.
2. Complete a callout list.
3. Assist in operation planning at the direction of MFF sergeants.
4. During operations work under the direction of the MFF sergeants.
5. In the absence of the MFF sergeant, lead the team during operations or incidents.

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6. Assist with completion of after-action report documentation.

(d) Evaluation

1. Assist in the evaluation of the performance of MFF members.
2. Make recommendations to MFF sergeants for assignment of positions within MFF.
3. Assist MFF sergeants in the selection of new team members.

(e) Selection - The selection process for becoming a Team Leader on the MFF Team is as follows:

1. When an opening occurs on the team the opening will be announced to the team by the MFF sergeants.
2. Interested team members will contact the MFF sergeants expressing their interest to be considered for the position.
3. All interested team members will be evaluated for Team Leader based on the following criteria:
    (a) Performance evaluations for the past two (2) years (meeting all key areas of responsibility).
    (b) Electronic evaluation notes for the current evaluation period.
    (c) Input from their current and past supervisors for the past year regarding the employees' performance in leadership and supervisory potential in their primary assignment and any other assignments held during that year.
    (d) Performance on the MFF Team:
        1. Performance during training and call-out missions.
        2. Commitment to the ongoing performance of the team and training of other team members.
        3. Demonstration of leadership qualities and skills during training and missions.
        4. Committed to holding themselves and peers to the highest standards related to professionalism.
4. A list of qualified candidates will then be submitted to the MFF lieutenant along with the recommendations from the MFF sergeants.
5. Upon approval from the MFF lieutenant the selection recommendation will be submitted to the Field Services Division Manager and the Chief of Police for approval.

409.3.6 MFF MEMBER

(a) All team members function at the direction and discretion of the Incident Commander, Tactical Commander, MFF lieutenant, sergeants, and team leaders.

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(b) MFF members' performance, in all key areas of responsibility of their work plan, must be at least satisfactory on each six month or annual evaluation depending on their current assignment.

(c) Failure to pass or maintain a satisfactory performance in any of the above areas may result in removal from the MFF team.

409.4 CALL-OUT PROCEDURE

It shall be the responsibility of the MFF sergeants to ensure a current call-out roster is available in a department database and accessible to personnel authorized to conduct a call-out.

The MFF sergeants and team leader(s) will obtain necessary information to complete an action plan. Upon approval of this action plan by the Tactical/Incident Commander, personnel and equipment will be assembled and deployed to a designated staging area. Upon receiving authorization, the action plan will be implemented. The action plan could be in written or oral form. However, if in oral form, it will need to be put in writing as a post incident review.

409.5 TRAINING

The MFF training sergeant will compile and distribute a yearly comprehensive training plan. The plan will include an explanation of the training plan, a list of individual and team skills, and a calendar that incorporates the skills relevant to MFF missions. The MFF training sergeant shall forward all lesson plans and training documents to the department's Training Sergeant.

(a) Training will generally consist of four (4) training days per year.

(b) MFF members unable to attend scheduled training shall contact a MFF sergeant explaining in writing the reason for the absence.

(c) Training may consist of scenario-based joint training with outside agencies and other teams within the department including the Special Weapons and Tactics Team.

(d) MFF officers train to maintain and improve their skills used in operations. Officers who miss consecutive monthly trainings and/or more than 25 percent of each year's training time may be removed from the call-out list until such time they attend sufficient training to demonstrate an acceptable skill level, as determined by the MFF sergeants or lieutenant.

409.6 UNIFORM AND EQUIPMENT

(a) The uniform worn during any mission or training will be dependent upon the circumstances and needs of the Team. The uniform will be designated by a MFF sergeant prior to the mission or training.

(b) All equipment maintained by the Team or assigned to a team member will be at the discretion of the MFF sergeants.

(c) A periodic inventory check will be conducted by a designated team member.

(d) All officers shall be responsible for the care, maintenance, and knowing the purpose of all equipment issued to them, including, but not limited to uniforms, helmets, eyewear, hearing protection, body armor, chemical agents mask, and footwear.

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409.7 PUBLIC EDUCATION

(a) MFF personnel will participate in forums that provide opportunities to educate members of the public about the purpose of MFF and specifically the Santa Rosa Police Department's Mobile Field Force. The focus of these public education programs will be to educate the public on the mission of the MFF team. Forums may include, but are not limited to, events such as the Citizen Police Academy, High School Citizen Police Academy, school presentations, service group presentations, and other community events.

(b) The content, type and amount of resources for any event shall be approved by the MFF lieutenant.

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Ride-Along Policy

410.1 PURPOSE AND SCOPE

This policy establishes guidelines pertaining to the department's Ride-Along Program.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

410.2 GENERAL GUIDELINES

(a) The Ride-Along Program Coordinator is a designated Police Department employee or volunteer. The Ride-Along Program Coordinator will schedule and track all ride-alongs.

(b) The Ride-Along Program Coordinator will only assign observers to police officers assigned to the Patrol Bureau. Any other ride-alongs shall be coordinated and managed at the direction of the appropriate Division Manager.

(c) Typically, no more than one observer will be allowed in an officer's vehicle at a time. An observer will follow the directions of the officer at all times. The observer is also responsible for reading and following the instructions on the ride-along participation forms.

(d) Each ride-along is generally for a four (4) hour period, but can be extended or reduced at the discretion of a Field Services Division supervisor.

(e) Observers will be limited to one ride-along per year. A sergeant or watch commander may waive this restriction.

(f) The Ride-Along Program is available seven days a week, and will be scheduled according to operational capacity. Exceptions to this schedule may be authorized by a sergeant or watch commander based on operational needs.

410.3 ELIGIBILITY

The Santa Rosa Police Department Ride-Along Program is offered to City of Santa Rosa residents. Observers shall be at least 16 years of age. Observers under 18 years of age shall have their parent/guardian sign the Waiver of Liability form (SRPD 276).

A Field Services Division supervisor or watch commander may deny the participation of an observer for cause. The factors that may be considered in denying an observer from participating include but are not limited to:

(a) Being under the age of 16.

(b) Prior criminal history.

(c) Pending criminal action.

(d) Pending claim or lawsuit against the department.

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(e) Failing to appear for a previous ride-along appointment.

(f) Inappropriate behavior during a previous ride-along.

(g) Inappropriate behavior during previous law enforcement contacts.

Due to the inherently unpredictable, dangerous, and hazardous nature of police work, a ride-along observer may be exposed to dangerous situations. For the safety of the observer and officer, any ride-along observer must be able to understand and follow an officer's verbal direction. An observer must also be able to enter and exit the front seat of a patrol car without assistance.

410.4 CONTROL OF RIDE-ALONG

(a) Applicants for the Ride-Along Program shall submit a completed ride-along application (SRPD 275), a Waiver of Liability (SRPD 276), and an Instructions for Observer form (SRPD 277) to the department's Ride-Along Program Coordinator.

1. Observers shall sign the Waiver of Liability and Instructions for Observer in the presence of the officer conducting the ride-along.

(b) The ride-along placement shall be made by the Program Coordinator.

1. Employees who wish to take a friend or family member on a ride-along may schedule the ride-along directly with the appropriate Field Services Division supervisor.

2. Applicants for employment with the department shall submit their ride-along applications to the Personnel Services Team. The Personnel Services Team will screen those applications and conduct the appropriate background checks before forwarding them to the Ride-Along Program Coordinator for scheduling.

(c) The Program Coordinator shall screen the application to determine if the applicant meets the qualifications of the program. If the applicant does not meet the eligibility requirements, the applicant shall be notified within fourteen (14) days of application submission.

(d) Once the appointment time has been scheduled, notification to the applicant shall be made within fourteen (14) days confirming the ride along.

(e) The Ride-Along Program Coordinator will track ride-along applications and appointments.

(f) Scheduled applications shall be routed to the sergeant of the team assigned the ride-along at least seven (7) days prior to the ride-along.

1. The records check information, the waiver (if applicable), and the observer instruction sheet shall accompany the application when routed.

(g) The sergeant shall approve or deny the application and sign the application after reviewing the submitted information and assigning the observer to a patrol officer.

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1. The sergeant may deny the application to ride-along if the observer does not meet any of the criteria in this policy, if immediate operational demands are such that an observer would hinder the delivery of police services, or for any other reason(s) he or she deems appropriate.

(h) The patrol officer conducting the ride-along is responsible for the following:

1. The patrol officer shall witness the signature of the observer on the waiver and observer instruction sheet and return them to the sergeant prior to the start of the ride-along.
2. The patrol officer is responsible for verifying the identity of the observer.
3. The patrol officer shall document any problems or inappropriate behavior by the observer on the second page of the application (Form 275).
    (a) The Ride-Along Coordinator will log any notes for the purpose of evaluating the observer's future eligibility to participate in the Ride-Along Program.
4. If an officer is engaged in a vehicle pursuit with an observer in the vehicle, the officer shall relinquish the primary role to another police unit as soon as practical.

(i) All completed applications for ride-alongs shall be routed to the Program Coordinator for filing and tracking.

(j) Applications for completed ride-alongs shall be retained pursuant to the department's Purge Criteria. Applications for ride-alongs that have been denied or did not take place shall also be retained in accordance with the department's Purge Criteria with the reason for denial or other reason the ride-along did not occur noted on the application.

410.5 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a background check. The check is not required for law enforcement officers or Santa Rosa Police Department employees. The Program Coordinator shall conduct the records check on applications he or she processes. Records checks for ride-alongs scheduled directly with a patrol team supervisor shall be the responsibility of that supervisor. The records check shall include:

(a) Local records check (I/Leads).

(b) Local warrants check (County).

(c) Drivers License check (DMV).

(d) Wanted Persons System check (WPS, NCIC).

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410.6 PEACE OFFICER RIDE-ALONGS

Off duty peace officers from other law enforcement agencies shall not be considered on duty and shall not represent themselves as peace officers or participate in any law enforcement activity except as emergency circumstances may require. Only sworn officers from California law enforcement agencies are allowed to carry a firearm and shall comply with the following:

(a) They may only display their firearm in the defense of human life.

(b) An accompanying badge and identification card will be required.

(c) They are not authorized to act on behalf of the City of Santa Rosa.

410.7 SUITABLE ATTIRE

The dress code for ride-alongs shall be:

(a) Business casual attire to include collared shirt or blouse; long pants (no jeans) or skirt; jacket/coat if appropriate.

(b) No shorts, sandals, sweats or t shirts.

(c) Department Patrol VIPS may wear their uniforms during a ride-along.

Audio/video recorders and/or cameras will not be allowed (except when approved for members of the news media).

Observers may not carry any object(s) that might be considered a weapon.

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DRAFT: Haz Mat Response Plan & Env. Crimes Investigation Guidelines

413.1 PURPOSE AND SCOPE

The City of Santa Rosa shall be responsible for scene management duties of non-freeway hazardous materials incidents occurring within the City limits unless relieved by other competent authority. This policy shall serve as a broad descriptive outline of the basic City response to a hazardous materials and/or environmental crimes incident and is intended to facilitate its management. Appropriate City Departments shall be responsible for preparing and maintaining specific incident response guidelines for their designated responsibility areas.

The City of Santa Rosa Hazardous Materials Area Plan shall serve as an additional information resource during the management of a hazardous materials incident. The plan contains worksheets that are useful to field and Communications personnel. Additionally, the plan has a list of agencies and their contact phone numbers that may be referred to during the callout phases of an incident.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Unapproved revisions made 10-15-13.

413.2 DEFINITIONS

(a) **Command Post** - The site from where the Incident Commander directs operations to control and cleanup a hazardous materials incident.

(b) **Environmental Crime** - An environmental crime is an act or omission committed by a person, business or entity which violates that body of criminal law designed to protect the health and safety of people, property or natural resources from the effects of toxic contamination or environmental degradation in the public realm.

1. Specific environmental crimes are codified in a variety of statutes and codes including the Penal Code, Health and Safety Code, Fish and Game Code, and Vehicle Code.

2. Hazardous materials incidents which are the result of criminal law violations shall be classified and investigated as environmental crimes.

(c) **Hazardous Materials Incident** - Any unplanned or unlawful occurrence which results in the release of any materials that presents a threat to the safety of persons, property, plants, wildlife, or the environment. A hazardous materials incident may be intentional or non-intentional and may result from a collision, container failure, fire, explosion, or other event. The release of unknown materials into the environment shall be considered a hazardous materials incident until such time as the materials are removed or identified as non-hazardous.

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(d) **Incident Commander** - The ranking or designated Police Department official who is responsible for managing, coordinating, and directing the operations to control and cleanup a hazardous materials incident.

(e) **Scene Management Authority** - The responsibility to manage, coordinate, and direct the operations to control and cleanup a hazardous materials incident. The designated scene manager (Incident Commander) is charged with overall scene control in a management capacity only. Each involved department will be charged with particular responsibilities that will be coordinated by the Incident Commander.

(f) **Unified Command** - Command team consisting of at least Police Department and Fire Department management who will jointly assess the public safety needs of the incident.

413.3 POLICE DEPARTMENT RESPONSIBILITIES

The Santa Rosa Police Department shall have scene management responsibility for all non-freeway hazardous materials incidents occurring within the City limits. The Police Department shall be responsible for the following facets of a hazardous materials incident.

(a) Investigating the incident.

(b) Establishing a Command Post consisting of all involved agencies.

(c) Coordinating the following activities:

1. Notification of and communication between involved agencies.
2. Obtain and relay technical information.
3. Scene security.
4. Press and media relations.

(d) Removing vehicles as needed.

(e) Declaring an incident site safe upon hazard cleanup.

(f) Providing a post incident evaluation and critique as the incident warrants.

413.4 HAZARDOUS MATERIALS INCIDENT LEVELS

The severity of the incident is determined based on potential environmental contamination, evacuation or the potential for prosecution or restitution. The determination of incident levels shall be made by the Incident Commander within the Unified Command system. In ascending order of severity, these levels are defined as:

(a) **LEVEL GREEN**: A minor situation within the capabilities of first responders trained at the "operational" level. A hazardous materials incident will be considered a LEVEL GREEN incident when ALL of the following conditions are present:

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1. The spill is a petroleum product release from the fuel or coolant system of a motor vehicle in a quantity less than five (5) gallons and has not entered a waterway or caused appreciable environmental damage. The total volume of spilled substance and the material used in effecting a clean-up can be contained in a single 55-gallon drum.
2. The Public Works staff and time required to effect clean-up of the incident site is not more than two persons and does not exceed a total of two hours effort.

(b) **LEVEL YELLOW**: A hazardous materials incident will be considered as a LEVEL YELLOW incident when ALL of the following conditions are present:

1. The spilled substance offers no "significant" threat to persons, property or the environment.
2. The hazardous substance can be immediately identified, contained and removed to a safe site.
3. Evacuation of the area is not required.

(c) **LEVEL RED**: A hazardous materials incident will be considered as a LEVEL RED incident when ANY of the following conditions are present:

1. There is a serious threat to persons, property or the environment.
2. The hazardous material cannot be contained and removed to a safe temporary site within a moderate time frame.
3. Evacuation of persons is required.

(d) A LEVEL RED incident will require activation of the Hazardous Materials Area Plan and Hazardous Materials Response Team (HMRT). If the need for coordination between departments exists but appears to be beyond the immediate capabilities of responding agencies using routine communications, action will be taken to implement the City of Santa Rosa Emergency Plan and activate the Emergency Operations Center.

413.5 HAZARDOUS MATERIALS RESPONSE GUIDELINES

Upon receipt of information that a hazardous materials incident has occurred within the City of Santa Rosa, the following guidelines shall be followed.

(a) The Police Communications Center will dispatch a minimum of one police officer to the scene of the reported incident and notify REDCOM.

(b) The initial police or fire unit at the incident scene shall make an immediate preliminary determination of the response level (Green, Yellow or Red) and advise the Communications Center if the incident appears to be a Level Green, Level Yellow or Level Red incident.

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(c) If the preliminary determination is that the incident is a Level Yellow or Level Red, then a Police Department supervisor will be advised.

413.5.1 INCIDENT MANAGEMENT

(a) If the incident is considered Level Green or Level Yellow and does not pose a threat of substantial environmental contamination or evacuation:

1. The assigned police officer shall ensure the hazardous material is appropriately contained and removed by the City or persons responsible for the material.
2. The incident shall be documented according to individual department policy for such events.

(b) If the incident is considered Level Red, the following procedures shall be followed in addition to procedures dictated by the City Emergency Operations Plan.

1. A Command Post shall be established as soon as practical by the first arriving designated fire or police officer. The command post shall be at a secure location away from the immediate incident site, upwind and upgrade. The ranking or designated Police Department supervisor at the site shall be the Incident Commander.
2. The Incident Commander shall direct the response of required personnel to the command post and/or incident site.
3. The Unified Command Team shall coordinate and manage the incident and will consist of the effected departments including Police, Fire, Public Works and Utilities.
4. An Incident Command Post shall be established away from the incident for Level Red incidents. The original Command Post shall be converted to an Operations Command Post, if needed.
5. The Emergency Operations Center shall be activated and operated in accordance with established procedure, if appropriate.
6. Hazardous materials containment and cleanup operations will be coordinated by Command Post personnel (in conjunction with E.O.C. personnel when the E.O.C. is operative). Necessary evacuation, scene security, and other concerns related to incident management shall also be coordinated by Command Post personnel.
7. Police Department personnel shall be responsible for conducting and documenting a thorough investigation into all facets of the incident. Appropriate criminal violations will be identified with the intention of initiating subsequent court action. Incidents potentially involving civil concerns, civil action, or criminal

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action through violations of City law shall be brought to the attention of the City Attorney's Office.

8. The Police Department shall designate a media representative who, in the absence of a designated E.O.C. press relations officer, shall relay appropriate information to press/media representatives in a timely manner.

9. The Command Post shall remain operative until the hazardous materials incident no longer poses a serious threat to persons, property, or the environment. The responsibility for declaring an incident scene safe shall be made by the Incident Commander after consultation with Public Health, medical, and other involved personnel.

10. A Post Incident Critique may be held by the Police Department within seven (7) days of the termination of the incident. The critique will involve appropriate representatives of incident involved agencies who will review the manner in which the incident was managed.

11. The Police Department if necessary will be responsible for preparing a Post Incident Summary and Critique Report for review by the City Manager, City Attorney, and appropriate Department Heads.

413.6 RESPONSIBILITIES

413.6.1 FIRST OFFICER RESPONSIBILITIES

(a) Arrive safely. Upon approach to the incident site, the officer must consider environmental conditions prevailing at the scene (i.e., upwind, uphill, upstream, etc.).

(b) Make an initial hazard level appraisal. Determine response level (Level Green, Yellow or Red) and broadcast same.

(c) Manage response of initial request for necessary personnel and equipment.

(d) Control the scene. Direct backup officers to inner-perimeter positions in an effort to prevent unauthorized entry to the hazard zone. Direct contaminated victims to an isolation area within the perimeter where initial decontamination and/or medical treatment can occur.

(e) Maintain scene discipline. Do not attempt rescue or provide first aid to victims directly involved in a hazardous materials incident unless it can be done so without risk to any other involved persons, including the officer. Rescue and first aid is a primary responsibility of fire and medical personnel who are equipped with the resources needed to accomplish the task.

(f) Relay information to the Communications Center and other involved personnel on a continuing and timely basis.

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(g) Attempt initial identification of the hazardous material. Look for hazardous materials placards, product identification numbers, shipping papers, or other documentation that identifies hazardous materials. Use the Department of Transportation Emergency Response Guidebook.

(h) Establish a location for a Primary Field Command Post. Choose a location outside of the immediate hazard zone (inner-perimeter) but inside of the controlled zone (outer-perimeter) upwind and upgrade from the hazard.

(i) Detain and/or identify involved parties and witnesses to the incident. If operational, the investigative team will conduct subsequent interviews.

(j) Maintain position as Incident Commander until relieved by a supervisor.

413.6.2 FIELD SUPERVISOR RESPONSIBILITIES

(a) A field supervisor will be sent to all Level Yellow and Level Red hazardous materials incidents. An attempt will be made to have a traffic supervisor respond to the incident.

(b) Upon arrival at the hazard scene, relieve the first officer as Incident Commander as soon as practical.

(c) Ensure accomplishment of all activities identified under first officer responsibilities.

(d) Assume the role of overall Incident Commander until relieved by a lieutenant for all incidents with the potential of substantial environmental contamination or evacuation.

(e) Coordinate the following activities unless relieved by a lieutenant.

1. Assess hazard and response level (Yellow or Red).
2. Assess personnel and equipment needs.
3. Establish a Command Post.
4. Evacuation.
5. Communication between scene and Emergency Operations Center, if operational.

(f) Remain on scene until termination of the incident or until the area is declared safe.

413.6.3 BACKUP OFFICER RESPONSIBILITIES

(a) Assist the first officer on scene with the following:

1. Traffic control.
2. Crowd control.
3. Establishing an inner-perimeter.
4. Other needs as directed by the first officer.

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(b) May be designated as Log or Recording Officer upon arrival of a field supervisor.

413.6.4 INVESTIGATOR DESIGNATION AND INVESTIGATIVE RESPONSIBILITY

Investigator Designation

(a) Level Green hazardous materials incidents shall be investigated by available personnel in the following priority order:

1. Beat Officer
2. Accident Investigator
3. Traffic Enforcement Officer

(b) Level Yellow hazardous materials incidents shall be investigated by available personnel in the following priority order:

1. Accident Investigator
2. Traffic Enforcement Officer
3. Beat Officer

(c) Level Red hazardous materials incidents shall be investigated by an Environmental Crimes Investigator, Accident Investigator or Traffic Enforcement Officer. An appropriate number of Traffic personnel shall be called to duty whenever necessary.

Investigative Responsibility

(a) The Police Department shall assume the role of primary investigator of hazardous materials incidents occurring within the City and within the scope of the City's authority. All Level Yellow and Level Red hazardous materials incidents shall be investigated and documented by designated Police Department personnel. Level Green hazardous materials incidents shall not require documentation unless required by the Collision Investigation Manual or associated with a reported crime.

(a) Documentation for incidents not falling under the above shall consist of information describing the incident and extent of clean-up for input in the "Remarks" section of CAD.

(b) Hazardous materials incident investigations, except those involving on-highway traffic collisions, shall be documented on the department's Case/Crime Report form (SRPD 251) utilizing the department's category reporting method.

(c) Investigations of on-highway traffic collisions involving or resulting in a hazardous materials incident shall be documented on the department's Traffic Collision Report form (CHP 555) utilizing the department's Class I Traffic Investigation format.

(d) Regardless of format type, a Hazardous Materials Incident Report shall contain a complete accounting of the incident and actions taken pursuant to it. In addition to regular investigative information, the following specific information shall be included:

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(a) An identification of the hazardous substances involved and the manner by which it was made.

(b) A detailed description of structural defects or deficiencies that may have contributed to the incident.

(c) A detailed review of any fatalities and/or injuries sustained by persons during or resulting from the incident.

(d) A description of environmental and property damage caused by the incident.

413.6.5 MEDIA REPRESENTATIVE DESIGNATION AND RESPONSIBILITIES

(a) During a Level Red incident, the Incident Commander shall designate a Police Department member as a media representative.

(b) The designated media representative shall be located at a site not an integral part of the Command Post although proximate to it.

(c) The designated media representative shall be responsible for:

1. Releasing appropriate information to the news media as directed by the Incident Commander.
2. Coordinating the needs of media representatives at the incident site.
3. Maintaining liaison with the Emergency Operations Center when operational.

413.6.6 COMMUNICATIONS CENTER RESPONSIBILITIES

(a) Immediately notify the on-duty patrol sergeant when advised of any Level Yellow or Level Red incident involving hazardous materials.

(b) Immediately dispatch the closest available Beat Officer to the scene to determine the hazard severity of the incident. The closest available Traffic Accident Investigator should be dispatched to Level Yellow and Level Red incidents. The closest available Beat Officer should be dispatched to Level Green incidents.

(c) Immediately dispatch a field supervisor to all Level Yellow and Level Red incidents. If available, a traffic supervisor should respond.

(d) Immediately notify the on-duty Communications Supervisor of the report of a hazardous materials incident. During Level Red incidents, a Communications Supervisor shall directly monitor incident related communications. If a Communications Supervisor is not on duty, a Lieutenant shall be so advised and make a decision as to the need for additional supervisor callouts.

(e) All information on hazardous materials incidents shall be documented in the "Remarks" section of CAD. Maintain a log of exact times, names of persons/agencies contacted, and exact information on any formal notification and requests for:

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1. Allied agency assistance.
2. Technical data.
3. Medical response.

(f) Upon confirmation of a Level Red incident, initiate a Code 33 on the channel designated by the Incident Commander. The designated channel shall serve as the primary radio communications link between the scene and the Communications Center. All other field radio traffic shall be conducted on a secondary channel designated by the Communications Center. Non-essential radio communications shall be kept to a minimum and every attempt shall be made to secure a phone link to the Command Post. The Communications Supervisor, or Watch Commander, will evaluate the need to staff the Communications Center with additional dispatchers to handle multiple communication channels.

(g) Notify the various City Department contacts based on type and location of hazardous materials incident and level (Green, Yellow or Red) as requested by the Incident Commander.

(h) All incidents documented in CAD as a hazardous materials incident shall be hard copied and included with the police report.

413.6.7 TRAFFIC TEAM

It is the intent of this plan to make the Traffic Team the primary department resource for the management of hazardous materials incidents, with the exception of incidents which are investigated by an Environmental Crimes Team investigator when available. Traffic Team personnel are assigned a variety of tasks by this plan and shall be responsible for task implementation.

413.6.8 TRAINING TEAM RESPONSIBILITIES

The Training Team shall ensure appropriate management and Traffic Team personnel receive professional training in handling hazardous materials incidents. Formal training shall be accomplished in accordance with the department's formal training plan.

In-service training for general patrol personnel shall be the responsibility of the Traffic Team which shall direct appropriate personnel to conduct necessary programs.

413.7 INCIDENT COMMANDER DESIGNATION AND RESPONSIBILITIES

(a) The Incident Commander for Level Yellow incidents shall be in priority order:

1. Traffic Sergeant
2. Patrol Sergeant

(b) The Level Yellow Incident Commander shall be located at the Field Command Post.

(c) The Incident Commander for Level Red incidents shall be in priority order:

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1. Field Services Division Watch Commander
2. Traffic Lieutenant
3. Traffic Sergeant
4. Investigative Service Division Environmental Crimes Team Supervisor
5. Patrol Sergeant

(d) Reasonable attempts shall be made to have a Lieutenant or the Environmental Crimes Team Supervisor assume Incident Commander status for Level Red incidents. The Level Red Incident Commander shall be located at the Field Command Post.

(e) The Incident Commander shall be responsible for the following.

1. Overall management of the incident.
2. Coordinating all personnel and resource needs.
3. Overseeing notification of appropriate public agencies (OES, CHP, SCSO, DFG, WQEB, etc.).
4. Overseeing notification of appropriate private agencies (PG&E, Chem-Trec, hazardous waste cleanup companies, etc.).
5. Ensuring appropriate containment and cleanup activities.
6. Declaring an incident site safe, based on input from the Fire Department, Public Health and Public Works.
7. Coordinating appropriate and timely news releases.
8. Hosting the Post-Incident Critique.
9. Writing the Post-Incident Critique Report and Incident Summary to the City Manager, City Attorney, and City Department Heads.

413.7.1 COMMAND POST

(a) The Command Post is the site where the Incident Commander directs operations to control and cleanup a hazardous materials incident. In most instances, the Command Post is established in the field proximate to the incident scene. During large or uncontrolled incidents, the Emergency Operations Center may become operative in conjunction with the Field Command Post.

(b) A Command Post shall be established for:

1. All Level Red incidents.
2. Level Yellow incidents when:
   (a) Personnel from other than the City of Santa Rosa are involved.

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(b) Conditions are such that coordination of incident management is necessary.

(c) Location of Command Post

(a) The Command Post shall be located outside of the inner-perimeter, but with the exception of the Emergency Operations Center, inside the outer-perimeter, upwind and upgrade.

(b) The area needs to be accessible to arriving and staging personnel and equipment.

(c) The size must be large enough to accommodate necessary personnel and equipment.

(d) The Command Post should be a secure area, not open to public access.

(e) During a Level Red incident with substantial environmental contamination or evacuation, a new and larger Incident Command Post shall be established away from the incident. The original Command Post shall be converted to an Operations Command Post.

(d) Command Post Personnel

(a) Incident Commander.

(b) A Unified Command Team consisting of representatives of other involved agencies.

(c) Technical experts.

(d) Log Officer.

(e) Security Officer.

(f) Other police personnel as necessary.

(e) Communications

(a) All attempts shall be made to secure phone lines for primary communications between the Command Post and other personnel. SRPD Radio Channel 1 shall be used for incident radio communications.

413.7.2 PERIMETERS

(a) Inner-Perimeter

1. The inner-perimeter is a geographic zone of control established around the immediate hazard site for the purposes of:

(a) Restricting entry into the hazard site by unauthorized unprotectively equipped persons.

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(b) Screening of persons attempting to leave the hazard zone who may be contaminated and/or injured.

(c) Providing information relative to the activity occurring within the hazard zone.

2. The inner-perimeter shall be determined by the size and scope of the hazardous materials incident, but as a rule should be established outside of the immediate hazard zone.

3. The inner-perimeter shall be maintained until the end of the incident and the site is declared safe.

(b) Outer-Perimeter

(a) The outer-perimeter is a secondary geographical zone of control established around the inner-perimeter for the purpose of:

(a) Restricting non-critical pedestrian and vehicular traffic from the emergency operations area.

(b) Securing areas for the staging of personnel and equipment.

(c) Providing an additional safety zone between the hazard site and non-involved persons.

(d) The outer-perimeter shall be determined by the size and scope of the hazardous materials incident, but as a rule should be established far enough from the hazard site that a later change of conditions does not require expansion of the perimeter.

(e) Any established decontamination area shall be located outside of the inner-perimeter but within the outer-perimeter.

413.7.3 EVACUATION TEAM RESPONSIBILITIES

When required, the Incident Commander shall designate an Evacuation Team led by a field supervisor who shall accomplish the safe and orderly evacuation of persons located within a potential hazard zone. The Evacuation Team may consist of Police, Fire, medical, or other qualified personnel. Evacuation of persons from within a contaminated zone shall only be undertaken by specifically trained and properly equipped personnel. Evacuation of persons outside of the contaminated zone but within a potential hazard zone shall be accomplished primarily by police personnel.

The team supervisor shall:

(a) Select and organize team staffing.

(b) Provide direction during the evacuation.

(c) Secure shelter for evacuees.

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(d) Notify the OES, Red Cross, etc., of evacuation needs.

(e) Attempt to secure the names of evacuees and their status.

413.8 ENVIRONMENTAL CRIMES INVESTIGATION GUIDELINES

413.8.1 FIELD SERVICES DIVISION RESPONSIBILITIES

(a) Primary responsibility for the initial/preliminary investigation of environmental crimes occurring within the City of Santa Rosa rests with the Field Services Division of the Santa Rosa Police Department.

1. Because of the multitude of public agencies involved in the enforcement of environmental laws, the Police Department shall focus its investigative resources on those incidents where a clear violation of criminal law is believed to exist and where no other criminal investigative agency is charged with conducting the investigation.

2. The investigation of environmental law violations for the purpose of regulatory, administrative and/or civil sanctions may occur as part of the environmental investigation process but shall be secondary to criminal enforcement efforts.

3. It shall be the practice of the Police Department to recover from the person, business or entity responsible for the environmental crime incident all lawfully permissible personnel and resource costs associated with the investigation.

(b) Environmental crimes investigations may be undertaken by any officer and in such manner as is consistent with the practices used in any other criminal investigation. Officers conducting environmental crimes investigations, however, shall be cognizant of potential toxic hazards and not engage in investigative activities without following appropriate safety precautions.

1. In most circumstances, a traffic or patrol officer shall be able to conduct and document the basic crime investigation. Should additional follow-up be required, or if the incident is of such scope or complexity that specific technical expertise is necessitated, the investigation shall be referred to the Environmental Crimes Team.

2. Environmental crimes shall be formally documented by a written report and in such manner as is consistent with the department's Report Writing Manual.

   (a) A Time Sheet For Cost Recovery Events (SRPD 292) shall be completed by the primary investigating officer and attached to the completed crime report.

3. Officers conducting an investigation involving the unauthorized release of hazardous materials shall ensure Fire Department personnel are provided adequate information so that the requirements of Health and Safety

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Code § 25180.7 (Proposition 65) are met. Should an officer conduct an investigation of an unauthorized release of hazardous materials where no Fire Department personnel are present, the officer shall complete the Proposition 65 Unauthorized Hazardous Waste Discharge Report Form (SRFD 120), place it with the Crime Case Report, and route copies of both to the Environmental Crimes Team supervisor and the Fire Marshal.

(c) Priority of field assignment to an environmental crimes investigation shall be as follows whenever the noted personnel are on duty and available.

(a) Accident Investigator.

(b) Traffic Officer.

(c) Beat Officer.

(d) In incidents involving a potential for substantial environmental contamination or evacuation, the Environmental Crimes Team investigator will be notified and respond if available.

(d) The Environmental Crimes Team has one primary investigator assigned to the Property Crime Investigations Team, and one collateral duty investigator in the Field Services Division who is designated as an environmental crimes investigator, although his/her primary duties shall remain as a patrol and/or traffic officer.

(e) Environmental Crimes investigators shall:

(a) Conduct investigations that involve significant hazardous materials incidents.

(b) Conduct environmental crimes investigations that:

(a) They uncover; or,

(b) Are beyond the scope of patrol or traffic officers; or,

(c) Are referred by other City Departments or investigative/regulatory agencies.

(c) Attend meetings and maintain liaisons with other criminal and regulatory investigators in order to exchange pertinent information and gain task-specific knowledge. Examples of such meetings are those held by the Santa Rosa Environmental Task Force, the Sonoma County Environmental Crimes Task Force, and the California Hazardous Materials Investigations Association.

(d) Provide training to other enforcement personnel.

(f) Collateral duty environmental crimes investigators work under the immediate direction of their respective patrol or traffic team supervisor. The investigators, however, shall also maintain a close liaison with the supervisor managing the environmental crimes investigation process who shall in turn ensure the investigator's immediate team supervisor is aware of on-going environmental crime investigative responsibilities.

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(g) Environmental Crimes Team investigator(s) shall be called to duty whenever the Environmental Crimes Team supervisor deems it appropriate as part of a significant environmental crime or hazardous materials incident.

1. The Environmental Crimes Team supervisor shall be notified of an investigative call-out.
2. The call-out and notification process shall be directed by the on-duty sergeant or supervisor in charge.

413.8.2 SPECIAL SERVICES DIVISION RESPONSIBILITIES

(a) Special Services Division personnel shall lend assistance to the investigation of environmental crimes when resources in addition to those available from the Field Services Division are needed.

(b) The Property Crime Investigations Team supervisor shall provide first line supervision of the Environmental Crimes Team. The sergeant shall be designated as the Environmental Crimes Team supervisor and shall be responsible for the following:

1. When available, respond to significant environmental crime or hazardous materials incidents.
2. Assignment of investigations to the environmental crimes investigators.
3. Review and management of the investigative process.
4. Review and/or approval of environmental crimes case reports and hazardous materials incident reports.
5. Identify training and resource needs.
6. Maintain liaison with the Sonoma County District Attorney's Environmental Prosecution Unit and other City and allied environmental enforcement and regulatory investigatory personnel.
7. Coordinate the cost recovery process.
8. Ensure that a file of all environmental crimes and hazardous materials incidents investigations are maintained.

(c) The Investigative Bureau lieutenant shall be responsible for overall management of the Environmental Crimes Team. The lieutenant shall be designated as the Environmental Crimes Team manager and shall be responsible for the following:

1. When available, respond to significant environmental crime or hazardous materials incidents.
2. Review and oversight of the environmental crimes investigative process.
3. Attempt to secure identified training, resource and personnel needs.

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4. Recommend the selection of personnel as environmental crimes investigators.
5. Maintain managerial liaison with the Sonoma County District Attorney's Environmental Prosecution Unit and other City and allied environmental enforcement and regulatory investigative personnel.

413.8.3 TECHNICAL SERVICES DIVISION RESPONSIBILITIES

Records Bureau personnel shall route copies of all environmental crime and hazardous materials incident reports to the Environmental Crimes Team supervisor.

Communications Bureau personnel shall route copies of environmental crime and hazardous materials incident CAD printouts to the Environmental Crimes Team supervisor.

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Response to Bomb Calls

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Santa Rosa Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents, or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

416.2 POLICY

It is the policy of the Santa Rosa Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

416.3 RECEIPT OF BOMB THREAT

Department employees receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The employee receiving the bomb threat should ensure an on-duty supervisor is immediately advised and informed of the details. This will enable the on-duty supervisor to ensure the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

416.3.1 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

416.3.2 SANTA ROSA POLICE DEPARTMENT FACILITY

If the bomb threat is against the Santa Rosa Police Department facility, the on-duty sergeant will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

416.3.3 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Santa Rosa Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the on-duty sergeant deems appropriate.

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416.3.4 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

416.4 PRIVATE FACILITY OR PROPERTY

When an employee of this department receives notification of a bomb threat at a location in the City of Santa Rosa, the employee receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.

(b) The nature of the threat.

(c) Whether the type and detonation time of the device is known.

(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.

(e) Whether the individual is requesting police assistance at the facility.

(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The employee receiving the bomb threat information should ensure the on-duty sergeant is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

416.4.1 ASSISTANCE

The on-duty sergeant should be notified when police assistance is requested. The on-duty sergeant will make the decision whether the department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the on-duty sergeant determine that the department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.

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(b) The plan for assistance.

(c) Whether to evacuate and/or search the facility.

(d) Whether to involve facility staff in the search or evacuation of the building.

1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
2. The safety of all participants is the paramount concern.

(e) The need for additional resources, including:

1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

416.5 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:

1. Two-way radios
2. Cell phones
3. Other personal communication devices

(d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone. Keep in mind that for devices from pipe bomb sized to a briefcase containing explosives, the evacuation zone considered mandatory is 70-150 feet respectively, and the shelter in place order is from 71-1,849 feet according to Department of Homeland Security and FBI guidelines.

(f) A safe access route should be provided for support personnel and equipment.

(g) Search the area for secondary devices as appropriate and based upon available resources.

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(h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(i) Promptly relay available information to the on-duty sergeant including:

1. The time of discovery.
2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

416.6 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

416.6.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid.

(d) Identify and take appropriate precautions to mitigate scene hazards, such as secondary devices, collapsed structures, bloodborne pathogens, and hazardous materials.

(e) Assist with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate if necessary.

(i) Identify witnesses.

416.6.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire Department
- Bomb Squad
- Additional department personnel, such as investigators and forensic services
- Field Supervisor

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- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

416.6.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practical given the available resources and personnel.

416.6.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The on-duty supervisor or designee should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

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Mental Illness Commitments

418.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

418.2 POLICY

It is the policy of the Santa Rosa Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process. This includes the use of the Mobile Support Team (MST), use of the Crisis Stabilization Unit (CSU), medical facilities, and the Sonoma County Jail for criminal offenses.

Santa Rosa police officers shall not be responsible for conducting 5150 WIC evaluations at locations authorized by Sonoma County Mental Health to place 72-hour holds (i.e., Sutter, Kaiser, and Memorial Hospitals).

Persons who do not have signs of obvious trauma may still require medical clearance prior to admittance at the CSU. Officers shall call the CSU charge nurse prior to transporting any person to the CSU to determine whether or not they will require a medical clearance. Once a patient is secured by staff at CSU or at a medical facility the officer may clear the call.

Officers shall document all involuntary commitments in a crime report, attaching a copy of the 72-hour application for assessment, evaluation, and crisis intervention form (DHCS 1801).

418.3 AUTHORITY

An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

(a) An individual who is providing or has provided mental health treatment or related support services to the person

(b) A family member

(c) The person subject to the determination or anyone designated by the person

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418.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

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Security, Hospitalized Suspects/Victims

419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures to guard, when necessary, suspects and arrestees requiring hospitalization.

Adopted 1-31-17 by Chief Robert L. Schreeder.

Revised 3-21-17 by Chief Robert L. Schreeder.

419.2 OVERVIEW

When an injured or ill suspect is an admitted patient of a hospital, the investigating officer may, after consulting with a supervisor:

(a) Have the hospital contact the Santa Rosa Police Department when the suspect is ready for release and arrest the suspect at that time; or,

(b) Submit a police report to the Sonoma County District Attorney's Office requesting a complaint be issued; or,

(c) Arrest the suspect, and:

1. Issue the suspect a citation to appear; or,
2. Guard the suspect until the suspect is discharged from the hospital, and then book the suspect into the Sonoma County Jail. If guard service of an arrestee requires the services of a police officer for more than 24 hours, the sergeant approving such guard service shall contact a lieutenant for approval to extend the guard service past the 24 hour period. If guard service of an arrestee is better served by a private security officer, the sergeant requesting such private guard service shall contact a lieutenant for approval.

(d) Officers shall not sign hospital or medical forms indicating the Santa Rosa Police Department or City of Santa Rosa is responsible for or accepting medical billing. If such a request is made of an officer, the officer shall contact a sergeant for direction.

419.3 PROCEDURE

(a) If the investigating officer requests the hospital contact SRPD when the suspect is ready for release, the investigating officer shall file a formal written request (Notification of Patient Release) with the hospital, notifying them of the agency to be notified, the individual to contact, a telephone number, and instructions to call SRPD when the suspect is ready for release or is being transferred to another facility.

(b) When notified the suspect is ready for release, SRPD shall have an officer go to the hospital to arrest the suspect and take the suspect to the Sonoma County Jail for booking.

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(c) If the investigating officer chooses to file a request for a complaint, routine procedures for requesting a complaint shall be followed.

(d) The investigating officer, after consulting with a supervisor, may choose to arrest the suspect.

1. The arresting officer may issue the suspect a citation to appear in accordance with Cite and Release Policy 420.

   (a) If the suspect is unable to sign the citation because of injuries, the arresting officer shall complete the citation and enter on the signature line "Unable to sign due to injuries." A copy of the completed citation shall be placed with the suspect's property at the hospital.

2. The arresting officer may decide it is necessary to guard the suspect. The on-duty sergeant shall be notified and determine the necessity of assigning a security guard or police officer to guard the suspect.

   (a) The necessity of the assignment will be determined by:

      1. The suspect's potential of danger to himself/herself or others.
      2. The medical condition of the suspect.
      3. The potential for escape.
      4. The seriousness of the crime(s) committed.

   (b) If the sergeant decides a guard is appropriate, a security guard or police officer shall be assigned to guard duty.

      1. If a private security guard is required, the supervisor shall contact a lieutenant for approval prior to the private security guard assignment.
      2. If guard duty conducted by a police officer is going to exceed 24 hours, the supervisor shall notify a lieutenant.

   (c) The sergeant or supervising detective sergeant shall designate an investigating detective or officer who shall complete the probable cause form and contact the on-call judge directly.

      1. If the judge determines there is sufficient probable cause to hold the suspect, SRPD will file the paperwork with the District Attorney's Office.
      2. The District Attorney's Office will schedule an arraignment, to be held at the hospital if necessary.

(e) If a suspect is comatose and offers no immediate threat to others, the need for immediate security is probably not present.

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(f) If the person has been a victim or witness of a serious crime and the person's safety may be in danger, the supervisor shall make the determination of whether or not to provide security. If security is provided, it shall be provided by a private security company or by SRPD personnel as outlined in this policy.

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Cite and Release Policy

420.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal offense on a written notice to appear (citation) and when to hold for court or bail.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 2-26-16 by Chief Robert L. Schreeder.

Revised 3-21-17 by Chief Robert L. Schreeder.

Revised 8-1-19 by Chief Robert L. Schreeder.

420.2 POLICY

It is the policy of the Santa Rosa Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

420.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private person’s arrest, shall be released from custody on a citation (Penal Code § 853.6). The citing officer shall at the time the defendant signs the notice to appear call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

420.3.1 FIELD CITATIONS

In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practical or immediately required; provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual, and none of the below described disqualifying circumstances are present (Penal Code § 853.6, Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

420.3.2 DISQUALIFYING CIRCUMSTANCES

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking:

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Disqualifying offenses include (Penal Code § 1270.1):

(a) Misdemeanor domestic battery (Penal Code § 243(e)(1)).

(b) Felony domestic battery (Penal Code § 273.5).

(c) Serious or violent felonies (Penal Code § 1270.1(a)(1)).

(d) Violation of a protective order and the arrested person has made threats, used violence or has gone to the protected person's workplace or residence (Penal Code § 273.6).

(e) Stalking (Penal Code § 646.9).

(f) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6).

420.3.3 REASONS FOR NON-RELEASE

A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release.A supervisor may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the department and does not present an unreasonable risk to the community.

Reasons for non-release include (Penal Code § 853.6(i)):

(a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.

(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety.

1. The Santa Rosa Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).

(c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302, 40303 and 40305.

(d) The person could not provide satisfactory evidence of personal identification.

1. If a supervisor authorizes the release of a person on citation who does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.

(e) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

(f) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.

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(g) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

(h) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented.Reasons may include:

1. Previous failure to appear is on record.
2. The person lacks ties to the area.
3. Circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation.

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form.

420.4 CITATION RELEASE FOR A FELONY OFFENSE

In general, the practice of releasing a suspect arrested for a felony violation with a citation should be avoided unless special circumstances exist. In all cases, citations for felony crimes will not be issued without supervisor approval. A case number shall be drawn and a crime case report completed in all instances in which a suspect arrested for a felony is released with a citation. The reason for releasing the suspect with a citation and the supervisor approving the release shall be documented in the police report. When considering the release of a suspect arrested for a felony violation with a citation, all the following shall apply:

(a) All disqualifying circumstances listed in section 420.3.2 shall apply.

(b) All other reasons for non-release listed in section 420.3.3 shall apply.

(c) Procedures outlined in section 420.6 shall be followed when applicable.

(d) Suspects arrested for felony DUI violations shall not be released with a citation.

(e) Suspects arrested for violent felonies shall not be released with a citation.

(f) Suspects already on parole or felony probation shall not be released with a citation.

(g) The suspect's criminal history will be reviewed to help determine if the suspect could present an immediate threat to public safety prior to release with a citation.

420.5 DO NOT CITE WARRANTS

Officers do not have the discretion to cite and release suspects who have "Do Not Cite" arrest warrants. If a circumstance should arise in which an officer believes it is necessary to issue a citation to a suspect with a "Do Not Cite" warrant, a supervisor shall be contacted for approval. The on-call judge shall then be contacted and asked to give authorization for the release of the suspect with a citation.

420.6 REQUESTING CASE NUMBERS

Some cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the

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Records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.

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Issuance of Detention Certificates

421.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the issuance of a Detention Certificate when an arrested person is released pursuant to Penal Code §§ 849(b)(1) or 849(b)(3), or is released and no accusatory pleading is filed charging the individual with an offense. Adherence to the procedure set forth in this policy shall ensure timely and appropriate compliance with Penal Code § 851.6.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

421.2 POLICY

Penal Code § 851.6 mandates that the released person shall be given a Detention Certificate describing the action as a detention.

Release of a person following arrest pursuant to the conditions set forth in this policy requires the arrest be reclassified as a detention for reporting purposes.

The form and content of the Detention Certificate is prescribed by the Attorney General as required by Penal Code § 851.6(c), (SRPD Form 151).

421.3 PROCEDURE

(a) Whenever an arrested person is released by an officer pursuant to Penal Code §§ 849(b)(1) or 849(b)(3), the arrestee shall be issued a Detention Certificate (Form SRPD 151) signed by the releasing officer or his/her supervisor, and the original copy of the form shall be attached to the original report of the incident.

(b) In the event a complaint is denied by the Sonoma County District Attorney's Office following an arrest, or upon notification of the successful completion of the adult Diversion Services pre-filing diversion program after an arrest, the Court Liaison shall route a copy of the denial to the box in the Records Bureau labeled "Detention Certificates".

(c) A Detention Certificate shall be initiated and routed to the arresting officer's designated supervisor for review and signature.

(d) Upon completion of the Detention Certificate, it shall be returned to the Records Bureau for distribution, including issuance to the arrestee.

(e) After issuance of a Detention Certificate, the arrest shall be deemed a detention and so noted in any future reference to the incident.

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421.4 RESPONSIBILITY FOR RELEASE OF PERSONS ARRESTED FOR ALCOHOL RELATED OFFENSES

Officers making preliminary contact with a responsible party who is willing to accept custody of a person arrested for an alcohol related offense shall inform the potential custodian of the requirement to sign the Agreement to Accept Responsibility form.

Officers shall complete, date, and witness the signatures of the custodian and arrestee on the Agreement to Accept Responsibility. Distribution of the Agreement shall be as follows:

(a) White copy - Attach to report

(b) Yellow copy - Custodian

(c) Pink Copy - Arrestee

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Foreign Diplomatic and Consular Representatives

422.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Santa Rosa Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

Adopted 1-31-17 by Chief Robert L. Schreeder.

422.2 POLICY

The Santa Rosa Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

422.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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422.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members.
2. Diplomatic agents and recognized family members.
3. Members of administrative and technical staff of a diplomatic mission and recognized family members.
4. Career consular officers, unless the person is the subject of a felony warrant.

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations.
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers.
5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.

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422.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

422.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability

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Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

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Reporting Police Activity Outside of Jurisdiction

426.1 PURPOSE AND SCOPE

The purpose of this policy is to implement a policy for investigating violent crimes where jurisdiction is in question. This policy provides general guidelines for reporting police activity while on or off duty and occurring outside the jurisdiction of the Santa Rosa Police Department.

The intent of this policy is to insure victims of violent crimes receive immediate attention. It is also intended to insure the identification of witnesses, suspects and evidence to aid in the satisfactory prosecution of the case regardless of jurisdiction.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

426.2 PROCEDURE

The Watch Commander or supervisor in charge is responsible to assure the guidelines set forth in this policy are followed.

(a) Any officer or employee receiving a report of a violent crime wherein jurisdiction is in question shall:

1. Assure a police officer is assigned the incident.
2. Notify the on-duty supervisor of the incident.

(b) Any officer assigned such a case shall:

1. Provide for medical attention to any victim in need.
2. Collect and preserve any evidence which could be destroyed or contaminated if delay occurs.
3. Identify and solicit cooperation of any witnesses in the vicinity.
4. Identify and detain any suspects in the vicinity.

(c) A supervisor shall, as soon as possible, notify the agency in whose jurisdiction the crime may have occurred.

1. If multiple crimes have occurred, the agency with the most serious offense will assume the responsibility for the investigation.

426.3 DISPUTES OVER JURISDICTION

The Watch Commander or supervisor shall confer with the highest ranking officer in the other agency if dispute over jurisdiction is an issue.

If no satisfactory decision regarding jurisdiction is reached as a result of this conference, it shall be the responsibility of the Watch Commander or supervisor to assume jurisdiction on behalf of the Santa Rosa Police Department.

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426.4 NOTIFICATION FROM ANOTHER AGENCY THAT CRIME OCCURRED IN SANTA ROSA

A supervisor shall be notified immediately of a crime reported to another jurisdiction that occurred in Santa Rosa.

The supervisor shall have officers from the Santa Rosa Police Department respond as soon as possible to relieve the other agency from prolonged involvement in the case.

426.5 REPORTS

When an officer of this department initiates a preliminary investigation which is then transferred to another agency, the officer shall prepare a written report of all investigative steps, interviews and evidence collected.

A copy of the report shall be completed, approved by a supervisor and made available to the agency having jurisdiction prior to the officer's end of shift.

426.6 ASSISTANCE TO AGENCIES OUTSIDE THE CITY

When an officer is on duty and requested by an allied agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from their immediate supervisor or the Watch Commander. If the request is of an emergency nature, the officer shall notify Communications before responding and thereafter notify a supervisor as soon as practical.

426.7 LAW ENFORCEMENT ACTIVITY OUTSIDE THE CITY

Any on-duty officer who engages in law enforcement activities of any type outside the immediate jurisdiction of the City of Santa Rosa shall notify his or her supervisor or the Watch Commander at the earliest possible opportunity. Any off-duty officer who engages in any law enforcement activities, regardless of jurisdiction shall notify the Watch Commander as soon as practical.

The supervisor shall determine if a case report or other documentation of the officer's activity is required. The report or other documentation shall be forwarded to the officer's Division Manager.

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Immigration Violations

428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Santa Rosa Police Department for investigating and enforcing immigration laws.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

428.2 POLICY

It is the policy of the Santa Rosa Police Department that all members make professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

Officers will not contact, detain, question or arrest an individual solely based on a suspected undocumented immigration status or seek to discover the immigration status of an individual. Pursuant to Government Code §§ 7282 and 7282.5, no individual who is otherwise ready to be released from custody by this department should continue to be detained for the sole purpose of notifying immigration authorities.

In some circumstances, to preserve public safety it may be necessary for this department to coordinate with, share, or gather intelligence from federal agencies in order to apprehend a violent offender. This coordination will occur only for the purpose of furthering the underlying criminal investigation.

428.3 DETERMINATION OF IMMIGRANT STATUS

Determination of immigration status is primarily the jurisdiction of the U.S. Immigration and Customs Enforcement (I.C.E.); United States Code Title 8 § 1304(e).

428.4 REQUESTS FOR ASSISTANCE BY FEDERAL AGENCIES

The Santa Rosa Police Department shall not undertake joint efforts with federal, state or local law enforcement agencies to investigate, detain or arrest individuals solely for violation of federal immigration law.

Nothing in this policy is intended to prevent police officers from responding to requests for assistance in connection with officer safety, traffic control, or peacekeeping efforts to maintain the overall health and safety of the public.

Requests by I.C.E. for assistance from this department shall be directed to a Watch Commander for approval. The department may provide available services where necessary to maintain the overall health and safety of the public.

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428.5 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary for this department to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color, ethnicity or national origin in any way that would violate the United States or California Constitutions.

428.6 U VISA AND T VISA LAW ENFORCEMENT CERTIFICATION PROCESS

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000 is a federal law that allows for temporary immigration benefits to individuals without immigration status who are victims of specified crimes (8 USC § 1101(a)(15)(U)). Under the VTVPA, an immigrant victim of certain crimes may file a petition for U Nonimmigrant Status (Form I-918 Supplement B), known as a U Visa, with the United States Citizenship Immigration Services (USCIS). Prior to sending the petition to the USCIS, the victim or that person's attorney must submit the completed form to a certifying agency for a law enforcement certification. The form is reviewed by the agency's certifying official to determine if it meets the criteria for an approved certification.

Under Penal Code § 679.10(1), this department is a certifying agency for U Visa petitions. The requirements set forth in this policy in the sections below shall govern this department's certification of the U Visa certification process.

Similar immigration protection, known as a T Visa, is available for certain victims of human trafficking (8 USC § 1101(a)(15)(TU). T Visa petitions shall be subject to the same certification requirements that govern this department's certification of U Visas.

428.6.1 REVIEW BY CERTIFYING OFFICIAL

Any certification requests this department receives for certification of a U or T Visa petition shall be forwarded in a timely manner to the Domestic Violence Sexual Assault Investigations Team supervisor, whom the Chief of Police has designated as the sole U and T Visa petition certifying official for the department pursuant to Penal Code § 679.10(b)(2). The supervisor shall:

(a) Be familiar with and understand the instructions for completing certifications, which can be found on the U.S. Department of Homeland Security (DHS) website.

(b) Review the report of the alleged crime that forms the basis for U or T Visa. If the alleged crime is still being investigated, consult with the assigned investigator to determine the current status of the case and whether further documentation is warranted. While reviewing the incident, the supervisor will determine if the following criteria is met:

1. A qualifying criminal activity has occurred;
2. The victim has/had information about the criminal activity;
3. The victim was/is helpful in the detection, investigation, prosecution, conviction, or sentencing of criminal activity, and responded to reasonable requests for assistance by law enforcement.

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(c) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the victim is/was helpful with the prosecutor's office.

(d) Prepare an attachment to the I-918 Supplement B (for a U Visa) and Form I-914 Supplement B (for a T Visa) that summarizes the incident and any findings related to whether the qualifying criteria has been met. Reasons for refusal to certify must be listed explicitly in the attachment.

(e) If applicable, approve the certification by signing where indicated and return the form(s) to the victim or that person's attorney.

A current investigation, the filing of charges, a prosecution or conviction is not required for the certifying official to approve the law enforcement certification.

428.6.2 REVIEW AND REPORTING REQUIREMENTS

The certifying official shall review the submitted documents required for U Visa or T Visa applications pursuant to Penal Code §§ 679.10 and 679.11 within ninety (90) days of a request from the victim, or that person's family or attorney. If the victim is in removal proceedings, the certification shall be processed within fourteen (14) days of the request.

Pursuant to Penal Code § 236.5, when this department encounters a victim of human trafficking, the certifying official shall be notified and complete the above process and the documents needed for a T Visa application within fifteen (15) business days of the department's first encounter with the victim, regardless of whether the victim has requested certification of a T Visa application.

428.6.3 ANNUAL REPORTING TO LEGISLATURE

The department's certifying official shall report to the Legislature the number of victims that requested U or T Visa certifications, the number of those certification applications that were approved, and the number that were denied. Pursuant to Penal Code § 679.10(l), this report shall be completed annually, on or before January 1st, and shall comply with Government Code § 9795.

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Field Training Officer Program

436.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide standardized training for new officers who have come to this department as a police academy graduate or with prior law enforcement experience. The primary goal is to train the new officer to be capable of performing solo patrol officer law enforcement duties at an acceptable level for the City of Santa Rosa.

It is the policy of this department to assign all new police officers to a structured Field Training Program (FTP) designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, productive and professional manner.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 6-30-17 by Chief Robert L. Schreeder.

436.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training, and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

436.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

(a) The immediate supervisor of an applying officer shall prepare a written memorandum detailing the applicant's general qualifications and include a statement of recommendation, pro or con. In instances when an applicant has been working for his/her immediate supervisor for less than three months, the previous supervisor shall prepare the qualification memorandum.

(b) Applicants must have a minimum of three years of police experience. Completion of probation is not necessary but may be a factor in selection.

(c) Applicants must have demonstrated good interpersonal skills and teaching ability.

(d) Applicants must have demonstrated good writing skills.

(e) An interview will be conducted of all qualified applicants to access qualifications.

(f) Based upon consideration and review of the above, the Program Coordinator (Lieutenant) shall forward the name(s) of the recommended officers to the Field Services Division Manager (Captain) for selection approval.

(g) Retention:

1. FTOs shall receive a performance rating of "Meets or Exceeds Expectations" in all Key Areas of Responsibility on performance evaluations. Failure to meet this expectation may result in suspension or removal from the FTO Program.

2. FTO retention shall follow the procedures outlined in Lexipol Policy 1028 – Special and Collateral Assignments.

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436.2.2 TRAINING
An officer selected as a Field Training Officer shall successfully complete a POST certified (40 hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTO's must complete a Field Training Officer update course every three years while assigned to the position of FTO.

All FTO's must successfully complete a POST certified 8 hour Crisis Intervention Training (CIT) Course within six months of being selected as an FTO pursuant to Penal Code 13515.28.

436.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
A Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Field Services Division Manager (Captain) or his/her designee.

The responsibilities of the FTO Program Sergeant include the following:

(a) Assignment of trainees to FTOs.

(b) Conduct FTO meetings.

(c) Maintain and ensure FTO/Trainee performance evaluations are completed.

(d) Maintain, update and issue the Field Training Manual to each trainee.

(e) Monitor individual FTO performance.

(f) Monitor overall FTO Program.

(g) Maintain liaison with FTO Coordinators of other agencies.

(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

An FTO Program supervisor will be required to successfully complete a POST approved Field Training Administrator's Course within one year of appointment to this position.

436.4 TRAINEE DEFINED
A Trainee is any entry level or lateral police officer newly appointed to the Santa Rosa Police Department who has successfully completed a POST approved Basic Academy.

436.5 REQUIRED TRAINING
Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of ten (10) weeks.

The training period for a lateral officer may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight (8) weeks.

To the extent practicable, entry level and lateral officers should be assigned to a variety of FTOs, shifts and geographical areas during their FTO program.

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436.5.1 FIELD TRAINING MANUAL
Each new officer will be issued a Field Training Manual at the beginning of his/her primary training phase. This manual can be a hard copy or computerized version. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Santa Rosa Police Department. The officer shall become knowledgeable of the subject matter as outlined. The officer shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations adopted by the Santa Rosa Police Department.

436.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.

436.6.1 FIELD TRAINING OFFICER
The FTO will be responsible for the following:

(a) FTOs shall complete and submit Daily Observation Reports on the performance of their assigned trainee to their immediate FTP supervisor on a daily basis.

(b) FTOs shall review the Daily Observation Reports (DORs) with the trainee each day.

(c) A detailed end-of-phase performance evaluation on his/her assigned trainee shall be completed by the FTO at the end of each phase of training.

(d) FTOs shall be responsible for signing off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of their assigned trainee.

436.6.2 IMMEDIATE SUPERVISOR
The immediate FTP supervisor shall review and approve the DORs and forward them to the Field Training Administrator.

436.6.3 FIELD TRAINING ADMINISTRATOR

(a) The FTP Administrator will be selected from the rank of Lieutenant by the Field Services Division Captain or his/her designee.

(b) The FTP Administrator shall have the responsibility of overall management and administration of all aspects of the Field Training Program.

(c) The FTP Administrator shall review for his/her approval all FTP supervisor bi-weekly reports, end of phase reports, and completion/competency attestation forms on all trainees.

436.6.4 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a performance evaluation on each of his/her FTOs and on the Field Training Program.

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436.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's field training program file and will consist of the following:

(a) Daily Observation Reports (DORs).

(b) Bi-weekly reports.

(c) Supervisor's bi-weekly reports.

(d) A Certificate of Completion certifying the trainee has successfully completed the required number of hours of field training.

436.8 TRAINEE COURT APPEARANCES

Trainees shall be accompanied by an FTO to court appearances. Based on a trainee's experience a supervisor may authorize a trainee to attend court without an FTO.

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FET and CSO Training Program

437.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide standardized training for new Field and Evidence Technicians (FET) and Community Service Officers (CSO). The primary goal is to train the new FET/CSO to be capable of performing solo FET/CSO duties at an acceptable level for the City of Santa Rosa.

It is the policy of this department to assign all new FETs/CSOs to a structured Field Training Program (FTP) designed to prepare the new FET/CSO to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

Adopted 6-30-17 by Chief Robert L. Schreeder.

437.2 FET/CSO TRAINER - SELECTION AND TRAINING

The FET/CSO Trainer is an experienced FET/CSO trained in the art of supervising, training, and evaluating entry level FETs/CSOs in the application of their job duties while in the Field Training Program.

437.2.1 SELECTION PROCESS

FET/CSO Trainers will be selected based on the following requirements:

(a) The immediate supervisor of an applying FET/CSO shall prepare a written memorandum detailing the applicant's general qualifications and include a statement of recommendation, pro or con. In instances when an applicant has been working for his/her immediate supervisor for less than three months, the previous supervisor shall prepare the qualification memorandum.

(b) Applicants must have a minimum of three years of FET/CSO experience. Completion of probation is not necessary but may be a factor in selection.

(c) Applicants must have demonstrated good interpersonal skills and teaching ability.

(d) Applicants must have demonstrated good writing skills.

(e) An interview will be conducted of all qualified applicants to access qualifications.

(f) Based upon consideration and review of the above, the Program Coordinator (Lieutenant) shall forward the name(s) of the recommended FETs/CSOs to the Field Services Division Manager (Captain) for selection approval.

(g) Retention:

1. All FET/CSO Trainers shall receive a performance rating of "Meets or Exceeds Expectations" in all Key Areas of Responsibility on performance evaluations. Failure to meet this expectation may result in suspension or removal from the Field Training Program.

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437.2.2 TRAINING
An FET/CSO selected as a Trainer shall successfully complete a POST certified (40 hour) Field Training Course prior to being assigned as an FET/CSO Trainer.

All FET/CSO Trainers must complete a Field Training update course every three years while assigned to the position of FET/CSO Trainer.

437.3 FET/CSO TRAINER PROGRAM SUPERVISOR

An FET/CSO Training Program supervisor will be selected from the rank of sergeant or above by the Field Services Division Manager (Captain) or his/her designee.

The responsibilities of the FET/CSO Training Program Sergeant include the following:

(a) Assignment of trainees to FET/CSO Trainers.

(b) Conduct FET/CSO Trainer meetings.

(c) Maintain and ensure FET/CSO Trainee performance evaluations are completed.

(d) Maintain, update and issue the Field Training Manual to each trainee.

(e) Monitor individual FET/CSO Trainer performance.

(f) Monitor overall Field Training Program.

(g) Maintain liaison with FET/CSO Training Program Coordinators of other agencies.

(h) Develop ongoing training for FET/CSO Trainers.

437.4 TRAINEE DEFINED

A Trainee is any entry level or lateral FET/CSO newly appointed to the position.

437.5 REQUIRED TRAINING

Entry level FETs/CSOs shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks.

The training period for a lateral FET/CSO may be modified depending on the trainee's demonstrated performance and level of experience.

To the extent practicable, entry level and lateral FETs/CSOs should be assigned to a variety of trainers, shifts and geographical areas during their Field Training Program.

437.5.1 FIELD TRAINING MANUAL
Each new FET/CSO will be issued a Field Training Manual at the beginning of his/her primary training phase. This manual can be a hard copy or computerized version. This manual is an outline of the subject matter and/or skills necessary to properly function as an FET/CSO with the Santa Rosa Police Department. The FET/CSO shall become knowledgeable of the subject matter as outlined. The FET/CSO shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations adopted by the Santa Rosa Police Department.

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437.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

437.6.1 FIELD TRAINING OFFICER

(a) FET/CSO Trainers shall complete and submit Daily Observation Reports on the performance of their assigned trainee to their immediate FTP supervisor on a daily basis.

(b) FET/CSO Trainers shall review the Daily Observation Reports (DORs) with the trainee each day.

(c) A detailed end-of-phase performance evaluation on his/her assigned trainee shall be completed by the FET/CSO Trainer at the end of each phase of training.

(d) FET/CSO Trainers shall be responsible for signing off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of their assigned trainee.

437.6.2 IMMEDIATE SUPERVISOR

The immediate FTP supervisor shall review and approve the DORs and forward them to the Field Training Administrator.

437.6.3 FIELD TRAINING PROGRAM (FTP) ADMINISTRATOR

(a) The FTP Administrator will be selected from the rank of Lieutenant by the Field Services Division Captain or his/her designee.

(b) The FTP Administrator shall have the responsibility of overall management and administration of all aspects of the Field Training Program.

(c) The FTP Administrator shall review for his/her approval all FTP supervisor bi-weekly reports, end of phase reports, and completion/competency attestation forms on all trainees.

437.6.4 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a performance evaluation on each of his/her FET/CSO Trainers and on the Field Training Program.

437.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the FET/CSO field training program file and will consist of the following:

(a) Daily Observation Reports (DORs).

(b) Bi-weekly reports.

(c) Supervisor’s bi-weekly reports.

(d) A Certificate of Completion certifying the trainee has successfully completed the required number of hours of field training.

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437.8 TRAINEE COURT APPEARANCES

Trainees shall be accompanied by an FET/CSO Trainer to court appearances. Based on a trainee's experience a supervisor may authorize a trainee to attend court without an FET/CSO Trainer.

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Detentions and Photographing Detainees

440.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for conducting field interviews (FI), pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available to him/her at the time of the detention.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

440.2 DEFINITIONS

Detention - Occurs when an officer intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person's freedom of movement.

Consensual Encounter - Occurs when an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field Interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

Field Photographs - Field photographs are defined as posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Body-Worn Camera (BWC) system when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-Down Search - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable Suspicion - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

440.3 FIELD INTERVIEWS

Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to the following:

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(a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) The actions of an individual suggest that he/she is engaged in a criminal activity.

(c) The hour of day or night is inappropriate for the individual's presence in the area.

(d) The individual's presence in the particular area is suspicious.

(e) The individual is carrying a suspicious object.

(f) The individual's clothing bulges in a manner that suggests he/she is carrying a weapon.

(g) The individual is located in proximate time and place to an alleged crime.

(h) The officer has knowledge of the individual's prior criminal record or involvement in criminal activity.

440.3.1 INITIATING A FIELD INTERVIEW

An officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person however, should not be detained longer than is reasonably necessary to resolve the officer's suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Santa Rosa Police Department to strengthen our community involvement, community awareness and problem identification.

440.4 FIELD PHOTOGRAPHS

Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

440.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent.

440.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. Mere knowledge or suspicion of gang membership or affiliation is not a sufficient justification for taking a photograph without consent. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

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440.5 DISPOSITION OF PHOTOGRAPHS

All field photographs, and related field interview information shall be entered into the current Records Management System (RMS), and retained in compliance with the records retention schedule.

If an individual is photographed as a suspect in a particular crime, the photograph shall be submitted as an evidence item in the related case, following standard evidence procedures.

When a photograph is taken in association with a particular case, an officer may use such photograph in a photo lineup. Thereafter, the individual photograph shall be retained as an evidence item.

440.6 PURGING OF PHOTOGRAPHS

Field interview photographs shall be maintained in accordance with the City of Santa Rosa records retention schedule.

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Overtime, Patrol Shortages OT, Mandatory OT Assignment, and Shift Trades

443.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for the assignment of police officers to overtime shifts and mandatory overtime, and to provide guidelines for the handling of shift trades within the Field Services Division.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

443.2 DEFINITIONS

When it becomes necessary to assign officers to patrol overtime, a supervisor shall use one of the following notice definitions:

Short Notice - Defined as anytime a supervisor needs to assign overtime and there is four (4) days or less notice prior to the overtime need.

Advance Notice - Defined as anytime a supervisor needs to assign overtime and there is more than four (4) days notice prior to the overtime need.

443.3 ASSIGNMENT OF PERSONNEL

(a) The Field Services Division shall attempt to fill anticipated vacancies on a voluntary basis. Sergeants shall post notices of anticipated vacancies in order to secure the personnel needed for a particular assignment. In the event the vacancies are not filled two weeks prior to the needed assignment, sergeants shall make mandatory overtime assignments. A sergeant shall notify the assigned officer of such assignment as soon as possible but prior to the officer's regularly scheduled days off.

(b) The supervisor of the patrol team in which the overtime is needed shall coordinate and make the overtime assignment.

(c) Short notice overtime needs shall be filled at the supervisor's discretion.

(d) Advance notice overtime needs shall be filled utilizing Telestaff.

1. Sign-up and assignments will be through Telestaff.
2. The sign-up form shall remain posted a minimum of 48 hours.

(e) Assignments shall be made when a sufficient number of officers have signed up on the overtime sign-up list and the sign-up form has been posted for a minimum of 48 hours.

(f) Assignment from the sign-up list shall be according to the following priority.

1. Lowest amount of overtime hours recorded in Telestaff (fiscal year accrual).
2. Department seniority.

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443.4 MANDATORY OVERTIME

(a) Nothing in this procedure shall preclude a sergeant from assigning officers to duty in the event of unanticipated vacancies due to illness, injuries, major incidents (either planned or unplanned), or in order to address public safety needs, consistent with M.O.U. language. Sergeants shall post the assignment in Telestaff to ensure the hours are tracked correctly.

(b) Sergeants shall attempt to maintain an equitable distribution of such assignments. Team members' hours will be tracked in Telestaff.

(c)

Team on which OT Needed	Team from which officers would be assigned
Robert	Edward
Lincoln & Frank	Ocean and William
Union	George
Edward	Robert
Ocean and William	Lincoln and Frank
George	Union

(d) Officers in the Traffic Bureau assigned to day shifts may be assigned to mandatory overtime after all Edward Team officers have been assigned.

(e) If the mandatory overtime assignment falls in the middle of the assigned graveyard officer's days off, no mandatory overtime assignment will be made. Sergeants shall hold over a swing team officer and bring in a day team officer early to cover the vacancy.

(f) Previously assigned contract overtime shall preclude a mandatory assignment if times are conflicting.

443.5 NOTIFICATION

When short notice overtime is necessary, it is the supervisor's responsibility to notify the assigned officer(s). This notification may be verbal, but also posted in Telestaff.

Advance notice overtime needs shall be assigned and the requesting supervisor shall notify the assigned officer(s).

(a) This notification shall be through Telestaff.

(b) Notification shall be made to the assigned officer(s) at least 24 hours prior to the assigned overtime.

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443.6 OFFICER RESPONSIBILITY

(a) Officers requesting patrol overtime shall sign up through Telestaff.

(b) Officers requesting overtime shall ensure they would not exceed 15 work hours in any 24-hour period.

(c) Assigned officers unable to work the assigned overtime due to illness, injury, subpoena, or similarly appropriate reason shall notify the assigning supervisor immediately so a replacement may be assigned.

1. If there is insufficient time to notify the supervisor who made the assignment, the officer shall contact the on-duty supervisor.
2. If an assigned officer wants to withdraw from the patrol overtime for any reason, it shall be that officer's responsibility to find a replacement.
3. Once a replacement is located, the assigned officer and replacement officer are required to notify the assigning supervisor.

(d) An officer assigned to work overtime may have another officer substitute by contacting the sergeant supervising the affected time period at least 48 hours in advance in order to make the changes in Telestaff.

443.7 SHIFT TRADES

It shall be the policy of this department to allow officers to have an off-duty officer work in their place when they are unable to be granted time off on a given date due to personnel strengths or special events.

(a) Owed Hours

1. An officer may not owe, or be owed, more than 40 hours at any one time.
2. Hours owed by officers shall be repaid within one (1) year since the time of indebtedness occurred, or monies shall be deducted from the owing officer's paycheck to pay the officer who worked at time and one-half.
3. Officers owing hours due to shift trades who either leave the employ of the Santa Rosa Police Department or whose job classification changes, shall have monies deducted from their paycheck in order to reimburse employees owed work hours at a rate of time and one-half.

(b) Officers are allowed to have an off-duty officer work in their place, providing:

1. Officers shall provide a shift trade request through Telestaff indicating officers' names, dates and times.
2. Shift trade requests shall be submitted at least 48 hours in advance to a supervisor.

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3. The team supervisor has the authority to approve a shift trade up to two (2) days in succession. Any period of time beyond two (2) days shall be forwarded to the Watch Commander for approval.
4. A supervisor will confirm the trade with both parties prior to making the assignment.

(c) In the event an officer needs to request a shift trade for a period of time, such as one duty day per week off for such reasons as attending school, participating in or coaching athletic events, etc., that request shall be prepared in the same format and forwarded through the chain of command to the Watch Commander for final approval.

(d) In the event an officer scheduled to work for another is ill or fails to show for duty for any reason, the original assigned officer shall be charged for the time missed, either CTO or vacation time.

(e) When an officer works a shift and then holds over to cover for another officer, supervisors will see that the officer does not work more than fifteen (15) consecutive hours and the shift is recorded in Telestaff.

443.8 TIME OFF

(a) Officer Requests Time Off in Advance

1. Officer requests time off 16+ days in advance.
    (a) If OT backfill is needed, post OT and keep it up at least 48 hours. If there are sufficient volunteers after 48 hours, make assignments. If there are insufficient volunteers by 14 days before needed, then make mandatory assignments.
2. Officer requests time off 7-15 days in advance.
    (a) If OT backfill is needed, post OT for 48 hours. Make assignments, either voluntary or mandatory.
3. Officer requests time off 6 days or less in advance.
    (a) If OT is needed, deny request.

(b) Training, Illness, Injury, etc.

(a) Training, injury, or other vacancy occurs 16+ days in advance.
    (a) If OT backfill is needed, post OT and keep it up at least 48 hours. If there are sufficient volunteers after 48 hours, make assignments. If there are insufficient volunteers by 14 days before needed, then make mandatory assignments.

(b) Illness, injury, or other vacancy occurs 7-15 days in advance.

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(a) If OT backfill is needed, post OT for 48 hours. Make assignments, either voluntary or mandatory.

(c) Illness, injury, or other vacancy occurs 6 days or less in advance.

(a) If OT is needed, the sergeant can solicit any volunteers, or make immediate mandatory assignments.

Officer Requests Time Off in Advance			
Officer requests time off ___ days in advance	Sergeant posts OT for at least ___ days	Sergeant posts OT for no longer than ___	Sergeant notifies officer no later than ___
16+	48 hours	14 days before needed	14 days before needed
7-15	48 hours	48 hours	Officer's regular days off
1-6 (Deny request if backfill required)	N/A	N/A	N/A
Training, Illness, Injury, etc.			
Illness, injury, etc. OT need arises ___ days in advance	Sergeant posts OT for at least ___	Sergeant posts OT for no longer than ___	Sergeant notifies officer no later than ___
16+	48 hours	14 days before need	14 days before need
7-15	48 hours	48 hours	Officer's regular days off
1-6	N/A	N/A	Immediately make voluntary or mandatory OT assignment

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FET and CSO Operational Guidelines

445.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth the general operation guidelines for Police Field and Evidence Technicians and Community Service Officers within the Police Department.

Approved 2-26-16 by Chief Robert L. Schreeder.

445.2 ORGANIZATION

(a) Field and Evidence Technicians (FET) - Civilian employees of the Police Department, who are primarily assigned to handle calls for service not requiring a Police Officer.

1. FETs are specially trained in the collection of evidence at advanced crime scenes, death investigations, autopsies and traffic collisions.
2. FETs have advanced training in the identification, collection and preservation of various types of forensic evidence.
3. FETs do not handle calls for service with known suspects at the onset of the investigation.
4. FETs may be assigned to administer tasks associated with the abandoned vehicle abatement program, graffiti abatement, forensic specialist, or other department program, based on organizational needs and the FET job description.
5. FETs are expected to develop suspect information through background and criminal history research as part of their investigations. If during the course of a criminal investigation an FET develops information that could lead to the immediate apprehension of the responsible party, the employee shall notify the field supervisor, who will determine what follow-up measures should be taken. If immediate apprehension is not warranted, the employee will document his/her findings in his/her investigation and submit the report for follow-up by a police officer or detective.
6. FETs shall not conduct suspect interviews, lineups or in person show-ups.

(b) Community Service Officers (CSO) - Civilian employees of the Police Department, who are primarily assigned to handle calls for service not requiring a Police Officer or a Field and Evidence Technician.

1. CSOs will not be assigned as the primary investigator or evidence collector at calls for service involving serious injury, violent crimes or death.
2. CSOs are responsible for documenting, photographing and collecting evidence at basic crime scenes and traffic collisions.
3. CSOs do not handle calls for service with known suspects at the onset of the investigation.

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4. CSOs may be assigned to administer tasks associated with the abandoned vehicle abatement program, graffiti abatement or other department program, based on organizational needs and the CSO job description.
5. CSOs are expected to develop suspect information through background and criminal history research as part of their investigations. If during the course of a criminal investigation a CSO develops information that could lead to the immediate apprehension of the responsible party, the employee shall notify the field supervisor, who will determine what follow-up measures should be taken. If immediate apprehension is not warranted, the employee will document his/her findings in his/her investigation and submit the report for follow-up by a police officer or detective.
6. CSOs shall not conduct suspect interviews, lineups or in person show-ups.

(c) Advanced Crime and Vehicle Collision Scenes - Scenes that require complex evidence or forensic processing techniques for blood, hair, fibers, weapons, people, clothing or vehicles. Advanced crime and traffic collision scene processing may also include the use of advanced mapping/diagramming equipment and software, photography and collection techniques. Multiple crime scenes stemming from a single major, or a series of events, will be handled by FETs.

(d) Basic Crime and Collision Scenes - Scenes that do not necessitate the need for specialized evidence handling or collection techniques, and do not include violence, serious injury or death. The processing of basic crime and traffic collision scenes include routine evidence collection, fingerprinting, measurements and photography.

445.2.1 FET AND CSO PROGRAM SUPERVISOR

The Sergeants assigned the responsibility for coordination of the Field and Evidence Technician and Community Service Officer Programs are responsible for conducting meetings, identifying equipment, uniform or training needs, and overseeing the administration of the programs.

Responsibility for scheduling, evaluation, and supervision of the Field and Evidence Technicians and Community Service Officers rests with the assigned team supervisor.

445.3 FIELD AND EVIDENCE TECHNICIANS

FETs are not sworn peace officers. Their ability to conduct detailed criminal investigations is limited and their primary role within the organization is to process advanced crime scenes, collect forensic evidence and conduct basic criminal or traffic collision investigations.

FETs primarily work a 4/10 schedule. Schedule modifications may be required based on organizational needs.

445.3.1 FIELD AND EVIDENCE TECHNICIAN DUTIES

FETs may be the primary responders, or assist patrol officers and detectives, on the following types of incidents:

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(a) Major crime, death or traffic collision scene requiring advanced forensic or evidence collection, processing or documentation, after being requested by a field or investigative supervisor.

(b) Property crimes (i.e. burglary, vandalism, grand and petty theft), which are at report status only and there are no known suspects at the onset of the investigation.

(c) Stolen and recovered vehicles without suspect information when the recovered vehicle is abandoned and there appears to be no immediate threat to the responding Field and Evidence Technician.

(d) Minor injury and property damage only traffic collisions.

(e) Missing persons and runaways.

(f) Lost or found property.

(g) Parking complaints.

(h) Traffic control.

(i) Abandoned vehicle complaints.

(j) Transport papers or property.

(k) Vehicle transport.

(l) Non-suspect person transport (including infants).

(m) Pick up, recovery, or transport firearms or ammunition that are reported to the department, once rendered safe by sworn personnel.

(n) Other duties as necessary in the best interest of the department.

FETs shall not be the primary responder to the following types of incidents:

(a) Crimes in progress.

(b) Crimes against persons.

(c) Crimes involving violence, gang activity, narcotics, bombs or suspicious packages.

(d) Environmental incidents.

(e) Any incident where there is a likelihood it will result in contact with an emotionally unstable or dangerous individual.

FETs are subject to on-call and shall follow the provisions of the on call policy listed in Lexipol 601–Call-out: Special Assignment Officers and Police Field and Evidence Technicians.

445.4 COMMUNITY SERVICE OFFICERS

CSOs are not sworn peace officers. Their ability to conduct detailed criminal investigations is limited and their primary role within the organization is to document basic crime reports and minor traffic collisions. CSOs can only process basic crime scenes involving routine evidence collection and processing, fingerprinting and photography, which do not include scenes of violence, serious injury or death. CSOs are not responsible for collecting or processing bloody clothing, biological or trace evidence.

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CSOs primarily work a 4/10 schedule. Schedule modifications may be required based on organizational needs.

445.4.1 COMMUNITY SERVICE OFFICER DUTIES

CSOs shall be the primary responders on the following types of incidents:

(a) Property crimes (i.e. burglary, vandalism, grand and petty theft), which are at report status only and there are no known suspects at the onset of the investigation.

(b) Stolen and Recovered Vehicles without suspect information when the recovered vehicle is abandoned and there appears to be no immediate threat to the responding CSO.

(c) Minor injury or property damage only traffic collisions.

(d) Missing persons and runaways.

(e) Lost or found property.

(f) Parking citations.

(g) Traffic control.

(h) Abandoned vehicle complaints.

(i) Transport papers or property.

(j) Vehicle transport.

(k) Non-suspect person transport (including infants).

(l) Pick up, recovery, or transport firearms or ammunition that are reported to the department, once rendered safe by sworn personnel.

(m) Other duties as necessary in the best interest of the department.

CSOs shall not be the primary responder to the following types of incidents:

(a) Crimes in progress.

(b) Crimes against persons.

(c) Crimes involving violence, gang activity, narcotics, bombs or suspicious packages.

(d) Environmental incidents.

(e) Any incident where there is a likelihood it will result in contact with an emotionally unstable or dangerous individual.

(f) Incidents requiring the need for advanced crime scene or forensic processing.

CSOs are not subjected to call outs.

445.5 DISPATCHING FETS AND CSOS

(a) FETs or CSOs assigned duties or activities that pose a potential hazard shall be assigned with a police officer to ensure their safety.

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1. If during the course of any investigation, an FET or a CSO becomes concerned for his/her safety, the employee is to remove themselves from the situation and request a backup unit. A field supervisor will determine if the incident will be reassigned to a police officer for completion.

(b) FETs or CSOs shall not be dispatched to calls where an on-going physical confrontation exists or where it could be reasonably assumed to exist.

(c) FETs or CSOs shall not be assigned details requiring lengthy investigations at or near the end of their shift, which may result in overtime, without the approval of a field supervisor.

(d) FETs or CSOs shall not be assigned as back-up units.

(e) FETs or CSOs shall be assigned calls only through the Communications Center or field supervisor.

1. Police officers shall not dispatch FETs or CSOs to calls for service.

(f) FETs or CSOs shall be allowed to take Code 7 times as closely as possible to their regularly scheduled meal times.

1. Communications personnel shall assign pending calls to beat officers to allow for FETs or CSOs to receive their assigned Code 7 time.

(g) Questions concerning the appropriate dispatching of FETs or CSOs shall be referred to a field supervisor for resolution.

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Mobile Audio & Video System

446.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of Mobile Audio Video (MAV) systems by employees of the Santa Rosa Police Department while in the performance of their duties.

The use of MAV systems by law enforcement personnel serves a number of purposes, including but not limited to: assisting law enforcement personnel in the performance of their duties by obtaining documentary evidence for criminal investigations; providing enhanced accountability for employees and protecting employees from unjustified or frivolous complaints of misconduct. MAV recordings may prove valuable in related civil litigation, citizen complaints and administrative matters arising from police activity.

While MAVs can provide an objective record of events, it is understood that video/audio recordings may not necessarily reflect the entire experience or state of mind of the individual employee(s) in a given incident. In some circumstances, the MAV could capture information that may not have been heard or observed by the involved employee(s). Similarly, there could be situations where the MAV will not capture information that was heard and/or observed by the involved employee(s).

This policy applies only to Mobile Audio Video systems and their recordings. Digital audio recorders and body worn camera (BWC) systems are regulated by separate policies.

Adopted on 4-1-16 by Chief Robert L. Schreeder.

Revised 6-30-17 by Chief Robert L. Schreeder.

446.1.1 POLICY

The use of the MAV system is intended to enhance the mission of the Department by recording contacts between members of the public and employees of the Department who are acting in their official capacity.

Employees trained on the MAV and Digital Evidence Management system are expected to utilize the equipment in accordance with the provisions in this general order. These provisions maximize effectiveness of the audio/video documentation to achieve operational objectives and ensure evidence integrity.

All recorded media, images and audio from the MAV are property of the Santa Rosa Police Department and shall not be copied, released, or disseminated in any form outside the parameters of this policy without the expressed written consent of the Chief of Police or designee.

446.1.2 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

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Mobile Audio Video (MAV) system – In car camera system installed by the City that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

Recorded Media - Audio-video signals recorded or digitally stored on a storage device or portable media.

Critical Incident – An incident involving a law enforcement employee where a use of lethal force or fatal injury occurs.

Digital Evidence Management System – Software and Hardware used to store, catalog, view, and otherwise manage digital evidence to include audio and video files recorded on body worn cameras.

System Administrator – A sworn or civilian manager tasked with the maintenance, auditing, configuration, and reliable operation of the MAV and digital evidence management systems.

446.2 EMPLOYEE PRIVACY EXPECTATION

Employees shall have no expectation of privacy or ownership interest in the content of these recordings except as provided by law.

446.3 EMPLOYEE RESPONSIBILITIES

Employees shall be responsible for maintaining the systems in good working order. At the start of each shift, employees shall turn on and log into the system. System documentation is accomplished by the employee logging into the system which includes a user name and password.

If the employee becomes aware that the MAV system is not in working order or malfunctions at any time, the employee shall promptly report the failure to his/her supervisor. The employee shall complete a service request to have the equipment serviced as soon as practical.

Each officer should have adequate recording media for the entire duty assignment. Only Santa Rosa Police Department issued media devices shall be used.

Each officer shall follow the established procedures for uploading any recordings or used media into the Digital Evidence Management System.

446.3.1 DOCUMENTING USE OF MAV

Employees shall document the existence of a recording in any report or other official record of the contact. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation, indicating that the incident was recorded. Employees shall document any instance of the system malfunctioning or premature deactivation of the system.

446.4 ACTIVATION

The MAV system is designed to turn on whenever the vehicle's front red light is activated. The system remains on until it is turned off manually. The audio portion can also be independently controlled. When audio is being recorded, the video will also record. Employees are expected to

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manually activate the MAV system without the use of the vehicle emergency lights as required under the provisions of this policy.

This policy is not intended to describe every possible situation in which the MAV system should be used. However, there are many enforcement, investigative, and public safety situations where its use is appropriate. Officers are expected to activate the MAV in any of the following situations:

(a) Traffic stops including, but not limited to, traffic violations and stranded motorist assistance;

(b) Code-3 driving;

(c) Vehicle pursuits;

(d) Anytime the officer believes the recording would provide evidence for a criminal investigation or administrative process which may include, but not limited to:

1. Suspicious vehicles;
2. Self-initiated activity in which an officer would normally notify Dispatch;
3. Vehicle and canine searches;
4. Pedestrian checks and Field Interview situations (FI's);
5. DUI investigations including field sobriety tests;
6. Consensual encounters;
7. Crime interdiction or crimes in progress;

(e) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording;

(f) Any incident where a use of force occurs or is likely to occur;

(g) Any other circumstance where the officer believes that a recording of an incident would be appropriate;

(h) Upon the order of a higher ranking employee.

At no time is an employee expected to jeopardize his/her safety in order to activate a MAV or change the recording media. However, the recorder should be activated in situations described above as soon as practical.

Employees should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect the interests of witnesses, informants, and victims by discontinuing recording whenever it reasonably appears to the employee that such personal interests may outweigh any legitimate law enforcement interest in recording. Recording should resume when the employee believes the law enforcement purpose supersedes any competing interest.

Examples of circumstances when activating the MAV **may not** be appropriate include:

- Anytime a person's private health information is being discussed.

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- During conversations with members of the community, including but not limited to confidential informants who wish to discuss criminal activity in their neighborhood but are hesitant to come forward if they will be recorded.
- Personnel shall also have the discretion to temporarily terminate a recording when communicating with fellow law enforcement personnel regarding tactical decisions and/or operational strategy.

446.4.1 SURREPTITIOUS USE OF THE MAV

Sworn personnel are not required to obtain consent to record from a private person when in a public place (.e.g., on public land, streets, sidewalks, parks, parking lots).

However, employees are encouraged to advise private persons they are recording if the advisement may gain compliance, assist in the investigation, and will not interfere with the investigation or officer safety.

Employees are prohibited from using the MAVs to surreptitiously record any conversation of or between department employees without the individuals' knowledge and express consent to record the conversation.

446.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on continuously until employee's direct participation in the incident is complete, or in circumstances outlined above regarding privacy, confidential information, tactical discussions, etc. Recording may be stopped during significant periods of inactivity such as waiting for a tow truck or a family member to arrive, report writing or other breaks from direct participation in the incident.

446.5 EXPLOSIVE DEVICE

Many audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

446.6 PROHIBITED USE OF MOBILE AUDIO VIDEO SYSTEMS

Employees are prohibited from using department-issued recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on- duty or while acting in their official capacity.

Employees shall not duplicate or distribute MAV recordings except for legitimate department purposes. All such recordings shall be retained at the department.

Recordings shall not be used for the purpose of harassment, embarrassment, intimidation or ridicule.

446.7 REVIEW OF RECORDINGS

All access to the MAV recordings are logged and subject to audit at any time. Personnel may only review MAV recordings according to the provisions of this policy.

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446.7.1 EMPLOYEE ACCESS TO THEIR MAV RECORDINGS

(a) Generally, personnel will not have access to other employees' MAV recordings unless access is approved by a supervisor for purposes of conducting a criminal or administrative investigation.

1. Personnel actively assigned to conduct a criminal or administrative investigation (such as the case detective) may review the involved personnel's relevant MAV recordings as part of the ongoing investigation.

(b) Employees may review relevant MAV recordings when completing official reports and investigations or to prepare for court testimony.

(c) Officers may view relevant video they recorded prior to submitting to an interview as part of an administrative investigation or personnel inquiry. Officers being interviewed during an administrative investigation may view relevant recordings made by other employees only with the approval of the Lieutenant or Captain managing the administrative investigation.

(d) In the event of a critical incident, MAV recordings shall be uploaded as soon as practical.

1. Depending on the circumstances, it may be necessary for personnel other than the involved employee to upload the MAV recording. This will be determined by the supervising officer on scene.

2. The review of recordings by officers following their involvement in a critical incident shall be governed by the countywide Law Enforcement Employee-Involved Fatal Incident Protocol.

446.7.2 SUPERVISOR ACCESS TO MAV RECORDINGS

Supervisors shall not review MAV recordings arbitrarily. Supervisors are authorized to review relevant recordings when:

(a) Investigating alleged misconduct;

(b) Investigating reports of meritorious conduct;

(c) Whenever such recordings would be beneficial in assisting with an ongoing investigation

(d) With approval of a Lieutenant, a supervisor may also view recordings to determine training needs or review an employee's performance. If improper conduct is discovered during any such review of MAV recordings, minor infractions (not criminal in nature) discovered during such review should be viewed as training opportunities, and not subject personnel to disciplinary action. Should the behavior or action be repetitive after being addressed by a supervisor, the appropriate disciplinary or corrective action should be pursued.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a pursuit, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

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446.7.3 USE OF MAV RECORDINGS FOR TRAINING PURPOSES
MAV recordings may be used to train Santa Rosa Police Department employees with the approval of the Support Bureau Manager and only after notification of the employees involved in the recorded incident.

446.8 RETENTION OF RECORDINGS

Recordings made by employees shall be uploaded to the appropriate Department Digital Evidence Management system periodically, but no later than the end of the employee's shift. Employees individually assigned to a vehicle (e.g., accident investigators, K-9) may upload recordings at the beginning of their next shift with supervisor approval. Employees shall not delete any recordings. A Lieutenant or Captain may authorize the deletion of accidental MAV recordings after reviewing the recording to ensure that it has no evidentiary or administrative value.

When an employee reasonably believes that any portion of a contact that has been recorded will have evidentiary value, the employee shall make a record the related case number and transfer the MAV file in accordance with current procedure for storing digital files. The employee shall document the existence of the recording in the related case report.

Any time an employee reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the employee should promptly notify a supervisor of the existence of the recording.

446.8.1 RETENTION REQUIREMENTS
All recordings shall be retained for a period consistent with the requirements of the City's records retention schedule (unless deletion is otherwise authorized pursuant to this policy). Recordings showing a use of force, subject to civil litigation or personnel complaints shall be maintained for a period not less than 27 months. Recordings constituting evidence in a criminal or civil proceeding shall be retained pursuant to the evidence retention procedures of the Santa Rosa Police Department.

446.9 REQUESTS TO PRODUCE MAV RECORDINGS

(a) Sonoma County District Attorney, Santa Rosa City Attorney, and/or Court requests

1. Requests for copies of MAV recordings shall be in writing and forwarded to the custodian of records. MAV recordings may be released by the custodian of records pursuant to lawful court processes. Copies may be provided to the Santa Rosa City Attorney to aid in any defense or inquiry into the conduct of employees of the department or to assist in determination of whether records should be released in response to requests from third parties.

(b) Other Requests

1. All other requests for MAV recordings shall be accepted and processed by the department custodian of records in accordance with federal, state, and local statutes and department policy related to the release of public information.

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2. The Chief of Police may consult with the City Attorney and City Manager, but shall have the final authority to approve/deny requests to release audio/video files consistent with state and federal law.
3. The Chief of Police shall make all reasonable/lawful efforts to preserve the privacy of community members and employees of the department in the event it is determined that such information must be released.

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Mobile Data Computer (MDC) Use

448.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Bureau.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

448.2 POLICY

Santa Rosa Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner in accordance with this policy. Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log into the MDC system unless directed to do so by a supervisor.

MDCs are not intended to replace the police radio as the primary means of communications. Instead, MDCs are provided as an alternative to the radio, to maximize air time for emergency and urgent communication. While MDCs should be used whenever practical, it is the responsibility of field personnel to determine the appropriate means of communications at the time based upon their knowledge of a situation, and the safety of other field personnel and the public.

(a) All priority 1 and 2 calls for service shall be verbally dispatched and sent to the MDC simultaneously. Dispatchers may abbreviate the dispatch referring the officer to the MDC if the call is particularly long or does not contain officer safety information. Field personnel shall acknowledge the call via voice over the police radio and the dispatcher will initiate the CAD update. If two or more officers are dispatched to a priority 1

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call, then the officers shall acknowledge via the radio and state the location they are responding from.

(b) All other calls for service will be dispatched by an abbreviated radio broadcast, including the unit assigned and the location. Assigned units will refer to their MDC for further details of the call. For non-critical supplements and changes to the call, the officer must click on the "Remarks" field to view further comments from the dispatcher.

(c) All routine BOLs received through CLETS and NLETS may be sent to MDCs in a message format rather than a radio broadcast. Those BOLs that are officer safety in nature or directly related to field operations will be verbally broadcast along with a message to the MDCs.

(d) Premise history information is automatically sent to the MDC. All officer safety premise history shall be broadcast over the police radio on all calls.

(e) Field personnel are responsible for accurately logging onto the MDC, including their employee identification number, unit number, portable radio number, and any other equipment they are carrying including special weapons, Spike Strips, or other special field equipment. Logging on over the radio may only occur if field personnel are responding to an urgent call prior to having logged onto the MDC.

448.2.1 USE WHILE DRIVING

Using an MDC while driving a vehicle can divide attention and cause unnecessary distractions. Reading and typing messages while a vehicle is in motion is prohibited. Field personnel may view the mapping system or send short transmissions (single key functions such as indicating they have arrived at an incident) when the option of using the police radio is not available or is impractical.

Field personnel shall exercise good judgment and caution and weigh the nature of the urgent matter against the need to use the MDC while the vehicle is in motion. In no case should an officer read or type messages while operating a vehicle in a Code 3 mode.

448.2.2 DOCUMENTATION OF ACTIVITY

MDCs and voice transmissions are used to record the field personnel's daily activity. To ensure the most accurate recording of these activities, the following are required:

(a) All contacts or activity shall be documented at the time of the contact.

(b) Whenever the activity or contact is initiated by voice, it shall be entered into the Computer Aided Dispatch (CAD) system by a dispatcher.

(c) Whenever the activity or contact is not initiated by voice, field personnel shall record it on the MDC. Properly executed MDC commands will appear on the dispatcher's status monitor as they occur. There is no need to verbalize the activity.

(d) Field personnel shall communicate through the police radio when responding to priority 1 and 2 calls for service.

(e) Upon completion of a call, except traffic stops, the field personnel assigned as the primary unit shall clear through the MDC by using the appropriate disposition code and after adding any pertinent supplemental information to the call. It is the responsibility of

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field personnel to indicate via MDC that they are back in service after properly clearing the previous call.

448.2.3 STATUS CHANGES

(a) All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted either verbally over the police radio or through the MDC system.

(b) Officers responding to in-progress calls shall advise changes in status verbally over the radio to assist other officers responding to the same incident.

(c) Other changes in status may be entered by depressing the appropriate keys on the MDC.

(d) The dispatcher will monitor the "Banner" for all MDC transmissions.

(e) The Communications Bureau is responsible for planned unit deployment and call management.

(f) Terminal-to-terminal messages will not be used for unit status changes.

(g) Although the MDC system allows field personnel to assign themselves to pending and assigned calls for service, this function shall not be used. The dispatchers are responsible for call management, with input from field supervision when applicable.

(h) Field personnel shall be responsible for monitoring the MDC terminal and maintaining correct unit status on the CAD system. Any field unit in the "AVAILABLE" or "EN ROUTE" status is presumed to be occupied by assigned personnel monitoring the MDC for assignments and messages.

(i) Field personnel shall properly log off the MDC at the end of each shift. The MDC should not be logged off during the shift. Doing so removes the unit from the CAD system's Active Unit List and signifies an "off-duty" status.

448.2.4 EMERGENCY ACTIVATION OF MDC

The emergency buttons on the MDC are not intended to replace the police radio. Instead, they should be used if the radio malfunctions or if the field unit is otherwise unable to get communication through the radio.

If the emergency button is depressed on the MDC, the MDC sends an urgent message to the dispatcher indicating the unit has an emergency and displays the current event, if applicable. The dispatcher will call the unit and ask if Code 4. If there is no emergency, then he/she should answer "Code 4" and all units will resume their normal activity. If there is no response, or any other answer than "Code 4", the dispatcher shall proceed as follows.

(a) Send available units to the last known event location or most recent known GPS location and create an event if needed.

(b) Notify a field sergeant of the incident without delay.

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(c) Units not responding to the emergency shall refrain from transmitting on the radio until there is a Code 4, unless they are themselves handling an emergency.

448.3 MDC CONSIDERATIONS

(a) The "Recall" function on the MDC will refresh CAD information and should be the first line for trouble-shooting when units have not received a dispatched call. The dispatcher will not resend the call to the MDC until the unit has used the "Recall" function.

(b) Terminal-to-terminal messaging will be brief and relevant to official law enforcement business only.

(c) All messages are logged and stored for retrieval for purposes of investigation, prosecution, litigation, audits, and internal review.

(d) There is no expectation of privacy in these messages, any of which are subject to periodic and unannounced audits to ensure compliance with this policy.

(e) Any of these messages may, with due process, be recalled for court, disciplinary action, or other legal proceedings.

(f) Field personnel should notify the dispatcher by police radio of any "Hit" on a wanted person, stolen vehicle, or other safety related notification. Dispatchers are not automatically notified of a positive "Hit" on a person run from an MDC; they are however, automatically notified of a "Hit" on a stolen vehicle. Dispatcher notification on wanted persons is not necessary if the inquiry was for informational purposes only and the subject is not in the presence of the unit.

(g) It is important for field personnel to use the MDC to run CLETS inquiries periodically. If the CLETS mnemonic assigned to an MDC is not used for an inquiry for a period of time, DOJ will revoke the ability for the MDC to receive CLETS information.

(h) Terminals shall not be installed, removed, moved, or modified in any manner by anyone other than authorized technical service personnel.

(i) Personnel shall not install or use any unlicensed computer software on the MDC. The Technical Services Division Manager or his/her designee shall approve any software and hardware, including any type of computer peripheral devices not provided by the department.

(j) Records of database inquiries are maintained by the Department of Justice who conducts periodic audits to ensure compliance with all laws.

448.3.1 MALFUNCTIONING MDC

Whenever possible, personnel will not use units with malfunctioning MDCs.

Whenever personnel must drive a unit in which the MDC is not working, personnel assigned to the unit shall notify Communications immediately by police radio. It shall then be the responsibility of Communications to record all information transmitted verbally by the personnel assigned to

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the unit with the inoperable MDC. It is the field personnel's responsibility to make the appropriate notifications for repair in accordance with established procedure.

448.3.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

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Body-Worn Cameras

450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of body-worn cameras ("BWCs") by employees of the Santa Rosa Police Department while in the performance of their duties.

The use of body-worn cameras by law enforcement personnel serves a number of purposes, including but not limited to: assisting law enforcement personnel in the performance of their duties by obtaining documentary evidence for criminal investigations; providing enhanced accountability for employees and protecting employees from unjustified or frivolous complaints of misconduct. BWC recordings may prove valuable in related civil litigation, citizen complaints and administrative matters arising from police activity.

While BWCs can provide an objective record of events, it is understood that video/audio recordings may not necessarily reflect the entire experience or state of mind of the individual employee(s) in a given incident. In some circumstances, the BWC could capture information that may not have been heard or observed by the involved employee(s). Similarly, there could be situations where the BWC will not capture information that was heard and/or observed by the involved employee(s).

This policy applies only to body-worn cameras and their recordings. Digital audio recorders and mobile audio/video recording systems are regulated by separate policies.

Adopted 11-18-15 by Chief Robert L. Schreeder.

Revised 3-24-16 by Chief Robert L. Schreeder.

Revised 10-1-18 by Chief Robert L. Schreeder.

450.2 POLICY

The use of BWCs is intended to enhance the mission of the department by recording contacts between members of the public and sworn employees of the department who are acting in their official capacity. The department will provide sworn officers and supervisors BWCs for use during the performance of their official duties. Employees are prohibited from using personally owned audio/video recording devices in place of or in addition to their department-issued BWC. Employees trained on the BWC and Digital Evidence Management System shall use the equipment in a manner consistent with department training.

Personnel shall utilize BWCs in accordance with the provisions in this policy to maximize effectiveness of the audio/video documentation to achieve operational objectives and to ensure evidence integrity.

All recorded media, images and audio from the BWC are property of the department and shall not be copied, released, or disseminated in any form outside the parameters of this policy without the expressed written consent of the Chief of Police.

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450.3 DEFINITIONS

(a) **Activate** – Any process that causes the body worn camera system to record and store video and/or audio data.

(b) **Body Worn Camera (BWC)** – An audio and video recording device worn on an individual officer's person.

(c) **Critical Incident** – An incident involving a law enforcement employee where a use of lethal force or fatal injury occurs. For the purposes of this policy, a critical incident may cause, but does not require, the invocation of the countywide Law Enforcement Employee Involved Fatal Incident Protocol.

(d) **Digital Evidence Management System** – Software and hardware used to store, catalog, view, and otherwise manage digital evidence to include audio and video files recorded on body worn cameras.

(e) **System Administrator** – A sworn or civilian manager tasked with the maintenance, auditing, configuration, and reliable operation of the BWC and digital evidence management systems.

450.4 EMPLOYEE RESPONSIBILITIES

Each employee issued a BWC shall be responsible for maintaining the recorder in good working order. If the employee becomes aware that a recorder is not in working order or malfunctions at any time, the employee shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed employees shall wear the BWC on the front of their uniform in a manner allowing it to function properly. Non-uniformed employees should wear the recorder in a manner allowing it to function properly.

Employees shall document the existence of a recording in any report or other official record of the contact, including any instance where the BWC malfunctioned or was prematurely deactivated. Employees should also document the reason for any premature deactivation of the BWC.

450.5 ACTIVATION OF THE BODY WORN CAMERA

(a) This policy is not intended to describe every possible situation in which the BWC should be used, although there are many situations where its use is appropriate. Officers are expected to activate their BWC prior to, or upon, arrival at any call for service, including self-initiated activity.

(b) At no time is an employee expected to jeopardize his/her safety in order to activate a BWC.

(c) Employees should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect the interests of witnesses, informants, and victims by discontinuing recording whenever it reasonably appears to the employee that such personal interests may outweigh any legitimate law enforcement interest in recording. Recording should resume when the employee believes the law enforcement purpose supersedes any competing interest.

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450.5.1 SURREPTITIOUS USE OF THE BODY WORN CAMERA

(a) Sworn personnel are not required to obtain consent to record from a private person when:

  (a) In a public place.

  (b) In a location where there is no reasonable expectation of privacy (e.g., inside a building or dwelling where SRPD personnel are lawfully present and engaged in the performance of official duties).

(b) However, employees are encouraged to advise private persons they are recording if the advisement may gain compliance, assist in the investigation, and will not interfere with the investigation or officer safety.

(c) Employees are prohibited from using the BWCs to surreptitiously record any conversation of or between department employees without the individuals' knowledge and express consent to record the conversation.

450.5.2 CESSATION OF RECORDING

Once activated, the BWC shall remain on continuously until the employee's direct participation in the incident is complete, or in circumstances outlined in section 450.5(c) above. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

450.5.3 EXPLOSIVE DEVICE

Many portable recorders, including BWCs and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

450.6 PROHIBITED USE OF BODY WORN CAMERAS

(a) Employees are prohibited from using BWCs for personal use, and are prohibited from making personal copies of recorded events except as provided in this policy.

(b) Employees shall not duplicate or distribute BWC recordings except for legitimate department purposes. All such recordings shall be retained at the department.

(c) Recordings shall not be used for the purpose of harassment, embarrassment, intimidation or ridicule.

450.7 RETENTION OF RECORDINGS

All recordings made by employees shall be uploaded to the appropriate department server periodically, but no later than the end of the employee's shift. Employees shall not delete any recordings. A Lieutenant or Captain may authorize the deletion of accidental BWC recordings after reviewing the recording to ensure that it has no evidentiary or administrative value.

Any time an employee records any portion of a contact that the employee reasonably believes constitutes evidence in a criminal case, the employee shall record the related case number and

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transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report.

450.7.1 RETENTION REQUIREMENTS

All recordings shall be retained for a period consistent with the requirements of the City's records retention schedule (unless deletion is otherwise authorized pursuant to section 450.7, above). Recordings showing a use of force, subject to civil litigation or personnel complaints shall be maintained for a period not less than 27 months. Recordings constituting evidence in a criminal or civil proceeding shall be retained pursuant to the Evidence retention procedures of the department.

450.8 REVIEW OF RECORDINGS

All access to the BWC recordings is logged and subject to audit at any time. Personnel may only review BWC recordings according to the provisions of this policy.

450.8.1 EMPLOYEE ACCESS TO BWC RECORDINGS

(a) Generally, personnel will not have access to other employees' BWC recordings unless access is approved by a supervisor for purposes of conducting a criminal or administrative investigation.

1. Personnel actively assigned to conduct a criminal or administrative investigation (such as the case detective) may review the involved personnel's relevant BWC recordings as part of the ongoing investigation.

(b) Employees may review relevant BWC recordings when completing official reports and investigations or to prepare for court testimony.

(c) Officers may view relevant video they recorded prior to submitting to an interview as part of an administrative investigation or personnel inquiry. Officers being interviewed during an administrative investigation may view relevant recordings made by other employees only with the approval of the Lieutenant or Captain managing the administrative investigation.

(d) In the event of a critical incident, BWC recordings shall be uploaded as soon as practical.

1. Depending on the circumstances, it may be necessary for personnel other than the involved employee to upload the BWC recording. This will be determined by the supervising officer on scene.

2. The review of recordings by officers following their involvement in a critical incident shall be governed by the countywide Law Enforcement Employee-Involved Fatal Incident Protocol.

450.8.2 SUPERVISOR ACCESS TO BWC RECORDINGS

Supervisors shall not review BWC recordings arbitrarily, but are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in assisting in an ongoing investigation. With approval of a Lieutenant, a supervisor may also view recordings to determine training needs or

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review an employee's performance. If improper conduct is discovered during any such review of BWC recordings, minor infractions (not criminal in nature) discovered during such review should be viewed as training opportunities, and not subject personnel to disciplinary action. Should the behavior or action be repetitive after being addressed by a supervisor, the appropriate disciplinary or corrective action should be pursued.

450.8.3 USE OF BWC RECORDINGS FOR TRAINING PURPOSES
BWC recordings may be used to train department employees with the approval of the Support Bureau Manager and only after notification of the employees involved in the recorded incident.

450.9 REQUESTS TO PRODUCE BWC RECORDINGS

(a) Sonoma County District Attorney, Santa Rosa City Attorney, and/or Court Requests

1. Requests for copies of BWC recordings shall be in writing and forwarded to the custodian of records. BWC recordings may be released by the custodian of records pursuant to lawful court processes. Copies may be provided to the Santa Rosa City Attorney to aid in any defense or inquiry into the conduct of employees of the department or to assist in determination of whether records should be released in response to requests from third parties.

(b) Other Requests

1. All other requests for BWC recordings shall be accepted and processed by the department custodian of records in accordance with federal, state, and local statutes and department policy related to the release of public information.
2. The Chief of Police may consult with the City Attorney and City Manager, but shall have the final authority to approve/deny requests to release audio/video files consistent with state and federal law.
3. The Chief of Police shall make all reasonable/lawful efforts to preserve the privacy of community members and employees of the department in the event it is determined that such information must be released.

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Downtown Enforcement Team (DET)

454.1 PURPOSE AND SCOPE

The Santa Rosa Police Department has established the Downtown Enforcement Team (DET) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

454.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the DET supervisor or the Watch Commander.

454.3 SELECTION OF PERSONNEL

The Field Services Division Manager will recommend to the Chief of Police a sergeant to serve as the DET supervisor. The DET supervisor shall have responsibility for the following:

(a) Organizing bicycle patrol training.

(b) Inspecting and maintaining inventory of patrol bicycles and equipment.

(c) Scheduling maintenance and repairs.

(d) Evaluating performance of bicycle officers.

(e) Coordinating activities with the Field Services Division.

(f) Other activities as required to maintain the efficient operation of the Downtown Enforcement Team.

454.4 TRAINING

Participants in the program must complete an initial department approved bicycle training course after acceptance onto the DET. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

(a) Bicycle patrol strategies.

(b) Bicycle safety and accident prevention.

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(c) Operational tactics using bicycles.

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

454.5 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle and attached gear bag.

(a) Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a "POLICE" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front lights, and a siren/ horn satisfying the requirements of Vehicle Code §2800.1(b).

(b) Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

(c) Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle (Vehicle Code § 21201.3).

(d) Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

1. If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

(e) Each bicycle will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.

(f) At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

(g) Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the DET supervisor, or in the event of an emergency.

(h) Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

(i) Bicycles shall be properly secured when not in the officer's immediate presence.

454.6 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the Vehicle Code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such

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operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):

(a) In response to an emergency call.

(b) While engaged in rescue operations.

(c) In the immediate pursuit of an actual or suspected violator of the law.

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Chapter 5 - Traffic Operations

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Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Santa Rosa Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers should maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. The Santa Rosa Police Department does not establish citation quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating an officer's overall performance (Vehicle Code § 41603). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions as noted in this policy.

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500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge.

(b) Court appearance procedure including the optional or mandatory appearance by the motorist.

(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter.

(b) Felony and misdemeanor driving under the influence of alcohol/drugs.

(c) Felony or misdemeanor hit-and-run.

(d) Refusal to sign notice to appear.

(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances, false information to an officer, unlicensed driver without satisfactory identification.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue a citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

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Traffic Collision Reporting

502.1 PURPOSE AND SCOPE

This policy establishes a classification system for collision reporting, describes the documentation requirements for each class, provides examples of such documentation and ensures the collection of information and evidence necessary for prosecution and the determination of fault in each collision. Traffic citations may be issued for Class I and Class II Collision Reports whenever appropriate and there exists sufficient evidence for prosecution, which may include physical evidence, independent witness statements or involved party statements.

It is not necessary that all of the noted evidence items be present for prosecution to occur. Upon conclusion of the investigation, if prosecution is desired, the investigating officer or follow-up officer shall issue a citation requesting a complaint and attach the citation to the report so it may be forwarded to the Sonoma County District Attorney's Office.

The Collision Investigation Manual (CIM) prepared for statewide law enforcement use by the California Highway Patrol (CHP) is meant to provide specific guidelines for the use of the CHP forms. The manual should be consulted for direction in the appropriate use of these forms. The manual further provides valuable information that serves as a guideline in the investigation of a collision.

Department personnel shall refer to and make appropriate use of the CIM whenever documenting a collision investigation or report. In those instances where department policy differs from recommendations presented in the Collision Investigation Manual, department policy shall be followed.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

502.2 DEFINITIONS

(a) **Collision** - An unintended event involving a vehicle that produces damage, injury or death. Precludes events where actions are deliberately taken.

(b) **Government Vehicles** - Municipal, County, State or Federal Government vehicles, whether owned or leased by the government agency.

(c) **Highway** - A way or place of whatever nature, publicly maintained and open to the unrestricted use of the public for purposes of vehicular travel. Highway includes street. A parking lot shall not be considered a highway for purposes of collision investigation procedures.

(d) **Independent Witness** - An individual who possesses information pertinent to an investigation, but who does not have an interest in the finding. Anyone who is related, friends or associates of an involved party shall not normally be considered independent witnesses.

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502.3 TRAFFIC COLLISION REPORTING

(a) The following type of vehicle collisions shall be Class I Investigations and recorded on CHP Form 555 and 556. To be considered a Class I investigation, the incident must have been reported at the time of the collision:

1. Any collision which results in the death of an involved party.
2. Any collision where an involved party may be prosecuted for a felony violation.
3. Any collision involving a City Vehicle with any party suffering a major injury and transported to a hospital.
4. Any collision involving an emergency vehicle being driven with a forward red light and/or siren in operation (Code 3), as described in California Vehicle Code § 21055(c).
    (a) Exception: When it is a non-injury collision with city property damage only, a Class II report may be taken.
5. Any collision involving a vehicle transporting hazardous materials, as defined in California Vehicle Code § 353, and any of the following occurs:
    (a) There is a release of hazardous materials from any package or container including tank (except the vehicle fuel tank); or
    (b) Hazardous material packages or containers have been spilled (dropped or fallen) on the highway; or
    (c) A continuing danger of life or health exists at the scene due to the presence of hazardous materials.

(b) Required information for Class I Collision Investigations:

1. The Class I collision investigation format shall follow the Investigation Narrative outlined in the CHP CIM.
2. Written or recorded statements from involved parties and witnesses when possible and practical.
3. Medical releases for all parties injured as a result of the accident when possible and practical, where the responsible party is being criminally prosecuted.
4. "Class I" shall be entered in the miscellaneous box on the form.
5. Photographs shall be taken.

502.4 REPORTING SITUATIONS

(a) The following types of vehicle collisions shall be considered Class II Reports and recorded on CHP Form 555 and 556:

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1. Any collision involving government vehicles not previously noted in the Class I investigation criteria.
2. Any collision involving a City vehicle not covered under Class I.
3. Any collision involving City or government property other than vehicles (i.e., damage to a street light) and the responsible party is, or can be, identified.
4. Any collision where an involved party will be prosecuted for violation of a misdemeanor or vehicle code infraction and they are, or can be identified.
    (a) Exception: Class III Reports where an involved party(s) is cited for not having insurance.
5. Any collision involving a Police Department vehicle.
6. Any injury collision.

(b) Required information for Class II Collision Reports:

1. The format for a Class II Collision Report shall follow the same format as outlined for a "Report Narrative" in the CHP CIM.
2. Photographs shall be taken when City property is involved.
3. "Class II" shall be entered in the miscellaneous box on the form.
4. Include "Recommendations" after "Cause." The Recommendations section will explain what actions shall be taken (forward to the Sonoma County District Attorney's Office, Traffic Bureau, Hit and Run Investigator, none, etc.).
5. Field and Evidence Technicians shall use this policy to direct their reports to the Traffic Bureau if they want the report reviewed by an Accident Investigator for potential prosecution.

502.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

The following type of vehicle collisions shall be considered Class III Reports: Any on-highway collision not previously defined that is reported at the time of the collision and when an involved party requests a report.

Required information and procedure for completing Class III Reports:

(a) A sketch indicating the point of impact using the arrow system. If possible, directional orientation should be such that north is to the top of the page.

(b) A short paragraph shall be written for all collisions.

(c) Property damage only reports involving two or less parties may be documented on CHP Form 555-03. After completing the report, officers shall give each involved party a copy. Enter "Class III" in the sketch box below the sketch.

(d) "Class III" shall be entered in the miscellaneous box on the form.

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502.6 CLASS IV REPORTS

The following collisions shall be considered Class IV Reports and recorded on CHP Form 555-03: Counter Reports for on-highway collisions not previously defined, when one or more involved parties come to the police station and request a report be taken.

Required information and procedures for completing Class IV Reports:

(a) Class IV Reports shall be completed on CHP Form 555-03 by involved parties.

(b) After completing CHP Form 555-03, the reporting party shall be given a copy of the report.

(c) Enter "Counter Report" in the special conditions box on the form. Also, note in the narrative portion of the CHP Form 555-03 the following facts:

1. Time and date of the collision reported to the Santa Rosa Police Department.
2. Name of the reporting party.

(d) A sketch is not required.

(e) The Collision Analysis Check Box section on CHP Form 555-03 shall not be completed.

502.7 MISCELLANEOUS INFORMATION

Collisions involving bicycles are sometimes subject to different provisions of the law and policy than are motor vehicles. The department shall document bicycle collisions occurring:

(a) On a highway; or

(b) On private property when injury results.

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Collision Reporting - City Vehicles

503.1 PURPOSE AND SCOPE

To establish procedures for reporting, routing, and filing Collision Reports involving City vehicles; and to establish a process for administrative review of collisions involving Police Department personnel.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 12-21-15 by Chief Robert L. Schreeder.

503.2 DEFINITIONS

(a) **Collision -** An unintended event that produces property damage or injury. The word "injury" includes "fatal injury."

(b) **Collision Review Board (CRB)** - A committee consisting of the Police Department employee's Bureau Manager, a Traffic Bureau Sergeant, and the Professional Standards and Training Team Sergeant.

(c) **Preventable Collision -** Any collision involving a City vehicle that results in property damage and/or personal injury in which a Police Department employee fails to exercise reasonable precaution to prevent the collision. Opinions and conclusions as to driver error or Primary Collision Factor (PCF) contained in the initial report (CHP Form 555/556) are material, but not conclusive, in determining whether a collision is preventable.

(d) **Non-Preventable Collision -** Vehicle collisions not described above.

503.3 COLLISION LOCATION AND JURISDICTION

(a) **Collisions Occurring Outside City Limits:**

1. The employee driving the City vehicle shall contact the law enforcement agency having jurisdiction and request an investigation be made.
2. The employee driving the City vehicle shall request that a copy of the report be sent to the Santa Rosa Police Department.
3. The employee driving a City vehicle shall immediately or as soon as possible notify an on-duty supervisor of the collision.

(b) **Collisions Occurring Inside City Limits:**

1. The Santa Rosa Police Department will investigate collisions involving all City owned vehicles except as noted below.
   (a) City vehicles involved in non-injury collisions, on City property, involving only City vehicles and/or property, shall not be documented on CHP Form

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555. All facts shall be documented in memo format. No report shall be filed with Records, nor with the California Statewide Integrated Traffic Reporting System (SWITRS).

2. The employee driving a City vehicle shall immediately notify his or her supervisor following a collision.

3. In such incidents where injury or other circumstances preclude notification by the driver, responding police personnel shall request notification through the Communications Center.

4. The investigation will be prioritized in accordance with department policy establishing priorities for traffic collision investigations (contained in the Police Radio Communications policy), with emphasis on utilizing the Traffic Bureau whenever possible.

5. Communications personnel shall contact the City's Claims Adjuster regardless of time of day and request he/she respond to the scene.

6. Photographs shall be taken of the collision scene by the Santa Rosa Police Department of all City vehicle collisions.

7. A department supervisor shall make a personal assessment at the scene of every City vehicle collision and assure accurate and objective reporting of that collision, including information about the insurance carrier of the other involved party.

8. When practical, the collision report will be submitted for approval prior to the end of the investigating employee's shift.

(c) When a collision involves a fatality and the SCLECA Law Enforcement Employee-Involved Fatal Incident Protocol is invoked, or when the accident involves serious injury and another agency (such as CHP) investigates the collision (at the request of the City of Santa Rosa), the Santa Rosa Police Department will not investigate the collision. However, the administrative processes described below will be initiated, utilizing the report of the investigation completed by the other law enforcement agency.

(d) When a department employee is involved in a collision, the procedure for Collision Review Boards will be followed.

503.4 ALL COLLISIONS INVOLVING POLICE DEPARTMENT VEHICLES

(a) Employees driving a City vehicle at the time of the collision will submit a written memo without delay to their supervisor, describing the circumstances of the collision as follows:

1. The memo will relate in narrative form the incident involving the collision.

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2. It will not be necessary to include physical descriptions, measurements, etc., that appear in the Traffic Collision Report (CHP Form 555).
3. Prior to completing the memo, the employee may consult with a representative of his or her employee organization.

(b) The employee's supervisor shall, in case of injury to the employee, complete a Supervisor's Report of Injury.

(c) Upon completion of the collision report (or memo as previously described), the employee's supervisor shall complete an administrative inquiry in the following format, and forward it to his or her Watch Commander or Bureau Manager:

1. Investigation
   (a) The supervisor's investigation will include all factors related to the cause of the collision.
   (b) The supervisor will enter the collision in the IAPro System.
2. Summary
   (a) The supervisor's assessment of the cause of the collision based upon the investigation and documentation.
   (b) Any follow-up investigation needed to complete the supervisor's report of the accident.
3. Attachments - as determined by the inquiry
   (a) Copy of the employee's memo
   (b) Copy of any related injury report
   (c) Copy of the Driver's Service Request form
   (d) Copy of the Collision Report
   (e) Property Damage form
   (f) Supervisor's investigation
   (g) Copy of the employee's DMV record
   (h) Copy of the employee's SRPD driving record
   (i) Photographs of the collision
   (j) Any other related reports or forms
   (k) Routing form

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(l) May also include details not in the collision report, such as extenuating circumstances, significant details of the type of call to which the employee was assigned or responding (if any), etc.

503.5 COLLISION REVIEW BOARD (CRB)

(a) No later than two weeks after receiving a supervisor's completed inquiry of a Police Department vehicle collision, the involved employee's Bureau Manager shall forward all materials to the CRB. The CRB shall review all the information as listed in this policy. In addition, the Professional Standards and Training Sergeant will review the employee's training file. The Bureau Manager may convene a meeting of the CRB to review and discuss issues related to the collision.

(b) The CRB will make recommendations which may include, but are not limited to, determination if the collision was preventable or non-preventable; changes or additions to policies or procedures; mechanical changes to vehicles; and/or corrective remedial training for the employee.

(c) The recommendations of the CRB will be sent to the employee's Division Manager for review.

(d) The Division Manager will concur with or modify the recommendations, then determine the disposition of the investigation.

1. If the collision was non-preventable, no discipline, formal or informal, should be initiated.
2. If the collision was preventable and the Division Manager does not recommend formal discipline, the Division Manager will direct the employee's supervisor to complete a memo documenting the collision. This memo will be retained by the supervisor for inclusion in the employee's next performance evaluation.
3. If the collision was preventable and the Division Manager recommends discipline, he/she will complete a recommendation for discipline and forward it to the Chief of Police, per the Administrative Investigations policy.
4. Training recommendations will be forwarded to the Support Bureau lieutenant for follow-up.
5. Recommendations for equipment changes will be forwarded to the Bureau Manager responsible for the Equipment Committee.

503.6 COLLISIONS INVOLVING OTHER CITY VEHICLES

Officers investigating a collision involving a City vehicle, other than a Police Department vehicle, shall notify the Communications Center and request notification of the City Department involved.

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Communications personnel shall notify a section or division supervisor of the City Department involved and will enter both the name of the supervisor notified and the time of notification on the incident.

If the collision occurs during other than business hours, Communications personnel shall locate a section or division supervisor from that department by utilizing after hours telephone numbers available in Communications.

A police officer or field and evidence technician at the scene of a collision involving any City vehicle shall notify the Communications Center and Communications personnel shall contact the City's Claims Adjuster regardless of time of day.

503.7 DISTRIBUTION OF TRAFFIC COLLISION REPORTS INVOLVING ALL CITY VEHICLES

The Records Bureau shall forward one (1) copy of the Traffic Collision Report (CHP Form 555) to each of the following:

(a) Risk Management.

(b) Employee's Division Manager.

(c) Traffic Bureau.

(d) Administrative Services Officer.

(e) Revenue and Collections.

All reports generated in accordance with this policy are not to be considered a part of the Collision Report and will not be filed with or attached to copies of the Collision Report or distributed in any fashion other than to personnel within this department as outlined in this policy.

503.8 OFF-ROAD ZERO BIKE AND BICYCLE OFF-ROAD COLLISIONS

The Downtown Enforcement Team (DET) sergeant will inspect the Zero Bikes and Bicycles periodically along with the damage log. This inspection will allow the sergeant to identify possible training issues if a pattern of damage is recognized.

The following procedure is for off-road incidents involving an off-road Zero Bike, or while riding bicycles off road, where the only damage is to city equipment.

(a) **Category 1**: Minor damage that is expected in the normal course of riding off-road. This category is only for items that can be fixed by DET officers due to the minor nature of the damage.

1. This includes cosmetic issues or minor breakage of small components.
2. The incidents shall be logged in the Zero Bike/Bicycle damage log maintained in the DET office.

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(b) **Category 2**: Moderate damage that is above and beyond what is normal and expected.

1. This includes breakage of major components that likely require repairs to be done by a Zero Bike/Bicycle mechanic.
2. This also includes minor injuries sustained along with the damage.
3. The officer riding the off-road Zero Bike or Bicycle off road, will submit a written memo without delay to their supervisor, describing the circumstances of the collision as follows:
    (a) The memo will relate in narrative form the incident involving the collision.
    (b) Prior to completing the memo, the employee may consult with a representative of his or her employee organization.
4. The DET sergeant shall complete a personnel inquiry in the following format, and forward it to the Traffic Bureau lieutenant:
    (a) The DET sergeant will enter the collision in IAPro as a Personnel Inquiry (not a Vehicle Accident). The allegation will be “Misuse of City Owned Property.”
    (b) The DET sergeant’s investigation will include all factors related to the cause of the collision.
    (c) The DET sergeant will include a summary assessment and finding of the cause of the collision based upon the investigation and documentation.
    (d) The DET sergeant shall, in case of injury to the employee, complete a Supervisor’s Report of Injury.

(c) **Category 3**: Any incident that does not fit into the above categories, or based on the specific set of circumstances rises to a higher level, shall follow the procedure as set forth in this policy for vehicle collisions. This could include major damage, significant injury, injury to a citizen, or other sets of circumstances that make a collision investigation warranted. These incidents should be completed as a collision investigation, entered into IAPro as a vehicle accident, and a CRB review will be completed per this policy.

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Vehicle Towing Policy

510.1 PURPOSE AND SCOPE

This policy provides the procedures for towing, storing and impounding a vehicle by or at the direction of the Santa Rosa Police Department. Nothing in this policy shall require the department to tow or impound a vehicle. If the employee determines the towing or impounding of a vehicle does not serve the public interest or is not feasible or reasonable due to circumstances, the employee has the discretion not to tow such vehicle.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

510.2 STORAGE AND IMPOUNDS

When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 48 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

510.2.1 VEHICLE STORAGE REPORT

Department employees towing, storing or impounding a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the CHP Form 180 should be given to the tow truck operator and the original shall be submitted to the Records Bureau as soon as practical after the vehicle is stored.

510.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to Communications. When there is no preferred company requested, a company will be selected from the department's rotational list of towing companies.

If the driver is incapacitated, or for any reason it is necessary for the department to assume responsibility for a vehicle involved in a collision, the officer shall request Communications call from the rotational list of towing companies. The officer will then store the vehicle using a CHP Form 180.

510.2.3 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored

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whenever it is needed for the furtherance of an investigation or prosecution of a case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).

If the vehicle is not stored, the officer shall note in the report the location of the parked vehicle. The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secure and safe condition:

(a) Traffic-related warrant arrest.

(b) Situations where the vehicle was not used to further the offense for which the driver was arrested.

(c) Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.

(d) Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the department will not be responsible for theft or damages.

510.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS

Sobriety Checkpoints:

(a) Whenever a driver is stopped at a sobriety checkpoint and the only violation is the operator is driving without a valid driver's license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

(b) If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear the name and driver's license number of the person to whom the vehicle is released.

(c) When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver's license and current vehicle registration.

510.2.5 DRIVING A NON-CITY VEHICLE

Vehicles which have been towed by or at the direction of the department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

510.2.6 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, Communications shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, Communications shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries to ensure the following firm is called on the next request.

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Personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System (Vehicle Code §§ 22651.5(b), 22851.3(b), and 22854.5). When Records Bureau staffing permits, Records personnel will enter private party tows, repossessions, and stolen license plate information into SVS.

510.2.7 RECORDS BUREAU RESPONSIBILITIES

Approved storage forms shall be promptly filed so they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle determine the names and addresses of the registered and legal owner of the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code §§ 22851.3(d), 22852(a), and 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address and telephone number of the Santa Rosa Police Department.

(b) The location of the place of storage and description of the vehicle which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.

(c) The authority and purpose for the removal of the vehicle.

(d) A statement that in order to receive their post-storage hearing, the owners or their agents shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.

510.3 TOWING SERVICES

The City of Santa Rosa periodically selects firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.

(b) When a vehicle is being held as evidence in connection with an investigation.

(c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

510.4 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the department against fraudulent claims of lost, stolen, or damaged property.

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510.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

510.6 RELEASE OF VEHICLE

The department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver's license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver's license or acquires a license and provides proof of proper insurance.
3. Any other circumstance as set forth in Vehicle Code § 14602.6.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

(d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

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510.7 RELEASE OF VEHICLE

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or person in control of the vehicle and after all applicable fees are paid (Vehicle Code §§ 22850.3 and.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit and payment of applicable fees related to the removal (Vehicle Code §§ 22651 (et seq.), 22652 (et seq.), 22850.3 and.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) and impounded for 30 days shall be released at the end of the impoundment period only when the registered owner or agent presents his/her valid driver's license and proof of current vehicle registration, or upon order of a court (Vehicle Code § 14602.6(d)(2)).

(d) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his or her agent with proof of current registration, proof of a valid driver's license and applicable fees paid prior to the end of the 30 day impoundment period under any of the following circumstances (Vehicle Code § 14602.6(d)(1)):

1. In response to a valid order of a court.
2. When the vehicle is a stolen vehicle.
3. When the vehicle is subject to bailment and is driven by an unlicensed employee of a business establishment, including a parking service or repair garage.
4. When the license of the driver was suspended or revoked for an offense other than those included in Article 2 (commencing with Vehicle Code § 13200) of Chapter 2 of Division 6, or Article 3 (commencing with Vehicle Code § 13350) of Chapter 2 of Division 6.
5. When the vehicle was seized under this section for an offense that does not authorize the seizure of the vehicle.
6. When the driver reinstates his or her driver's license or acquires a driver's license and proper insurance.
7. To the legal owner when all of the following are met:
    (a) The legal owner is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state or is another person, not the registered owner, holding a security interest in the vehicle.
    (b) The legal owner or the legal owner's agent pays all towing and storage fees related to the seizure of the vehicle.
    (c) The legal owner or the legal owner's agent presents a copy of the documents specified in Vehicle Code § 14602.6(f)(3).

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510.7.1 VEHICLE RELEASE CHART

Vehicle releases are required according to the following chart:

Vehicle Code Section	Written Release	Fee
22651(c) VC-Recovered Stolen	Yes	No
22651(h) VC-Arrest	Yes	Yes
22651(o) VC-Expired Reg.	Yes	Yes
22651(p) VC-Unlicensed Driver	Yes	Yes
22653(c) VC-Recovered Stolen	Yes	No
22655(a) VC-Hit/Run	Yes	Yes
22655.5(a)/(b) VC-Evidence	Yes	Yes
22669(a) VC-Abandoned Veh	No	No
22669(d) VC-Disabled Veh	No	No
Code 11-36.010 Abated Veh	Not releasable	N/A
Code 11-36.160 Abated Veh	Not releasable	N/A
Repossession	Yes	No
All other tow authorities	Per CVC Section	Yes

510.7.2 VEHICLE RELEASES

(a) Vehicles involved in a Hit and Run Investigation, towed under authority 22655(a) VC, only require that the owner of the vehicle pay for the release fee, towing, and 48 hours of storage. Any fees incurred to a vehicle towed under that authority and held longer than 48 hours will be the responsibility of the City.

(b) Vehicles towed for evidence, under tow authority 22655.5(a)/(b) VC, require a release fee. With the exception that registered owners who are victims will not incur the release fee. A supervisor, sergeant or lieutenant may wave the release fee for a registered owner who are suspects, at their discretion, and shall be documented on the release form and attached to the report.

(c) The fee may be waived by a Records Supervisor, Sergeant or Lieutenant on a case by case basis. The waiver should be documented on the release form and attached to the report.

(d) All released vehicles, with the exception of recovered stolen vehicles, must have a designated licensed driver and all fees must be paid to the DMV or have a valid DMV issued moving permit, at the time of release.

(e) The City of Santa Rosa has adopted this policy and fee schedule per authority outlined in 22850.5 CVC. Paragraph (4) of 22850.5 CVC, provides and exemption for legal owners and their agents, who shall not be charged a release fee for liens or repossessions.

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Vehicle Impound Hearings

512.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

Adopted 7-16-10 by Chief Thomas E. Schwedhelm.

Revised 2-15-11 by Chief Thomas E. Schwedhelm.

512.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Santa Rosa Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code §§ 22650(a) and 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

512.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

(a) All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Sergeant, or his/her designee, shall serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

(b) The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code §§ 22851.3(e)(2) and 22852(d)).

(c) Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the department.

(d) After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances related to the storage that reasonably would warrant the release of the vehicle or a modification or

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reduction of the period of time the vehicle is impounded (Vehicle Code §§14602.6(b) and 14602.8(b)).

(e) Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code §§ 14602.6(b) or 14608(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

(f) The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(g) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

(h) If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(i) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately.

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Citation Procedure

516.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the accountability and control of traffic/ misdemeanor citations and to establish guidelines for the use and issuance of citations.

All employees and officers shall make every effort to assure proper disposition of all citations being processed. Strict accountability shall be maintained for all citations issued by the Santa Rosa Police Department.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-22-13 by Chief Thomas E. Schwedhelm.

516.2 RESPONSIBILITIES

(a) Records Bureau Responsibility

1. The Records Bureau shall be responsible for the security and maintenance of citation forms.
2. The Records Bureau shall be responsible for reordering citations when necessary, in order to maintain an adequate supply at all times.
3. Police Technicians shall issue citation books to officers in accordance with the procedures outlined in this policy.

(b) Field Services Division and Special Services Division Responsibilities

1. Personnel needing citations shall obtain citation books from the Records Bureau.
2. Personnel needing citations shall be responsible for each citation and shall assure proper disposition of all citations in accordance with this policy.

(c) Citations shall not be destroyed, defaced, or disposed of in any manner other than in accordance with this policy.

(d) Officers shall not void citations.

516.3 DISMISSAL OF TRAFFIC CITATIONS

(a) The Records Bureau shall issue citation books.

(b) The citation check-out receipt shall be completed by the employee receiving the book including the beginning and ending numbers and submitted to the technician prior to the book being issued.

(c) Police Technicians receiving the citation book receipt shall check the receipt for completeness then place their initials and date in the space provided.

(d) The completed receipt shall be maintained in the Citation File in the Records Bureau.

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516.4 VOIDING TRAFFIC CITATIONS

(a) Moving Violation Citations

1. After issuing the citation to a violator, the remaining copies shall be turned in at the end of each shift.

(b) Correctable Violations

1. All officers issuing traffic citations for registration, drivers license, or correctable violations shall do so with the intent of gaining violator compliance to correct the violation. Violations of the following sections of the Vehicle Code are applicable to this procedure:
   (a) Any registration infraction set forth in Division 3 (commencing with Vehicle Code § 4000).
   (b) Any driver's license infraction set forth in Division 6 (commencing with Vehicle Code §§ 12500(b) and 12951(a)) relating to the possession of a driver's license.
   (c) Vehicle Code § 21201, relating to bicycle equipment.
   (d) Any infraction involving vehicle equipment set forth in Division 12 (commencing with Vehicle Code § 24000).

(c) Exceptions to the Correctable Violation Procedure

1. The following traffic violations shall be exceptions to the correctable violations procedure and shall be processed through the Court.
   (a) Traffic citation issued for a combination of correctable and moving violations. To ensure the correctable violation does not incur a fine, the officer shall check the box on the left side of the violation description, which is on the same line of the correctable violation. This will notify the Traffic Clerk's Office that the violator need only show proof of correction for this violation.
   (b) Traffic violations dealing with mufflers, noise, and unsafe vehicles to include the following sections: Vehicle Code §§ 27150(a), 27150(b), 27151, 27152, 27153, 27154, 24002, 24008.

(d) Owner Responsibility - California Vehicle Code § 40001

1. An officer may issue a citation to the owner of a vehicle who is not the driver if the owner is allowing the use of the vehicle in violation of code sections relating to:
   (a) Registration.
   (b) Not lawfully equipped as required.
   (c) Size, weight, and load provisions.
2. An officer shall complete the citation for violations listed above and include the following:
   (a) Check the box adjacent to "Owner responsibility per 40001 CVC."

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(b) In the violator signature box, write "owner responsibility." Do not have the driver sign the citation.

(c) Retain all copies of the citation. The violator copy will be mailed to the owner by the Records Bureau.

(e) Health and Safety Code § 11357(b) citations

1. When an individual is found to be in possession of one ounce (28.5 grams) of marijuana or less:

(a) A uniform citation will be issued. Health and Safety Code § 11357(b) will be used.

(b) The marijuana shall be seized as evidence as set forth in the policy regarding Evidence.

516.5 CORRECTION OF TRAFFIC CITATIONS

(a) Persons arrested for misdemeanor violations may be released on a citation instead of booking into the Sonoma County Jail. This procedure shall be used unless one of the following conditions exist:

1. The arrestee does not have an address in the State of California.
2. The arrestee does not have any identification and cannot be identified by any other means.
3. There is a strong likelihood that releasing the arrestee on a citation would result in the continuation of a crime (e.g., domestic violence situation).
4. When the arrestee refuses to sign the citation.
5. When, in the judgment of a supervisor, a citation release would not be appropriate.
6. If there is any question as to the applicability of the citation release procedure, a supervisor shall be consulted.

(b) Vehicle Code § 23152 Arrests: In cases where a sober adult friend or family member is available and will take personal custody of the arrestee, a citation to appear may be utilized.

(c) Penal Code § 647(f) Arrests

1. The primary disposition for Penal Code § 647(f) arrestees shall be to take them to an approved detox center.
2. Penal Code § 647(f) arrestees may be booked at the Sonoma County Jail if the detox center has refused to accept them and there is no responsible individual to whom the arrestee may be released.

(d) Officers making preliminary contact with a responsible party who is willing to accept custody of a person arrested for an alcohol related offense shall inform the potential custodian of the requirement to sign the Agreement to Accept Responsibility form. Officers shall complete, date and witness the signatures of the custodian and arrestee

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on the Agreement to Accept Responsibility. Distribution of the Agreement shall be as follows:

1. White copy - Attach to report.
2. Yellow copy - Custodian.
3. Pink Copy - Arrestee.

(e) Warrant Arrests - Misdemeanor warrant arrestees may be released on a citation to appear in accordance with Penal Code § 827.1 unless one of the following conditions exist:

1. The warrant or arrestee fits one of the following restrictions in Penal Code § 827.1:
   (a) The warrant is for a crime of violence.
   (b) The warrant is for a crime involving a firearm.
   (c) The warrant is for the crime of resisting arrest.
   (d) The warrant is for the crime of giving false information to a peace officer.
   (e) The arrestee is under the influence of alcohol or drugs and is a danger to himself/herself or others.
   (f) The arrestee has other ineligible charges against him/her.
   (g) There is a strong likelihood the offense would continue or resume, or the safety of persons or property would be immediately endangered if the arrestee is released.
   (h) The arrestee refuses to sign the citation.
   (i) The warrant indicates the arrestee is not eligible to be released on a citation.

(f) If a citation to appear is not appropriate, the arrestee shall be booked at the Sonoma County Jail.

516.6 DISPOSITION OF TRAFFIC CITATIONS

Juvenile citations shall be handled in the same manner as adult citations with the following exceptions:

(a) The Juvenile Referral Form may be used as a citation.

(b) Cite to the Sonoma County Probation Department.

(c) Denote specific Code Section violated rather than simply Welfare and Institutions Code § 602.

1. Example: WIC 602 - PC 488 Petty Theft
2. Example: WIC 602 - PC 459 Burglary

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(d) The officer shall mark the "to be notified" box on the citation.

(e) Notification of parents: The officer shall cite and release juveniles only to their parents or legal guardians informing them of the issuance of the citation.

(f) A supervisor shall approve any release of a juvenile other than to the physical custody of a parent or guardian.

Distribution of the citations is the same as for adults.

516.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

516.8 JUVENILE CITATIONS

It shall be the responsibility of the Records Bureau to reconcile citation numbers on a routine basis. Any citation missing from such reconciliation process shall be brought to the attention of the Division Manager of the officer to whom that citation was issued. The Division Manager shall have the responsibility of determining the whereabouts of any missing citation.

516.8.1 CITATION CORRECTION NOTICE

If an error on a citation is discovered after the citation has been issued, the following procedure shall be followed:

(a) Supervisor or officer discovers an error:

1. The officer shall complete a citation correction notice and attach it to the original citation.
2. The officer shall not make any corrections on the face of the citation.
3. The correction notice shall be turned into the Records Bureau for processing.

(b) Records Bureau discovers an error:

1. Return citation and blank correction notice form to the originating officer.
2. The officer completes the correction notice and returns it to the Records Bureau.

516.8.2 CITATION ERRORS OR CITATIONS NOT ISSUED

(a) If an officer makes an error on a citation before issuing the violator copy, the following shall be accomplished:

1. Issue a second (correct) citation.
2. Complete a department memorandum explaining the error and the number of the correct citation issued.
3. Submit all three (3) copies of the citation in error, and the memo, through the chain of command to the Bureau Lieutenant.
4. The Bureau Lieutenant shall forward the copies of the citation and the memo to the Records Bureau.

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(b) Citations not issued because the violator refuses to sign, gives fraudulent information and/or defaces the citation shall be placed into evidence.

1. A photo copy of the citation shall be attached to the report.
2. The green copy shall be marked with the case number and turned in.
3. The remaining two (2) copies are to be attached to a completed property report and placed into evidence.

516.8.3 VOIDING CITATIONS

(a) Only the Chief or Police or his/her designee may render a citation void after it is issued.

(b) Should an officer want to have a citation voided, the officer shall submit all available copies of the citation to the Division Manager through the chain of command with a memorandum of explanation requesting that the citation be voided with the reason for the request.

(c) For valid purpose and with Department Head approval, the Division Manager shall write "VOID" across the face of the citation and forward the citation to the Records Bureau for final reconciliation.

(d) The Division Manager shall be responsible for requesting the Court void a citation when all copies of the citation are not in possession of the Santa Rosa Police Department.

516.9 TRAFFIC CITATION DISTRIBUTION

(a) All Traffic Citations other than Parking:

1. White (original) - Court copy.
2. Blue - violator copy (except parking).
3. Green - Records file copy, officer notes on back.

(b) Parking:

1. White (original) - copy City Finance Department.
2. Copy with payment envelope.

(c) Misdemeanor Citations:

1. White (original) - attach to original report.
2. Blue - violator copy.
3. Green - Records file copy.

(d) Unsigned, Fraudulent and/or Defaced Citations:

1. Xerox copy with report.
2. Green copy - Records file copy.
3. White copy - attach to evidence report.
4. Blue copy - attach to evidence report.

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(e) 602 W&I Citations - Juveniles:

1. Same as above.

(f) Distribution of Correction Notice:

1. Original - Court.
2. Yellow - violator copy.
3. Pink - Records file, attach to green copy of citation.

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Disabled Vehicles

520.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

Adopted 7-16-10 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

520.2 EMPLOYEE RESPONSIBILITY

When an on-duty employee observes a disabled vehicle on the roadway, the employee should make a reasonable effort to provide assistance. If that employee is assigned to a call of higher priority, Communications should be advised of the location of the disabled vehicle and the need for assistance. Communications should then assign another available employee to respond for assistance as soon as practical.

520.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

520.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

520.4 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by officers of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

520.5 RELOCATION OF DISABLED MOTORISTS

The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The officer may stay with the disabled motorist or transport him/her to a safe area to await pickup.

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Chapter 6 - Investigation Operations

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Call-out for Special Assignment Officers and FETs

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure by which certain special assignment personnel shall be subject to an "on-call" status and be available to respond to any investigation or incident beyond normally scheduled hours.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

601.2 ASSIGNMENT AND CALL-OUTS

(a) Special assignment personnel subject to on-call include those positions assigned to the Domestic Violence/Sexual Assault Investigations Team (DVSA), Gang Crime Investigations Team, Property Crime Investigations Team, Narcotic Investigations Team, Violent Crime Investigations Team (VCI), as well as Police Field and Evidence Technicians assigned to patrol in the Field Services Division.

(b) Personnel within these teams or groups, not on limited, modified or light duty, shall be assigned on-call duty on a rotating basis for a seven day period to respond at any hour outside the normal work day.

(c) An on-call calendar shall be prepared and maintained by each Team Supervisor. The "On-Call Calendar" shall be posted and maintained in a common Outlook folder accessible to all personnel.

(d) On-call investigators shall be assigned a pager and/or a cellular telephone, and a department vehicle, when available, in order to facilitate prompt responses.

(e) The authority to utilize on-call personnel rests with the on-duty Watch Commander, or in his/her absence, the on-duty supervisor.

601.3 SPECIAL SERVICES DIVISION

601.3.1 VIOLENT CRIME INVESTIGATIONS TEAM (VCI)

The following criteria shall be used as a guideline for the call-out of investigators from the VCI Team.

(a) Any real or suspected homicide.

(b) Any officer involved shooting.

(c) Any officer involved critical incident where a fatal injury occurs to a person as a result of a police action, not including traffic fatalities.

(d) Coroner's cases where the circumstances surrounding the death are suspicious, or where there are unanswered questions needing immediate resolution.

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(e) Any incident involving a hostage taking or kidnapping.

(f) Any other major case involving a crime against a person outside the ability of the Field Services Division, or as deemed necessary by the on-duty Watch Commander.

601.3.2 DOMESTIC VIOLENCE/SEXUAL ASSAULT INVESTIGATIONS TEAM (DVSA)
The following criteria has been established as a guideline for the call-out of investigators from the DVSA Team.

(a) Any child molestation or child sexual assault case.

(b) Any felony sexual assault that has occurred within the last 72 hours.

(c) Any real or suspected homicide of a child under 14 years of age.

(d) Any sudden infant death (S.I.D.S.).

(e) Any suicide involving a juvenile victim.

(f) Any physical abuse involving a child where serious life-threatening injuries have occurred.

(g) Any reported child stealing case involving an abduction by a stranger.

(h) Any case of child pornography where immediate follow-up is required.

(i) Any major case involving a child victim which is outside the ability of the Field Services Division to investigate, or as deemed necessary by the on-duty Watch Commander.

601.3.3 PROPERTY CRIME INVESTIGATIONS TEAM
The following criteria has been established as guidelines for the call-out of investigators from the Property Crime Investigations Team:

(a) When there is a suspected arson and one or more of the following are present:

1. When the Fire Department needs investigative support services beyond taking a crime report.
2. There is a large fire loss.
3. Suspicious circumstances are present.
4. There are fire deaths or serious injury.
5. It appears that other crimes have been committed.

(b) Any residential/commercial burglary with multiple suspects in custody and/or where the property loss exceeds $10,000.

(c) Any case involving the recovery of stolen property which has a value in excess of $5,000, and suspects are in custody.

(d) Any case of a property crime in which the suspect(s) state they wish to provide information pertaining to other property crimes.

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(e) Any property crime where immediate and specialized follow-up is required, or as deemed necessary by the on-duty Watch Commander.

(f) Any pre- or post-blast explosives investigation where:

1. Evidence on scene may lead to the identity of a suspect; and/or,
2. There is a death, injury, evidence of a hate crime, or where property damage is estimated to be in excess of $5,000.
3. Any clandestine laboratory case.

601.3.4 NARCOTIC INVESTIGATIONS TEAM

The following criteria has been established as guidelines for the call-out of investigators from the Narcotic Investigations Team:

(a) Any narcotics sales case or possession for sale case.

(b) Any narcotics seizure where $1,000 or more in cash is located in conjunction with the narcotics.

(c) Any case in which a vehicle is involved and the occupants of that vehicle are arrested for any violation of narcotics sales or possession for sale and the vehicle has an apparent value of $5,000 or more.

(d) Any marijuana cultivation case determined to not be legal under California Proposition 215.

(e) Any case in which the suspect or any other person wishes to provide information pertaining to narcotics or vice (at the discretion of the investigator).

(f) Any major case outside the ability of the Field Services Division or as deemed necessary by the on-duty Watch Commander.

601.3.5 GANG CRIME INVESTIGATIONS TEAM

The following criteria shall be used as a guideline for the call-out of investigators from the Gang Crime Investigations Team.

(a) Any gang related offense which appears to have been committed for the benefit of, at the direction of, or in association with a criminal street gang.

(b) Any investigation of a crime in which the suspect(s) state they wish to provide information pertaining to other gang crimes or gang participants.

(c) Any investigation where there appears to be significant intelligence pertaining to a known or suspected gang incident.

(d) Any other significant investigation which is outside the ability of the Field Services Division, or as deemed necessary by the on-duty Watch Commander.

601.4 FIELD SERVICES DIVISION

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601.4.1 TRAFFIC BUREAU

Contact should be made with the Traffic Sergeant to call back off-duty traffic personnel when serious traffic or hazardous material incidents occur and the following conditions exists:

(a) Any traffic collision involving a fatality where there are not sufficient on-duty traffic personnel to handle the case.

(b) Any traffic related felony where immediate specialized follow-up is required.

(c) Any collision involving a serious personal injury where there is a strong probability it will result in a fatality.

(d) Any traffic collision involving a serious hazardous material spill.

(e) Any serious traffic related incident where there are insufficient on-duty personnel to handle.

(f) Any serious non-highway hazardous material spill where there are not sufficient on-duty traffic personnel to handle the case, and it requires extended scene management and coordination.

601.4.2 FIELD EVIDENCE COLLECTION

(a) Police Field and Evidence Technicians are assigned the responsibility of collecting and preserving evidence at crime scenes.

(b) An on-call calendar in an Outlook folder shall be established for Police Field and Evidence Technicians, which assigns one person on-call responsibility on a rotational basis during non-duty hours.

(c) Personnel in this group shall be used exclusively for the following categories of incidents:

1. Any real or suspected homicide.
2. Any officer involved critical incident
    (a) That involves any type of weapon; or,
    (b) May include vehicle accidents.
3. Unusual or suspicious death including:
    (a) Suicides; or,
    (b) Incidents where the cause of death is initially unclear.
4. Autopsies.
5. Traffic fatalities.

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(a) Incidents where the resources available through the traffic investigator are exceeded and the technical expertise of personnel in this group are necessary to insure a complete investigation.

6. Any other major case involving circumstances where such expertise is deemed necessary by the on-duty Watch Commander.

7. Incidents involving circumstances not meeting the criteria set forth above but requiring specialized evidence collection and preservation.

(a) These incidents shall be assigned to an on-duty Police Field and Evidence Technician as deemed appropriate by involved supervisors.

601.5 NOTIFICATION

On-call employees shall be provided with a cellular telephone which shall remain in their possession at all times.

If outside of the normal range of the cellular telephone, personnel assigned to on-call duty shall provide a phone number to the Communications Center where they can be reached.

601.6 INVESTIGATIVE RESPONSIBILITIES

(a) Once notified, the on-call employee shall provide an estimated time of arrival and respond without undue delay.

(b) When an on-call employee is called out from any team, that person shall assume the responsibility for the crime scene and investigation upon arrival.

(c) The on-call employee shall assess the situation at hand and request additional personnel as necessary through an on-duty supervisor.

(d) On-call employees shall notify their immediate supervisor as soon as practical of the circumstances surrounding the situation of the call-out in accordance with individual team procedures.

(e) The on-call employee, while in such status, shall refrain from consuming alcoholic beverages to any extent which would affect their ability to respond or handle the situation upon their arrival.

(f) If the on-call employee is compelled to take medication which would adversely affect a response, the team supervisor shall be notified immediately.

601.7 TECHNICAL SERVICES DIVISION

Property/Evidence Technicians may be subject to call back and respond to a situation beyond normally scheduled hours when the following conditions occur:

(a) An audible alarm is activated in the main property/evidence office, the east property/ evidence storage room, the bicycle storage facility or the mezzanine at the warehouse.

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(b) Evidence slam lockers are full and there is incoming evidence that is of a priority nature.

(c) An item has accidentally been placed in a slam locker or drop slot and it is needed before the scheduled arrival of a Property/Evidence Technician.

(d) The drying cabinets are full and there is incoming evidence that is of a priority nature.

(e) Any other situation where a response is deemed necessary by an on-duty patrol supervisor or lieutenant.

601.7.1 NOTIFICATION

The authority to “call in” an off-duty Property/Evidence Technician rests with the on-duty patrol supervisor or lieutenant, who shall attempt to make contact with a Property/Evidence Technician. In the event a Property/Evidence Technician cannot be reached, a Records Supervisor should be contacted.

Property/Evidence Technicians are not required to be “on call” and do not receive “on call” pay. Their response is entirely voluntary. The special assignment Police Technician is not eligible to respond.

601.7.2 RESPONSIBILITIES

(a) The Property/Evidence Technician shall provide an estimated time of arrival and respond as soon as practical.

(b) Once at the station or off-site location, the responding Property/Evidence Technician shall assess the situation and determine if there is a need to notify a Technical Services Division Supervisor.

(c) Any response by a Property/Evidence Technician shall require an entry into Telestaff. Time spent in the “call back” status can either be paid as overtime or taken as a schedule adjustment within the same week.

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Adult Sexual Assault Investigations

602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on victims.

Mandatory notifications requirements are addressed in the Child Abuse Reporting (#330) and Elder/Dependent Adult Abuse (#326) policies.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 10-1-18 by Chief Robert L. Schreeder.

602.1.1 DEFINITIONS

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates, law enforcement officers, forensic medical examiners, including sexual assault forensic examiners (SAFEs). The team is designed to coordinate a broad response to sexual assault victims.

602.2 POLICY

It is the policy of the Santa Rosa Police Department that its employees, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of victims and the community.

602.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.

(g) Santa Rosa Police Department Domestic Violence/Sexual Assault Investigations Team (DVSA) detectives meet these requirements.

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602.4 INVESTIGATIVE RESPONSIBILITIES

Cases of sexual assault that are reported to the Police Department will normally be referred to the Field Services Division for the initial investigation and crime report. The exceptions to the above procedure shall be in cases where the sexual assault report is made directly to the Domestic Violence/Sexual Assault Investigations Team (DVSA) of the Special Services Division. In those situations, the DVSA Team sergeant shall have the option of assigning the case directly to an investigator, or referring the case to the Field Services Division.

602.4.1 INITIAL INVESTIGATIVE STEPS BY OFFICERS

(a) Obtain any necessary emergency medical care.

(b) Establish the jurisdiction of the crime.

(c) Establish what type of crime occurred.

(d) Establish when the crime occurred.

(e) Locate and secure any existing crime scene or evidence.

(f) Offer the victim assistance in contacting a sexual assault advocate/counselor.

(g) Provide, if necessary, transportation for the victim to a safe location.

(h) Attempt to locate and interview any witnesses.

1. After obtaining the above listed information, **do not interview the victim further**.

(i) Attempt to identify the suspect without alerting the suspect of the investigation (commonly done through witnesses, reporting parties or department records).

1. Officers shall not contact or interrogate the alleged suspect unless circumstances make it unavoidable. Such contacts or interrogations may be counterproductive if undertaken prior to an in-depth interview of the victim by DVSA detectives.

(j) If 120 hours or less have passed since the crime occurred, request through a police sergeant, telephone contact with the on-call DVSA detective. Based on circumstances, the detective will respond to assist with or take over the investigation or give further instruction to the investigating officer.

(k) In cases where more than 120 hours have passed since the crime occurred and there is deteriorating physical evidence connected to the sexual assault (typically evidence a SART exam would preserve), the officer shall request through a police sergeant, telephone contact with the on-call DVSA detective in order to evaluate other investigative steps.

(l) Provide the victim with a Directory Resource Information Pamphlet.

602.5 VICTIM INTERVIEWS

(a) The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Bureau, should be the health and safety of the victim, the

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preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

(b) An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practical, the follow-up interview should be conducted by a qualified DVSA detective. The detective will schedule the follow-up interview with the victim.

(c) Victims are often reluctant or embarrassed to discuss details. Recanting or changing one or more aspects of a prior statement is not necessarily an indication of false reporting or that the case is unfounded. If the responding officer has reason to believe the incident may be without merit, he/she should document the evidence and inconsistencies. Due to physical and emotional trauma, and the myths and stereotypes associated with sexual assault, inconsistencies in the victim's report are not uncommon. No opinions of whether the case is unfounded shall be included in the report.

(d) Victims shall not be asked or required to take a polygraph examination (42 USC § 3796gg-8; Penal Code § 637.4).

602.5.1 VICTIM RIGHTS

(a) Victims should be apprised of applicable victim's rights provisions. Whenever there is an alleged sexual assault the assigned officer shall accomplish the following:

1. Provide the victim with the "Directory of Resource Information Pamphlet" containing the names and locations of rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2(a)).

(b) In situations when a DVSA detective is assigned to investigate, he/she shall make the following notifications:

1. Advise the victim of the right to have a victim advocate and a support person present at any initial interview by law enforcement as provided in Penal Code § 679.04(a).

(a) An initial investigation by law enforcement to determine whether a crime was committed and the identity of the suspects shall not constitute a law enforcement interview for the purposes of this section (Penal Code § 679.04(c)).

(b) A support person may be excluded from the interview by the officer or detective if his/her presence would be detrimental to the purpose of the examination (Penal Code § 679.04(a)).

2. If the victim is transported to a hospital for any medical evidentiary or physical examination, immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2(b)(1)).

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602.5.2 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293). SRPD form 253 B will be completed to further document this advisement.

If this advisement cannot be made, the officer shall document this fact and the reason why the advisement could not be made.

(a) The assigned detective will attempt to complete the notification and document the information in a supplemental report.

Except as authorized by law, employees of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).

602.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

(a) Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

(b) When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

(c) If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practical.

(d) Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

(e) Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous, may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

602.6.1 COLLECTION AND TESTING REQUIREMENTS

Officers or detectives investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). Generally, rape kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer or detective should further ensure that the results of any such test have been timely entered into and checked against both the Department of Justice Cal-DNA database and the Combined DNA Index System (CODIS).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is an issue and is not going to be analyzed within 18 months of the crime, the assigned officer or

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detective shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680(d)).

602.6.2 VICTIM NOTIFICATION OF DNA STATUS

A SART member may be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). The assigned detective should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations.

(a) Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, the assigned detective may inform the victim of the status of the DNA testing of any evidence from the victim's case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned detective should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
2. Absent a written request, no employee of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):

1. To be informed if a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.
2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.
3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the Department of Justice Databank of case evidence.

(c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned officer or detective informed with regard to current address, telephone number and email address (if available), any victim or the victim's authorized designee shall, upon request, be advised of any known significant changes regarding the victim's case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned detective should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
2. No employee shall be required or expected to release any information which might impede or compromise any ongoing investigation.

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602.6.3 DESTRUCTION OF EVIDENCE
Any destruction of evidence related to a sexual assault shall occur only after victim notification is made as required pursuant to Penal Code § 680 and only in compliance with the Evidence and Property Procedure #819.

602.7 DISPOSITION OF CASES

If the assigned detective has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the DVSA sergeant.

Classification of a rape case as unfounded requires the DVSA sergeant to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence to support the recanted information before the case should be determined as unfounded.

602.8 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appears to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The DVSA sergeant should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

602.9 TRAINING

Subject to available resources, periodic training will be provided to:

(a) Employees who are first responders. Training should include:
    1. Initial response to sexual assaults
    2. Legal issues
    3. Victim advocacy
    4. Victims' response to trauma

(b) Qualified investigators who should receive advanced training on additional topics. Advanced training should include:
    1. Interviewing sexual assault victims
    2. SART
    3. Serial crimes investigations
    4. Use of community and other federal and state investigative resources such as the Violent Criminal Apprehension Program (ViCAP)
    5. Techniques for communicating with victims to minimize trauma

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Narcotics - Retention for Department Use

603.1 PURPOSE AND SCOPE

The purpose of this policy is to:

(a) Establish guidelines for the Santa Rosa Police Department to retain narcotics purged from evidence to use in department operations;

(b) Provide training in compliance with state law; and,

(c) Maintain, distribute, replenish and track narcotics retained for use by the Narcotics Investigations Team.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

603.2 POLICY

(a) It is the policy of the Santa Rosa Police Department to retain narcotics purged from evidence to use in various departmental operations and training.

(b) All purged narcotics shall be transferred as prescribed by state law and department policy.

(c) Drugs located in the Narcotics Cache shall be used in the course of Reverse Stings, investigations and team training at the direction of the Narcotics Team supervisor.

(d) The Special Services Division lieutenant shall have overall responsibility and ensure accountability for all Narcotics Team narcotics.

(e) The Narcotics Team supervisor shall have direct responsibility for the retention, dispersal, use, and tracking of all Narcotics Team narcotics.

(f) Detectives/officers shall have the responsibility to ensure Narcotics Team narcotics are used solely for their intended purpose, packaged in a manner to thwart destruction during an operation, and properly entered into evidence when appropriate.

603.3 NARCOTICS TEAM SUPERVISOR RESPONSIBILITIES

(a) The Narcotics Team Sergeant shall:

1. Determine the types and amounts of narcotics necessary to conduct future operations and training, and direct a Narcotics Team detective remove these narcotics from the lists of purged evidence slated for destruction.

2. Weigh and valtox all narcotics to be retained and complete a Property/Evidence Report detailing the weight and description of each type of narcotic to be retained.

3. Rebook the narcotics into evidence under a new case report number.

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(b) When narcotics are needed for an operation or training, they shall only be signed out to a detective/officer with the Narcotics Team supervisor's approval.

(c) Upon return the detective/officer shall weigh and valtox the narcotics used and make the appropriate notations regarding discrepancies, if any, on the Property/Evidence Report.

(d) The Narcotics Cache shall be audited once a year by the Narcotics Team supervisor and the results of the audit will be forwarded to the SSD Investigations lieutenant. An audit shall also be conducted at the rotation of a new Narcotics Team supervisor.

(e) The Narcotics Team supervisor will secure various types and forms of narcotics that are equated with usage applicable to the types of investigations and training conducted by this department.

1. Amounts of individual drugs will be adequate to cover multiple transactions and in weights appropriate to the investigation.

603.4 NARCOTICS REMOVED FROM EVIDENCE

(a) Upon the request of the Narcotics Team supervisor, Narcotics Team personnel shall remove designated narcotics from those purged for destruction and note on the Controlled Substance for Destruction forms (DOJ Form ISB-16) "Retained for Department Use."

(b) The retained narcotics shall be rebooked as per established procedure.

(c) The retained narcotics shall be signed out to the detective/officer upon request with the Narcotics Team supervisor's approval.

(d) Any training narcotics used for school or other presentations shall be approved by the Narcotics Team supervisor and returned to evidence immediately after the presentation.

(e) With approval from the Narcotics Team supervisor and in accordance with this policy, training narcotics may be signed out to Canine Officers for the purpose of conducting department canine narcotics training. The narcotics shall remain in the control of the Canine Officer. When not being used for training, any training narcotics assigned to a Canine Officer shall be secured in a locked container. The security, retention and return of training narcotics are the responsibility of the Canine Officer to whom the training narcotics were assigned.

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Pawnbroker/Secondhand Dealers License

604.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform method of processing applications for Secondhand Dealers Licenses, and document and organize a record system to maintain accountability of the number of Secondhand Dealers Licenses issued.

Approved 10-1-18 by Chief Robert L. Schreeder.

604.2 DEFINITIONS

(a) **Secondhand Dealer** - Includes any person, co-partnership, firm or corporation whose principal business is primarily that of engaging in buying, selling, trading, taking in pawn, or accepting secondhand tangible personal property for sale on consignment. Pawnbrokers are included in the definition and for purposes of this policy are Secondhand Dealers.

(b) **Secondhand Dealer** - Also includes any person who engages in the business of buying or selling secondhand tangible property in excess of 20% of the gross sales and purchases of goods or merchandise which comprises the regular course of business.

(c) **Antique Dealers and Coin Dealers** - Are also Secondhand Dealers if, during the regular course of business, their gross sales and purchases of the following merchandise exceeds 20%:

1. Serialized property.
2. Property having owner-applied numbers or inscriptions.
3. Jewelry.
4. Sterling silver tableware/utensils.

604.3 REFERENCES

(a) Business and Professions Code §§ 21625 thru 21646.

(b) Amended Financial Code § 21205 relating to personal property.

(c) Santa Rosa City Code, Title 6, Chapter 6.04-320.

604.4 NEW LICENSE

(a) Property Crime Investigations Staff

1. Interview the applicant and determine whether or not the proposed business is defined under Business and Professions Code § 21626. If the business falls under that code, the applicant shall be provided the URL for the online CAPSS application form JUS-125 and an SRPD Permit Application:

   (a) https://capss-licensing.doj.ca.gov/PUBLIC/APPLICATION/NEW?ORI=CA490500

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2. Each individual owner, partner, corporate officer, or shareholder applying for a license shall be directed to the CAPSS website. DOJ and local law enforcement will automatically be notified of pending application.

3. The applicant is to be advised of the requirements to report transactions, and all laws relevant to the operation of a secondhand pawnbroker business. The applicant shall also be instructed on how to obtain the necessary forms (JUS-123, JUS-124) from the DOJ website.

    (a) https://oag.ca.gov/SECONDHAND/CAPSS

(b) Recommendations for approval or denial are electronically sent to SRPD from DOJ.

1. DOJ will electronically forward to SRPD a completed permit, if approved, requiring a signature.

(c) SSD Senior Administrative Assistant.

1. Upon notification of the application from the DOJ, the SSD Senior Administrative Assistant shall:

    (a) Review the online application and verify the application completed.

    (b) Accept a cashier's check or money order made payable to the California Department of Justice and forward to the Department of Justice.

    (c) Accept cash or check made payable to the City of Santa Rosa for permit processing.

    (d) Assemble a file and check off the completed items on the worksheet.

(d) Property Crimes Detective:

1. Once the detective has reviewed the application, he/she will access CAPSS and review the pending application to ensure all forms, fees and background checks are completed.

2. The Property Crimes Sergeant shall be notified of any conflicts or issues.

(e) Notifications for renewal or expired licenses will be sent and completed electronically through the DOJ website.

1. If approved, the SSD Senior Administrative Assistant will mail a copy of the license to the applicant.

2. An electronic copy of the application is retained in the CAPSS system.

604.5 PERMIT RENEWAL

(a) The applicant shall be provided the URL for the online CAPSS application form JUS-125 and an SRPD Permit Application.

1. https://capss-licensing.doj.ca.gov/PUBLIC/APPLICATION/NEW?ORI=CA490500

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2. Each individual owner, partner, corporate officer, or shareholder applying for a license shall be directed to the CAPSS website. DOJ and local law enforcement will automatically be notified of pending application.

(b) SSD Senior Administrative Assistant

1. Upon notification of the application from the DOJ, review the online application and verify it's completed.
2. Accept a cashier's cash or money order made payable to the Department of Justice and forward to the Department of Justice.
3. Accept cash or check made payable to the City of Santa Rosa for permit processing.
4. Assemble the file and check off the completed items on the worksheet.

(c) The Property Crimes Detective will review the online application and notify the Property Crimes Sergeant of any conflicts or issues.

(d) Property Crimes Sergeant

1. The Property Crimes Sergeant, or his/her designated PCI detective, shall review the completed file and either approve or deny the application.
2. If the permit is approved for renewal, both sections of JUS-126 are to be completed online on the DOJ website.

(e) If approved, the SSD Senior Administrative Assistant will mail a copy of the license to the applicant.

604.6 REASONS FOR DENIAL OR REVOCATION OF PERMIT

Prior to revocation of the permit the Property Crimes Sergeant shall give written notice to the applicant of the grounds for revocation and allow the applicant 15 days from the time of notice to respond to said grounds. Grounds for denial or revocation include:

(a) The applicant has been convicted of an attempt or receiving stolen property or any other offense involving stolen property.

(b) Fraud, misrepresentation or false statement contained in the application.

(c) Fraud, misrepresentation or false statement made in the course of carrying on the activity authorized by such permit.

(d) Conducting the activity authorized by the permit in an unlawful manner.

(e) Conviction of any felony or misdemeanor involving conduct which indicates the permittee will be a danger to the person or property of a member of the public.

(f) Finding of any fact that, if known, would have prevented the issuance of the permit.

(g) Failure to pay any judgment arising from or connected with the activities authorized by the permit.

(h) Revocation or suspension of any required permits.

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(i) Failure by business applicant to pay the business license tax assessed by Santa Rosa City Code, Chapter 6-04 when due.

(j) Doing business from an unauthorized location.

(k) Failing to display license on the premises.

(l) Engaging in business with a minor under age.

(m) Failing to comply with any other requirements in Article 4 of the Business and Professions Code.

(n) Failing to comply with CAPPS and/or DOJ requirements.

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Adult Sexual Assault Investigation Procedure

605.1 PURPOSE AND SCOPE

It shall be the policy of the Santa Rosa Police Department to document all reported cases of sexual assault utilizing the departmental crime case report form.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

605.2 DEFINITIONS

The term sexual assault investigation refers to any criminal case involving the following crime categories:

261 P.C. - Rape

262 P.C. - Spousal Rape

286 P.C. - Sodomy

288(a) P.C. - Oral Copulation

289 P.C. - Anal/Genital Penetration with Foreign Object

220 P.C. - Assault with Intent to Commit any of the above

605.3 INVESTIGATIVE RESPONSIBILITIES

Cases of sexual assault that are reported to the Police Department will normally be referred to the Field Services Division for the initial investigation and crime report.

The exceptions to the above procedure shall be in cases where the sexual assault report is made directly to the Domestic Violence/Sexual Assault Investigations Team (DVSA) of the Special Services Division. In those situations, the DVSA Team supervisor shall have the option of assigning the case directly to an investigator, or referring the case to the Field Services Division.

605.3.1 INITIAL INVESTIGATING OFFICER INVESTIGATIVE STEPS

(a) Obtain any necessary emergency medical care.

(b) Locate and secure any existing crime scene or evidence.

(c) Establish what type of crime occurred.

(d) Establish when the crime occurred.

(e) Establish the jurisdiction of the crime.

(f) Provide the victim with a Directory Resource Information Pamphlet.

(g) Offer the victim assistance in contacting a sexual assault advocate/counselor.

(h) Provide, if necessary, transportation for the victim to a safe location.

(i) Attempt to locate and interview any witnesses.

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1. After obtaining the above listed information, **do not interview the victim further**.

(j) Attempt to identify the suspect without alerting the suspect of the investigation (commonly done through witnesses or reporting parties).

1. Officers shall not contact or interrogate the alleged suspect unless circumstances make it unavoidable. Such contacts or interrogations may be counterproductive if undertaken prior to an in-depth interview of the victim by DVSA detectives.

(k) If 120 hours or less have passed since the crime occurred, request through a police sergeant telephone contact with the on-call DVSA detective. Based on circumstances, the detective will respond to assist with or take over the investigation or give further instruction to the investigating officer.

(l) In cases where more than 120 hours have passed since the crime occurred and there is deteriorating physical evidence connected to the sexual assault (typically evidence a SART exam would preserve), the officer shall request through a police sergeant telephone contact with the on-call DVSA detective in order to evaluate other investigative steps.

605.4 MANDATED ADVISEMENT

(a) In all sexual assault cases, the officer shall inform the victim that the victim's name will become a matter of public record unless the victim requests that it not become a matter of public record, pursuant to Government Code § 6254.

(b) The officer shall document in the report the victim was properly informed and document the response to the advisement on SRPD form 253 B.

(c) If the officer taking the initial report is not able to make the advisement, that fact and the reason why the advisement was not made shall be documented in the report.

605.5 SEXUAL ASSAULT EXAMINATIONS

(a) A sexual assault examination shall be performed only when authorized by an investigator from the DVSA Team.

(b) The sexual assault examination shall be performed by a sexual assault examiner in accordance with the California Medical Protocol for examination of sexual assault victims.

(c) No officer shall be present in the examination room during the sexual assault examination.

(d) If the clothing being worn by the victim is the same as when the sexual assault occurred, it shall be the responsibility of the patrol officer to insure the clothing is

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collected as evidence. Each article of clothing shall be placed in an individual paper bag.

605.6 DOMESTIC VIOLENCE/SEXUAL ASSAULT TEAM RESPONSIBILITIES

The DVSA Team supervisor shall be responsible for reviewing, assigning or referring to another agency all reports of adult sexual assaults made to the Santa Rosa Police Department.

DVSA Team investigators shall be responsible for completing the necessary investigative action on each sexual assault case assigned to them. Investigators shall ensure the following is accomplished:

(a) Review the report and make follow-up contact with victims, witnesses and suspects as needed.

(b) Complete the investigation in a timely manner and make an appropriate recommendation for disposition, based upon the investigative findings.

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Asset Forfeiture

606.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

606.2 POLICY

The Santa Rosa Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Santa Rosa Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

606.3 ASSET SEIZURE

Before seizing any currency, vehicle, or personal property pursuant to Health and Safety Code § 11470, a patrol officer shall contact a Narcotics Team detective or the Narcotics Team supervisor. The following guidelines will be observed:

(a) Disclaimers will be completed on all persons disclaiming ownership of currency, vehicle, or property seized.

(b) The seizure of assets subject to forfeiture is a civil proceeding initiated through the county of origin, Office of the District Attorney Forfeiture Unit or the Department of Justice, U.S. Attorney's Office.pursuant to H&S 11470.1(d) PROPERTY SUBJECT TO SEIZURE.

606.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.

(b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):

1. The property subject to forfeiture is legally seized incident to an arrest.
2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the district attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method.

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A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

606.3.2 PROPERTY NOT SEIZED FOR FORFEITURE

The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds should not be seized.

(b) Real property is not subject to seizure, absent exigent circumstances, without a court order (Health and Safety Code § 11471).

(c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect's immediate family (Health and Safety Code § 11470).

(d) Vehicles, boats or airplanes owned by an "innocent owner," such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).

(e) Any property when the associated activity involves the possession of marijuana or related paraphernalia that is permissible under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1).

606.3.3 CURRENCY SEIZED UNDER STATE ASSET FORFEITURE

(a) Currency seized subject to state forfeiture under Health and Safety Code § 11470 shall be counted at the SRPD Narcotics Office during the time of the seizure and investigation.

1. The currency will be placed into a money envelope.
2. The officer, claimant, and a witnessing officer will initial and sign the envelope when sealed.
3. The "Asset Seizure" box shall be checked and a notation shall be made indicating a State Asset Seizure.
4. If the currency will not fit into a standard money envelope, the currency shall be placed into a larger envelope or bag, which shall be sealed and the completed money envelope shall be affixed to the outside of the larger envelope or bag containing the currency.
5. The currency will then be booked into Evidence. The "HOLD FOR EVIDENCE PROCESSING" box will be checked on the money envelope.

(b) An asset seizure receipt will be issued to the person from whom the currency was seized.

1. The receipt will indicate the dollar amount of U.S. currency seized.
2. The receipt and all other corresponding reports will also annotate if the currency is not claimed by any person present, or if the currency is seized from an unoccupied area.
3. A copy of the receipt will be left at the premises in this case.

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(c) Two detectives shall check out the seized currency from Evidence and transport it to Chase Bank within five (5) business days upon notification from the Sonoma County District Attorney's Office.

1. Both detectives must be present throughout the counting process. Both must witness the opening of the money envelope and the counting of the seized currency.
2. Once the currency is counted, it will be deposited into a Chase account until disposition of the case.
3. The Special Services Division (SSD) Senior Administrative Assistant (SAA)will then record the deposit amount into Cash Track.

(d) The detectives will attach the money envelope, along with any receipts, back into asset forfeiture FOO folder. One of the detectives will be responsible for documenting this process in his/her supplemental report. The report shall include the currency denomination breakdown.

606.3.4 CURRENCY SEIZED UNDER JOINT STATE/FEDERAL ASSET FORFEITURE

(a) Currency seized subject to a joint state/federal investigation adopted forfeitures shall not be counted at the time of the seizure.

1. Upon locating the currency and the decision is made by the Narcotics Team supervisor to federally adopt the seizure, the currency will be placed into a money envelope with the following notation, "An undetermined amount of U.S. currency pending an official count."
2. The officer and witnessing officer will initial and sign the envelope when sealed.
3. The "Asset Seizure" box shall be checked and a notation shall be made indicating a Federal Asset Seizure.
4. If the currency will not fit into a standard money envelope, the currency shall be placed into a larger envelope or bag, which shall be sealed and the completed money envelope shall be affixed to the outside of the larger envelope or bag containing the currency.
5. The currency will then be booked into Evidence. The "HOLD FOR EVIDENCE PROCESSING" box will be checked on the money envelope.

(b) At the request of the DEA Task Force Supervisor or his/her designee, the currency seized shall be checked out of evidence by two Santa Rosa detectives and processed at the DEA Task Force Office subject to established DEA policy.

(c) One of the detectives will be responsible for documenting this process in his/her supplemental report and book the original money envelope into Evidence.

(d) The supplemental report will detail this process along with the currency denomination breakdown.

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606.3.5 OTHER SEIZED PROPERTY
All other property to be seized subject to a criminal investigation under the guideline of this policy, such as boats, aircraft, or any other items of value, may only be seized under the direction of a Narcotics Team detective.

606.4 MAINTAINING SEIZED PROPERTY

The Property & Evidence Team Supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.

(b) All property received for forfeiture is checked to determine if the property has been stolen.

(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

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Santa Rosa's Most Wanted

607.1 PURPOSE AND SCOPE

The Santa Rosa Police Department strives to work in partnership with the members of the community to provide for public safety. The purpose of this policy is to enhance that partnership and improve public safety by establishing guidelines for Santa Rosa's Most Wanted program. This program may generate on-going interest from the public, resulting in the capture of wanted persons. The program's goal is to assist with the apprehension of wanted persons in the City of Santa Rosa.

(a) This policy shall not conflict with SRPD Lexipol Policy #1055-Social Media, nor with any other City or department policy as it relates to the distribution of social media related information on the department's webpage and social media sites.

Adopted 4-24-14 by Acting Chief Robert L. Schreeder.

607.2 DEFINITION

Wanted Person - Any person who is subject to arrest pursuant to a valid warrant or per California Penal Code § 836.

607.3 USE GUIDELINES

(a) Santa Rosa's Most Wanted program will use the Santa Rosa Police Department's websites, social media sites, and local media to feature information about and photographs of the department's most wanted persons.

(b) Inclusion and publication on the Santa Rosa Most Wanted list does not constitute probable cause to arrest and any officer shall confirm the status of any arrest warrant or probable cause to arrest pursuant to California Penal Code §836 before initiating enforcement action.

(c) This program may also be utilized to publicize information about criminal suspects from surveillance footage at incidents including but not limited to bank robberies, assaults and burglaries.

(d) Most Wanted Criteria - The criteria for Santa Rosa's Most Wanted program is based on the department's most wanted prolific offenders, active cases and/or any other high profile case. The designated SSD Investigations Bureau Sergeant has the discretion to have any wanted individual profiled on Santa Rosa's Most Wanted.

(e) Surveillance Photographs - Surveillance photographs may be shown on Santa Rosa's Most Wanted, only after approval by the designated SSD Investigations Bureau Sergeant.

(f) Photographs - The Sonoma County Sheriff's Office has authorized the use of wanted individuals' booking photographs for Santa Rosa's Most Wanted. At this time no other photographs are authorized except surveillance photographs which have been authorized by the designated SSD Investigations Bureau Sergeant.

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607.4 PROCEDURE

The program will be managed by the SSD Investigations Bureau Lieutenant, with day to day operations conducted by an SSD Sergeant appointed by the SSD Investigations Bureau Lieutenant.

607.4.1 SSD INVESTIGATIONS BUREAU SERGEANT

Designated SSD Investigations Bureau Sergeant Responsibilities:

(a) The SSD Sergeant responsible for the program will designate a detective who will be responsible for soliciting information on wanted persons from the Special Services and Field Services Divisions. Those individuals will be included in the publicized list of wanted persons.

1. The publication of wanted persons must be pre-approved by the SSD Sergeant prior to being profiled on the department's Most Wanted webpage, social media and local press.

(b) The designated SSD Sergeant or detective will be responsible for promptly updating the most wanted list with those who have been captured or are no longer wanted. This information may also be updated by the Crime Analysis Team.

1. A daily review of the most wanted list and frequent updates should be posted to the department's most wanted webpage, social media sites and local press.
2. The designated SSD Sergeant or detective shall confirm weekly through CLETS that the listed persons are still wanted.
3. The designated SSD Sergeant or detective will be responsible for coordinating with the Sonoma County Sheriff's Office Records Division to ensure Santa Rosa Police Department is promptly notified any time a listed individual is apprehended.
4. Any person on the Santa Rosa's Most Wanted list who is apprehended or no longer wanted shall be promptly removed from the list and any sites visible to the public.

(c) The SSD Sergeant or designee will be responsible for maintaining and monitoring the designated tip line. All tips provided to the department from citizens will be followed-up by the appropriate SSD investigative team, as determined by the SSD Sergeant.

(d) Website Updates - Updates made to the department's Most Wanted webpage, social media and local press will be completed by the SSD Sergeant or designee.

607.5 REWARD FUND

Rewards may be offered through organization(s) within the City of Santa Rosa. The rewards will be managed by the SSD Sergeant responsible for the Santa Rosa's Most Wanted program.

(a) The amount of the reward request will be determined by a number of factors including the amount of involvement by the tipster, the seriousness of the offense, and the helpfulness of the information which was provided.

(b) Once the reward amount is determined by the SSD Sergeant, the funds will be requested and distributed to the citizen providing the tip.

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Santa Rosa's Most Wanted

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Informant Management

608.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines on the use and handling of informants used by officers of the Santa Rosa Police Department

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 8-1-19 by Chief Robert L. Schreeder.

608.1.1 DEFINITION

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Santa Rosa Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Santa Rosa Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

608.2 INFORMANT MANAGEMENT

(a) The relationship between Santa Rosa Police Department members and informants shall always be ethical and professional.

1. Members shall not become intimately involved with an informant.
2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and then only with prior approval of the team supervisor.
3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(b) The use of parolees as informants must be approved by the respective parole officers or the California Department of Correction's SSU Division.

(c) Officers working with probationers or persons subject to Post-Release Community Supervision (PRCS) should make an effort to contact the subject's probation officer to discuss the use of the probationer as an informant.

(d) Criminal activity by informants shall not be condoned.

(e) Informants shall be told they are not acting as police officers, employees or agents of the Santa Rosa Police Department, and that they shall not represent themselves as such.

(f) Members of the Santa Rosa Police Department should not guarantee absolute safety or confidentiality to an informant.

(g) When contacting informants, officers shall have another officer present. However, when meeting an informant in a secure environment such as the Police Department or a jail facility, a second officer is preferred but not required.

1. If the Confidential Informant is of the opposite sex of the informant handler, two officers shall be present. The name of the second officer will be recorded in the Confidential Informant file.

(h) When an informant purchases contraband for a case agent, the purchase shall be made under the following guidelines:

1. All informant buys shall be under the direct supervision of a supervisor.

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2. All buy funds used shall be pre-recorded prior to the purchase.
3. Informants shall not "front" buy funds to any suspect without authorization from a supervisor.
4. All informants shall wear transmitting devices during the transaction unless circumstances preclude its use and it is approved by the team supervisor ahead of time.
5. All informants shall be searched for contraband, weapons, and money prior to a buy.This would also include a search of the informant's vehicle. The informant shall also be searched after the buy is completed.

(i) Informants shall be under the direct supervision and control of the controlling agent working a specific investigation.

(j) All officers managing Confidential Informants shall attend a POST-approved Informant Management Training Class.

(k) Informants include anyone who will act in the field under the supervision or direction of any police officer. A person will be considered an informant if he/she participates in any prearranged activity with other persons to further a criminal investigation.

1. Persons used for pretext contacts designed to solicit statements or obtain evidence from a suspect or involved party are not considered informants.
2. Persons used for the specific purpose of underage decoy stings, such as tobacco, alcohol and aerosol paint purchases will not be considered informants.

(l) Other Officers

1. Access to Confidential Informant files shall be strictly on a "right to know" and "need to know" basis. When other personnel need to review or record information in an informant file, the employee should request access to the file through the Narcotics Team supervisor.
2. The Narcotics Team supervisor shall record the date, time and informant's number on the sign-out log which is located in the Narcotics Team supervisor's office.
3. When a file is no longer needed, the person who signed for the file is responsible for hand carrying the package back to the Narcotics Team supervisor for review and refiling.

608.3 INFORMANT FILES

Before using an individual as an informant, an officer must receive approval from the Narcotics Team supervisor. The officer shall compile enough information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturing and risk of physical harm, as well as any indicators of his/her reliability and credibility.

(a) Prior to the utilization of an informant, a Confidential Informant File shall be completed.

1. The following shall be included in the informant file:
   (a) Current photograph.
   (b) Names and aliases.
   (c) Date of birth.

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(d) Complete physical description.

(e) Current home address and telephone numbers.

(f) Current employers, positions, addressed and telephone numbers.

(g) Vehicles owned and registration information.

(h) Places frequented.

(i) Briefs of information provided by the informant and his/her subsequent reliability.

1. If an informant is determined to be unsuitable, the informants file is to be marked “unsuitable” and notations included detailing the issues that caused the classification.

(j) Driving history.

(k) FBI/CII rap sheet.

(l) Update on active or inactive status of the informant.

(m) Confidential Informant Agreement containing:

1. Section 118 P.C./Section 153 P.C., entrapment.
2. Confidential Informant pending charges.
3. Confidential Informant Memorandum of Understanding.
4. WISN Check and Entered into system.
5. Local/ILeads Check.

2. All current personal information about the informant, including nicknames, home address, work address, and telephone numbers shall be entered into ILeads.

3. All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

4. Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

(b) Each informant shall be assigned a number which will be permanently used by the informant. This number is used for tracking purposes and records management and should not be referred to in any reports.

1. A Confidential Informant number is obtained from the Narcotics Team supervisor.

(c) After completing the Informant file, it shall be submitted to the Narcotics Team supervisor to be secured in the Narcotics office unless needed and checked out by the detective with prior supervisor approval.

(d) Informant files shall be secured and maintained by the Narcotics Team supervisor and are the direct responsibility of the Narcotics Team supervisor.

1. It shall be the responsibility of officers working with informants to maintain performance records on informants. This will assist in establishing credibility of the informants. Performance records are incorporated into the Confidential Informant file. Officers shall document all face to face informant meetings, payments, phone calls, electronic communications, or other communication which is directly

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related to on-going cases and provide relevant intelligence. Further, any information which would impact the informant's credibility either positively or negatively shall also be documented.

2. Officers shall keep and update their Confidential Informant file with pertinent information (e.g. meetings, performance, etc.) upon receiving such information. All such information shall be documented on the Confidential Informant work sheet contained within the Confidential Informant file.

(e) Confidential funds used for informant payment shall be issued by the Investigative Team supervisor.

(f) All informant payments shall be made with the authorization of the controlling agent, witnessed by a second officer, and subsequently approved by the Investigative Team supervisor.

1. All issuances and expenditures of unclassified account funds, shall be documented on an expense voucher or issue voucher and shall include:

(a) Date, time, case number, location.

(b) Confidential Informant Number-if applicable.

(c) Amount received or expended.

(d) Purpose of expense or issuance.

(e) A brief statement to clarify the purpose of the expense or issuance.

(f) Signature of officer dispersing the money.

(g) Signature of individual receiving the money (if possible).

(h) Signature of the appropriate supervisor indicating approval of the expense.

(i) For expenses the signature of the witnessing officer shall be recorded on the expense form.

2. Completed expense vouchers shall be distributed as follows:

(a) Original voucher shall be submitted to the team supervisor.

(b) One copy shall be retained by the officer for the duration of his/her assignment.

(c) One copy shall be placed in the informant file.

(g) Spending of confidential funds for any other purpose may only be done with supervisory approval.

608.4 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

Except for the enforcement of laws related to the commercial sale of alcohol or tobacco products the use of any juvenile 13 years of age or older as an informant is only permitted when authorized by court order (Penal Code § 701.5).

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians.

(b) The juvenile’s attorney, if any.

(c) The court in which the juvenile’s case is being handled, if applicable.

(d) The Chief of Police or his/her authorized designee.

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608.5 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

(a) Supervisors shall have knowledge of all informants being managed by their team members. The supervisor shall meet with each active informant not less than once per year without the officer present to discuss past/future cases, procedures and payments. The supervisor shall document all meetings with an informant in the informant file.

(b) Prior to authorizing Informant files of individuals with a past history of violent crimes (i.e., armed robbery, battery on a police officer, etc.), supervisors will consider all aspects of the investigation including severity of the crime, officer safety, and team goals.

(c) The Narcotics Team supervisor shall conduct a minimum of two audits per year on all active Informant files.

1. This audit shall include review of informant payments, cases worked, and proper documentation of informant/officer communication.

(d) The Investigations Team supervisor shall be accountable for all unclassified funds to the team by the City of Santa Rosa Finance Department. It shall be the responsibility of the team supervisor to request additional funds from the confidential account.

1. Authorization of Expenditures

    (a) The team supervisor shall be authorized to approve expenditures up to $1,500.

    (b) The Special Services Division lieutenants and captain shall be authorized to approve expenditures up to $5,000.

    (c) Expenditures over $5,000 shall require approval of the Chief of Police.

(e) The team supervisor shall be responsible for the safekeeping of all City funds assigned to the team. Money drawn shall be secured in the team safe.

(f) On a quarterly basis, the team supervisor shall conduct a financial audit of all team and individual officer funds. This audit shall reconcile all issues and expenses and be documented electronically in an approved program.

(g) The team supervisor shall maintain accounting ledgers and supporting vouchers subject to audit by a Special Services Division lieutenant. The ledgers and vouchers shall be retained for the following period of time:

    (a) Issue and Expense Ledger - indefinitely.

    (b) Expense and Issue Vouchers - three years.

(h) The Narcotics Team supervisor shall provide annual refresher training on the Informant Management policy and any relevant updated training or applicable case law. The annual refresher training shall be documented by a memorandum and placed in the officer's training file.

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608.6 NARCOTICS INFORMANT PAYMENT PROCEDURES

(a) All informants must have a completed and approved Confidential Informant file prior to any involvement in covert operations. Any officer working with an informant managed by a different officer must ensure appropriate documentation is made in the Confidential Informant file.

(b) Any monies paid to an informant are to be documented on both the Confidential Informant file and an expense voucher. Every financial transaction with an informant shall be recorded and witnessed with the witness' name recorded on the expense form.

(c) Dominion of an informant belongs to the department, not to any individual officer.

(d) An informant should be paid for his/her services utilizing the following criteria, unless the Confidential Informant is working on a reduction in penalty regarding a current case or violation:

1. The extent of the informant's personal involvement in the case.
2. The significance, value of effect on crime.
3. The value of assets seized.
4. The informant's previous criminal activity.
5. The level of risk taken by the informant.
6. Type and/or quantity of drugs or other contraband seized.

(e) Under no circumstances may a Confidential Informant retain for himself/herself any of the evidence he/she is instructed to purchase.

(f) Officers shall not make any promises or guarantees to either defendants or informants unless such commitment is within the scope of control of the individual officer and with prior approval from the Sonoma County District Attorney's Office.

(g) Officers shall inquire of Confidential Informants if they are currently working for another agency or have done so in the past. Officers shall make efforts to contact previous agencies that have managed any prospective informant to obtain information about the informant's reliability. This information shall be documented in the informant's file.

(h) Officers shall immediately notify the team supervisor when a Confidential Informant engages in unprofessional or sexual behavior. Officers are prohibited from engaging in any sexual conduct or activity with informants; this includes any form of sexual based communication or innuendo. Unprofessional contact includes excessive personal contact.

(i) Officers who experience a "chance meeting" with a Confidential Informant shall notify their supervisor as soon as possible.

608.7 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in covert of other investigative process.

Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member.

The supervisor shall determine whether the informant should be used by the Santa Rosa Police Department, and, if so, what

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conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in the files notes and mark the file “unsuitable” when appropriate.

Considerations for determining whether and informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.

(b) The informant behaves in a way that may endanger the safety of an officer.

(c) The informant appears to be using his/her affiliation with the department to further criminal objectives.

(d) The informant reveals to suspects the identity of an officer or the existence of an investigation.

(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.

(f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.

(g) The informant commits criminal acts subsequent to entering an informant agreement.

608.8 DISCLOSURE OF INFORMANTS

(a) The identity of an informant shall be concealed from the suspect in order to protect the informant.

(b) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Bureau Lieutenant, or Special Services Division Sergeant responsible for supervising the use of the informant or their authorized designees. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(c) If requested to reveal an informant, an officer should claim privilege under Evidence Code

(d) § 1040 and § 1042 and request an in-camera hearing.

(e) The officer should not disclose the informant's name at the in-camera hearing unless ordered to do so by the presiding judge.

(f) Informants should not be introduced or exposed to more personnel than is needed. Care should be taken to ensure informants glean as little information as possible regarding department operations. After the initial meeting, efforts should be taken to meet with the informant away from the Public Safety Building.

608.9 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS form 1099 (26 CFR 1.6041-3), if such documentation or reporting may reveal the identity of the informant and by doing to jeopardize any investigation, the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

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Informant Management

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informants file.

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Brady Material Disclosure

609.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “information”) to a prosecuting attorney.

Adopted 5-16-18 by Chief Robert L. Schreeder.

609.1.1 DEFINITION

Information - Information known or possessed by the Santa Rosa Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

609.2 POLICY

The Santa Rosa Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Santa Rosa Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

609.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practical. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

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609.4 DISCLOSURE OF PERSONNEL INFORMATION

Whenever it is determined that information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure shall apply:

(a) In the event that a motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of information in the employee's personnel file by the Support Bureau Lieutenant.

(b) The prosecuting attorney may then file a motion in order to initiate an in-camera review by the court.

(c) Any employee who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Custodian of Records shall accompany all relevant files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant information contained in the files, only that information ordered released will be copied and released to the parties filing the motion. guarantee

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

(f) If the District Attorney's Office Brady review committee recommends an employee be placed in the Brady index, the employee will receive written notice from the District Attorney's Office and be given the opportunity to comment in person or in writing before the final decision is made. If the employee disagrees with the District Attorney's Office Brady review committee's final decision, he/she may appeal following the process outlined in the Sonoma County District Attorney Policy and Procedure Manual, Article 11 – Brady Policy, Section 11.01 – External and Internal Brady Policy.

609.5 INVESTIGATING BRADY ISSUES

If the department receives information from any source that an employee may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the department's Complaint and Disciplinary Policies and Procedures Policy 1019.

609.6 TRAINING

Department employees should receive periodic training on the requirements of this policy.

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Undercover Operations

611.1 PURPOSE AND SCOPE

It is the policy of the Santa Rosa Police Department's Property Crime and Narcotics Investigations Teams to employ undercover tactics to infiltrate various narcotics distribution networks, conduct vice investigations, and obtain/gather criminal intelligence.

Narcotics investigations should be focused on suspected violations occurring within the City of Santa Rosa or where violations can be clearly shown to substantially impact the City of Santa Rosa.

(a) Operations outside the City limits shall be approved by the Team supervisor.

(b) Operations outside Sonoma County shall be approved by the Investigations Bureau lieutenant.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

611.2 PROCEDURE

(a) Undercover officers may be called upon to conduct covert investigations which may necessitate the consumption of alcoholic beverages. Such incidents shall be kept to a minimum and officers shall be held responsible for their actions during such periods.

(b) No team member shall work alone. It shall be the Team supervisor's responsibility to ensure the undercover officers are adequately covered at all times during undercover operations.

(c) Undercover officers shall be armed with a department approved firearm at all times during undercover operations unless unique circumstances previously approved by the Team supervisor exist.

(d) Undercover officers shall always wear a body transmitting device (body wire) during undercover operations unless previously approved by the Team supervisor.

(e) A written operations plan shall be completed and distributed to Communications, the Investigations Bureau lieutenant, and the on-duty Watch Commander prior to the execution of all operations; i.e., undercover buys, search warrant execution, surveillance, knock and talks, outside agency assists, etc.

1. Operational goals and objectives shall be thoroughly discussed in a formal briefing prior to execution.

2. When operations are conducted outside the City or County, the Team supervisor or Case Agent shall notify a representative from the respective agency (i.e., the local police or sheriff's office), prior to the operation.

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3. Should an arrest be made in another City or County, the agency having jurisdiction shall be notified immediately.
4. Should problems arise associated with an arrest (i.e., officer involved injury or discharge of a firearm), the Team supervisor shall also notify the Investigations Bureau lieutenant.

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Eyewitness Identification

612.1 PURPOSE AND SCOPE

Valid eyewitness identifications are an important piece of evidence for solving crimes and securing rightful convictions. Compliance with best practices improves the reliability of the identification, whereas failing to comply with these recommendations increases the risk of a misidentification and also will make even positive identifications more likely to be rejected in court.

Adopted 8-1-19 by Chief Robert L. Schreeder.

612.1.1 DEFINITIONS

(a) **Administrator** - The officer conducting the identification procedure.

(b) **Eyewitness identification process** - Any field identification, live lineup or photographic identification.

(c) **Blind administration -** A lineup where the administrator does not know the identity of the suspect.

(d) **Blinded administration** - A lineup where the administrator of an eyewitness identification procedure may know who the suspect is, but does not know where the suspect, or his/her photo, as applicable, had been placed or positioned in the identification procedure.

(e) **Field show up** - A procedure in which a suspect is detained shortly after the commission of a crime and who, based on his/her appearance, his/her distance from the crime scene, or other circumstantial evidence, is suspected of having just committed a crime. In these situations, the victim or an eyewitness is brought to the scene of the detention and is asked if the detainee was the perpetrator.

(f) **Identification Procedure** - Either a photo lineup, field show up, or a live lineup.

(g) **Live lineup** - A procedure in which a group of persons, including the person suspected as the perpetrator of an offense and other persons not suspected of the offense, are displayed to an eyewitness for the purpose of determining whether the eyewitness is able to identify the suspect as the perpetrator.

(h) **Photographic lineup** - A procedure in which an array of photographs, including a photograph of the person suspected as the perpetrator of an offense and additional photographs of other persons not suspected of the offense, are displayed to an eyewitness for the purpose of determining whether the eyewitness is able to identify the suspect as the perpetrator.

612.2 POLICY

The Santa Rosa Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

612.3 INTERPRETIVE SERVICES

Employees should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating employee should explain the identification process to the interpreter. Once it is determined the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

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612.4 FIELD SHOW-UP/PHOTOGRAPHIC LINEUP PREPARATION

Prior to conducting an identification procedure the following shall occur:

(a) The eyewitness shall provide a description of the perpetrator and offense.

(b) All witnesses shall be separated when viewing an identification procedure.

(c) Nothing shall be said to the witness that might influence his/her identification of a suspect.

(d) In a photo lineup, writings or information concerning any previous arrests of the suspect shall not be visible to the witness.

(e) The officer shall use blind administration or blinded administration during the identification procedure. If a lineup was conducted not using blind administration, the officer shall state the reason in writing why it was not done. "Blinded administration" may be accomplished through the following:

1. An automated computer program that prevents the administrator from seeing which photos the eyewitness is viewing until after the identification procedure is completed.
2. The folder shuffle method, which refers to a system for conducting a photo lineup by placing photographs in folders, randomly numbering the folders, shuffling the folders, and then presenting the folders sequentially so that the administrator cannot see or track which photograph is being presented to the eyewitness until after the procedure is completed.
3. Any other procedure that achieves neutral administration and prevents the lineup administrator from knowing where the suspect or his/her photo, as applicable, has been placed or positioned in the identification procedure.

(f) An identification procedure shall be composed so that fillers generally fit the eyewitness' description of the suspect. For photo lineups, the suspect should, if practicable, resemble his/her appearance at the time of the offense and not unduly stand out.

(g) Only one suspect shall be included in any identification procedure.

(h) An eyewitness shall be instructed with the following prior to any identification procedure:

1. Because a police officer is showing you a group of subjects, this should not influence your judgment in any way.
2. The person who committed the crime may or may not be among the group of subjects you are viewing.
3. You are in no way obligated to identify anyone.
4. Study each subject carefully before making any comments. Consider that hair styles change and persons can alter their identity by growing or shaving facial hair.
5. An identification or failure to make an identification will not end the investigation.

(i) If feasible, officers should have the witness sign the photo/in-person lineup instruction form (SRPD form #253D).

612.5 EYEWITNESS IDENTIFICATION

If the witness identifies a person he/she believes is the suspect, all of the following shall apply:

(a) The officer shall immediately inquire as to the witness' confidence level in the accuracy of the identification and record in writing, verbatim, what the witness says.

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(b) Information concerning the identified person shall not be given to the witness prior to obtaining his/her statement of the confidence level and documenting the exact words of the witness.

(c) The officer shall not validate or invalidate the witness identification.

(d) When feasible, an electronic recording shall be made that includes both audio and visual representations of the identification procedures. Whether it is feasible to make a recording with both audio and visual representations shall be determined on a case-by-case basis. When it is not feasible to make a recording with both audio and visual representations, audio recording may be used. When audio recording without video recording is used, the investigator shall state in writing the reason that video recording was not feasible.

(e) Original photo lineups shall be booked into evidence.

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Chapter 7 - Equipment

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Reporting Procedure for Damaged or Lost Personal/City Property

700.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a system of reporting damage or loss of personal or City owned property; to ensure expeditious reimbursement or replacement when appropriate; and to identify persons responsible for causing loss/damage in an effort to recover costs to the City.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

700.2 LOSS/DAMAGE TO PERSONAL PROPERTY

(a) If, during the course of an on-duty incident, an employee sustains loss or damage to personally owned property, the employee shall complete a Damaged/Lost Property Report form (SRPD 156).

(b) Reimbursement or replacement must be approved before any action is taken.

(c) A supervisor shall assess the damage and determine whether repair or replacement is appropriate.

1. If anticipated cost is under $150, the supervisor may authorize reimbursement or replacement.

2. If anticipated cost is more than $150 approval must be obtained from the Division Manager.

(d) Damage to Uniforms

1. If the uniforms can be repaired versus replaced, repair shall be the desired method of correcting the damage.

    (a) If repair cannot be made without being obviously noticeable, replacement may be authorized by a supervisor.

2. Optional methods for reimbursement.

    (a) If place of repair or replacement is the choice of the employee: Pay for costs, obtain receipt for out of pocket costs, and submit original receipt with Form 156.

    (b) If place of repair or replacement is a business with which the City has an open account (i.e. Santa Rosa Uniform): Contact the Division Manager for requisition and account number; have the business bill the Police Department; note on SRPD form 156 payment is to be made to that business.

(e) Damage to personal property other than uniforms.

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(a) After approval, repair or replace the item and submit original receipt with SRPD form 156.

700.3 REPORTING REQUIREMENTS

(a) Any loss, damage or theft of City property shall be reported on SRPD form 156. The report should give details explaining the loss, damage or theft including the following information:

1. Date it occurred or was discovered.
2. Date it was reported to a supervisor.
3. Efforts taken to locate the property if lost or stolen (such as e-mail, voicemail, search of trunks of police cars, etc.).
4. Model and serial number of the equipment.
5. A complete description of the property including any accessories.

(b) Employees completing SRPD form 156 shall make every effort to be as complete as possible in describing the nature of the damage, loss or theft.

(c) Wherever possible, identify any persons arrested or charged in an effort to recover any losses incurred by the City.

(d) Employees shall not accept direct payment from any individual as reimbursement for personal loss. Any such payment offered shall be referred to the Division Manager.

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Personal Communication Devices

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the department or personally owned, while on duty or when used for authorized work-related purposes. This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices.PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.
Revised 8-1-19 by Chief Robert L. Schreeder.

702.1.1 PRIVACY POLICY

Any employee utilizing any computer, internet service, phone service or other wireless service provided by or funded by the department or the city expressly acknowledges and agrees the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including the content of any such communication. The department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service.

702.2 POLICY

The Santa Rosa Police Department allows employees to utilize department issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on duty, or used off duty in any manner reasonably related to the business of the department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on duty may impair employee safety. Additionally, employees are advised and cautioned that the use of a personally owned PCD either on duty or after duty hours for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws. Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

702.2.1 INDIVIDUALLY OWNED PCD

Employees may carry their own PCD while on duty subject to the following conditions:

(a) Carrying an individually-owned personal communication device is optional.

(b) The device shall be purchased, used and maintained at the employee's expense.

(c) The device shall be concealed from public view.

702.2.2 USE OF PERSONAL COMMUNICATION DEVICES

PCDs, whether provided by the department or personally owned, should only be used by on-duty employees for legitimate department business except as provided for in this policy. Employees

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may use a PCD to communicate with other personnel in those situations where the use of the radio is either impractical or not feasible. PCDs however, should not be used to replace regular radio communications.

(a) PCDs may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours). While employees may use personally owned PCDs for personal business during authorized breaks, such usage should be limited as much as practical to areas where the communication will not be seen or heard by members of the public.

(b) Except as outlined above, extended or frequent use of department issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline. Employees may be responsible for reimbursing the department for any charges incurred as a result of personal use.

702.2.3 USE WHILE DRIVING

The use of a PCD while driving can cause unnecessary distractions and presents a negative image to the public. Officers operating emergency vehicles shall not use PCDs while driving unless to report or relay urgent or emergency information and should, when practical, stop the vehicle at an appropriate location to complete their call. Officers shall exercise good judgment and caution and weigh the nature of the urgent matter against the need to use a PCD while driving.

Except in the case of emergency employees who are operating non-emergency vehicles, all other employees, interns and volunteers shall not use cellular phones or other personal communication devices while driving unless the telephone is specifically designed and configured to allow hands-free listening and talking (Vehicle Code § 23123 (a)). Such use should be restricted to business related calls or calls of an urgent nature.

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Use of Home Retention Vehicles

703.1 PURPOSE AND SCOPE

This policy establishes a standard for the use and accountability of home retention vehicles assigned to department personnel.

Use of a home retention vehicle within fifteen (15) miles of the Santa Rosa Police Department provides for a more efficient, direct response to an incident or call outs.

Adopted 2-9-10 by Chief Thomas E. Schwedhelm.

703.2 GENERAL INFORMATION

(a) Department employees may be assigned home retention vehicles to facilitate the timely response during off-duty hours of personnel to crime scenes, public safety incidents or other job related events.

(b) Off-duty use of home retention vehicles by employees for any purpose other than described in this policy shall occur only with the approval of a Bureau Manager.

(c) Home retention vehicles assigned to employees will be maintained in serviceable condition. It is the responsibility of the assigned employee to arrange for the vehicle to be made available for servicing upon receipt of notification of service due. It is the responsibility of the assigned employee to ensure an unmarked police vehicle is driven and maintained in accordance with City and department policies and procedures.

(d) Department employees assigned a home retention vehicle may take their assigned vehicle home if they reside within a fifteen (15) mile distance from the Santa Rosa Police Department. Home retention vehicles shall not be driven outside of Sonoma County without supervisory approval.

(e) Department employees must be able to respond from home or other locations to calls for service which is facilitated by the availability of a home retention vehicle with investigative equipment.

(f) Department employees who are on call and not in a uniformed assignment may utilize home retention vehicles for limited incidental personal use within the greater Santa Rosa area when such use would assist the employee's ability to immediately respond to a call-out. Examples of approved use include:

1. While on personal errands where a direct response to a call-out could occur.
2. Transporting family members locally and in such manner where a direct response to a call-out could occur. Family members should not be transported in City vehicles as a matter of routine.

(g) When employees who are assigned home retention vehicles go on an extended vacation (one week or more), they shall leave their assigned home retention vehicle in

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a Police Department parking lot (and the keys with their supervisor) so it is available for use by other department employees.

703.3 EXCEPTIONS

(a) Employees NOT on-call:

1. Employees who are not on call may use a home retention vehicle for limited incidental personal use only when traveling to or from work.

(b) Motorcycle Officers and Motorcycle Sergeants

1. Employees in the Traffic Bureau assigned a motorcycle may take their assigned motorcycle directly to and from work.

(c) Canine Officers (K9)

1. Employees in the assignment of K9 handler may take their assigned patrol vehicle directly to and from work.

703.4 USE OF HOME RETENTION VEHICLES FOR TRAINING

The use of home retention vehicles for transportation to training sites outside of Sonoma County requires supervisorial approval.

703.5 DOCUMENTATION

All employees assigned a take home vehicle shall maintain and submit to the department an accounting of total monthly mileage. The Stores Specialist will maintain at a minimum an accounting of vehicles by vehicle number, personnel assignment, and mileage.

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Portable Recording Devices

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of portable recording devices and the preservation of evidenciary and non-evidenciary recordings.

Adopted 6-9-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 9-29-17 by Chief Robert L. Schreeder.

705.1.1 DEFINITION

A Portable Recording Device (PRD) is audio or video equipment that allows employees to record their policing contacts and interactions. A PRD is commonly carried by, or worn on the body of, an employee or positioned on or within a police vehicle. PRDs include digital audio recorders (DAR), cellular telephones with digital audio or video recording abilities, body worn cameras (BWC), vehicle "dashboard" cameras, or other similar devices that capture digital audio or video media. Nothing in this policy supercedes any information contained in the Body-Worn Camera policy number 450, which explicity applies to the wearing, use, and information management of Body-Worn Cameras.

705.2 POLICY

Recording of public contact is intended to assist employees in the performance of their duties in several ways:

(a) Recorded contacts enable employees to preserve conversations, interviews, and other forms of communication that may be vital to successful criminal prosecutions.

(b) Recorded contacts provide a factual record of an incident and can protect the department and its employees from false allegations.

705.3 GUIDELINES

(a) All portable recording devices issued by the department are the property of the City; however, the responsibility for proper use, care and safekeeping rests with the employee to whom the equipment is issued. Employees may use a personally owned portable recording device to record policing contacts and interactions only with department approval. Employees using a City or personally owned PRD shall list the device on their employee equipment inventory list maintained by the department's Stores Specialist. City or personally owned PRDs shall only be used by employees in accordance with this policy and within the scope of an employee's employment duties.

1. Employees shall immediately, or as soon as practical, notify their supervisor if their assigned or personally owned recorder is not serviceable.

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2. Video or audio recordings of interviews relating to an ongoing investigation shall be retained in the appropriate official police file in accordance with the policy on Subpoenas for Department Personnel and Discovery Orders.
3. Officers will make a notation in the body of the crime report that a recording pertaining to the investigation was made.
4. Property/Evidence Technicians shall be responsible for the disposal of recordings in accordance with the policy on Evidence and Property Procedure.
5. If the case is rejected or not submitted to the Sonoma County District Attorney, the recordings shall be retained in accordance with the department's purge criteria.

(b) All employees who have been issued or use a personally owned PRD are strongly encouraged when performing law enforcement duties to record public contacts that may:

1. Result in or benefit any type of criminal investigation; or
2. Lead to a personnel complaint.

(c) Department employees shall not record another department employee without prior notification to that employee, except under the following circumstances:

1. Pursuant to a court order.
2. During an event where department personnel are present and it would be impractical to obtain permission prior to recording the employee.
3. Officers shall, whenever practical, notify others by use of the Radio Code 10-12, when they are recording in the presence of other officers.

705.3.1 ACTIVATION OF RECORDING DEVICES

Penal Code § 632 prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief the conversation was private or confidential; however, Penal Code § 633 expressly exempts law enforcement from this prohibition during the course of a criminal investigation.

(a) No member of this department may surreptitiously record a conversation of any other member of this department without the expressed knowledge and consent of all parties. Nothing in this policy is intended to interfere with an officer's right to openly record any interrogation pursuant to Government Code § 3303(g).

(b) Any member of this department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes such a recording will be beneficial to the investigation.

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1. For the purpose of this policy, any officer contacting an individual suspected of violating any law or during the course of any official law enforcement related activity shall be presumed to be engaged in a criminal investigation. This presumption shall not apply to contacts with other employees conducted solely for administrative purposes.

(c) Protections outlined in Penal Code § 633 regarding the surreptitious recording of individuals by law enforcement officers during the course of their duties do not apply when recording witnesses, complainants to administrative investigations, personnel inquiries, use of force investigations, or other non-criminal investigations.

705.4 RETENTION AND MANAGEMENT OF RECORDED DATA

(a) Each employee using a digital PRD shall save (upload) recordings that have a criminal, civil, investigative or administrative evidential value from the digital recorders to a designated secure server using specified department computers and file management software.

(b) Recordings made for the purpose of note dictation or report dictation are not considered evidence and shall be purged from the file management server on a routine basis. Because dictation files are not considered evidence, they shall not be retained as an official record or stored with other recordings related to criminal investigations.

(c) If a digital recording is evidence in a criminal investigation, the employee shall attach the appropriate case number to the saved file and mark it as evidence in the file management software.

(d) When an audio file has been identified as criminal evidence it shall be entered as an evidence item into the Evidence Tracker System. The item shall be described as a, "digital audio recording." The temporary storage location for PRD audio recordings shall be identified as the "PUMA secure server."

(e) Recordings made on other devices, including but not limited to cassettes, microcassettes, video cassettes, and DVDs, that are evidence in a criminal investigation shall be booked as evidence using the appropriate case number.

(f) Employees who inadvertently or accidently activate a PRD and record non-evidentiary data may delete the accidental non-evidentiary recording, providing the PRD allows for its deletion. Some PRDs may prohibit the deletion of non-evidentiary data prior to its transfer to a storage system or temporary transfer location. In such cases, the employee may request that the inadvertent non-evidentiary recorded data be deleted or marked as non-evidentiary by an appropriate systems administrator. Employees are otherwise prohibited from any attempt to delete, alter, edit or otherwise change any intentionally created evidentiary or non-evidentiary recording.

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1. All evidentiary and non-evidentiary PRD recordings made or caused to be made by an on-duty employee with a City or personally owned PRD are the property of the Police Department.
2. Employees shall not use, copy or transfer evidentiary or non-evidentiary recordings from a PRD, computer, server or other data source for personal use.
3. Employees may review recordings from PRDs to assist with the completion of police investigations and reports.
4. Evidentiary or non-evidentiary PRD recordings that may be of value in training personnel shall be approved by a lieutenant or the department training manager to determine its training value and appropriateness prior to such use.
5. Employees shall not make copies, download, upload or transfer recordings from the original PRD or other storage location except as directed by a supervisor.

(g) As part of an investigation, a supervisor may move an original recording to a secure folder on a department server, under their control. A supervisor may copy files from the secure folder and distribute those files as necessary to complete the investigative and/or disciplinary process.

(h) Requests for copies of recordings shall be routed to the Records Bureau. Copies of digital recordings received from the Records Bureau are considered certified and shall not be released to other than the intended person or entity.

(i) Recorded data will be retained pursuant to the department's retention policy. Written direction from a supervisor or manager must be received prior to the scheduled purge date, directing specific recordings be preserved beyond the normal retention date. Upon receipt of written direction, the Technology Bureau will move the specific recording(s) to a secure location on the server.

(j) Review of Recorded Data: Recordings may be reviewed under the following circumstances:

1. Department personnel reviewing their own recordings to conduct work related followup.
2. An SRPD or Sonoma County District Attorney investigator or the Sonoma County District Attorney who is participating in an official investigation, such as a personnel complaint, administrative investigation, or a criminal investigation.
3. A supervisor evaluating an officer's performance.
4. Pursuant to a subpoena authorized by a court.
5. For training purposes.

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705.5 PERSONAL RECORDING DEVICES

On duty employees are not required to carry other personal recording devices in addition to their Body-Worn Camera, but may do so in accordance with this policy. Employees who have been issued Body-Worn Cameras shall wear them in accordance with the Body-Worn Camera policy, number 450. Personal recording devices shall only be used in accordance with this policy, or the Body-Worn Camera policy to record official work related contacts or incidents. All evidentiary or non-evidentiary recorded contacts or incidents shall be entered into the Evidence Tracker System, or the designated evidence management system for that particular device and shall not be kept, stored or retained elsewhere.

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Chapter 8 - Support Services

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Police Radio Communications

803.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth policies, procedures and information pertaining to radio communications as they relate to the Police Department operation.

The Santa Rosa Police Department developed a radio-call identification system which is compatible with the system adopted by the Sonoma County Law Enforcement Chiefs' Association (SCLECA). The system establishes uniformity for agency and inter-departmental radio identifier communications.

The Public Safety Communications Center is within the Technical Services Division of the department, which has the responsibility for radio, telephone, teletype, and related services for the Police Department, the relay of information between the public and law enforcement personnel in the field, and the coordination of communications between public safety agencies, both within and outside the City.

The Communications Center is staffed 24 hours per day. The Communications Dispatchers are responsible for answering all incoming 9-1-1 lines for the City of Santa Rosa, all 7-digit emergency lines for police services, administrative police lines, and the radio dispatch of police personnel to calls for law enforcement services.

Adherence to the guidelines, policies and procedures set forth in this policy is intended to ensure both efficient and effective public safety communications.

Santa Rosa Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

Violations of FCC Rules and Regulations as included in this policy may jeopardize the required licenses for the department as well as the department's ability to expand the communications system in the future when FCC approval is required.

Adopted 2-15-11 by Chief Thomas E. Schwedhelm.

803.1.1 AGENCY IDENTIFIERS

Santa Rosa Police Department is designated Agency Six (6). Sonoma County law enforcement agencies have been assigned the following numbers (please refer to SCLECA Protocol 93-5):

IDENTIFIER	AGENCY
1	Petaluma Police Department
2	Healdsburg Police Department
3	Sebastopol Police Department
4	Rohnert Park Department of Public Safety
5	Cotati Police Department
6	Santa Rosa Police Department

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7	Sonoma Police Department
8	Cloverdale Police Department
9	Sonoma State University Police Department
10	Sonoma County Sheriff's Office
11	Windsor Police Department
12	Santa Rosa Junior College Police
13	Sonoma County District Attorney
14	Sonoma County Probation
15	Department of Fish & Game
16	Animal Regulation Department
17	California Highway Patrol
18	Sonoma County Parks
19	State Parole
20	Welfare Fraud
21	Alcoholic Beverage Control
22	Federal Bureau of Investigation
23	State Parks
24	Eldridge Police Department

803.1.2 LAW ENFORCEMENT POSITION, FUNCTION, OR ASSIGNMENT INDICATORS

INDICATOR	ASSIGNMENT
A	Administration
B	Patrol
C	Police Field & Evidence Techs/Admin. Techs
D	Detectives, Coroners, DA Invest., FBI, SROs
E	Patrol
F	Patrol
G	Patrol
H	Aircraft, Helicopters, Vessels, Jeep
I	Identification, Property, Records
J	Juvenile, Patrol, Detectives
K	Canine
L	Patrol
M	Motorcycle
N	Dispatchers, Records, Volunteers, Misc. Civilian
O	Patrol or Special Assignments
P	Parking Enforcement, Patrol

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Q	Private Patrol
R	Patrol
S	Sergeants, Supervisors
T	Traffic
U	Patrol
V	Tactical, NET, Gangs, DET
W	Patrol
X	Gangs, NRP, Mutual Aid
Y	Tactical Units, Special Events
Z	Narcotics

803.1.3 NUMBER / LETTER / NUMBER SYSTEM

Number Designates Agency / Letter Designates Position / Number Designates Assignment or arbitrary number assigned to the individual.

IDENTIFIER	MEANING
6R6	Santa Rosa Police (6) Patrol Unit (R) Beat 6 (6)
3A1	Sebastopol Police (3) Administration (A) Chief (1)
10H1	Sonoma County Sheriff (10) Helicopter (H) Number 1 (1)

Number designators "20" and "30" shall not routinely be used to designate assignments or individuals so as to eliminate the potential confusion with "Code 20" and "Code 30."

803.1.4 APPLICATION TO THE SANTA ROSA POLICE DEPARTMENT

(a) Administration: ADAM

1. 6-ADAM-1: Chief of Police
2. 6-ADAM-2 through 6-ADAM-14: Command Staff

(b) Patrol Teams

1. EDWARD: Team 5
2. FRANK: Team 3
3. GEORGE: Team 8
4. LINCOLN: Team 2
5. OCEAN: Team 6
6. PAUL: Team 9
7. ROBERT: Team 1

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8. UNION: Team 4
9. WILLIAM: Team 7
10. The City is divided into distinct areas of policing responsibility called zones. The number following the letter designates the officer's zone assignment.
11. The shift supervisor shall prepare a daily assignment sheet with the officers' names and radio call identifiers, and other pertinent information to assist Communications and other personnel.

(c) Police Field and Evidence Technicians/Administrative Technicians: CHARLES

1. 6-CHARLES-1 through 6-CHARLES-23: Field and Evidence Technicians
2. 6-CHARLES-32: Graffiti Abatement Technician

(d) Investigation: DAVID

1. 6-DAVID-10 through 6-DAVID-19: Violent Crimes
2. 6-DAVID-21 through 6-DAVID-29: Domestic Violence/Sexual Assault
3. 6-DAVID-31 through 6-DAVID-49: Property Crimes, Environmental Crimes
4. 6-DAVID-50 through 6-DAVID-59:
5. 6-DAVID-60 through 6-DAVID-69: School Resource Officers
6. 6-DAVID-70 through 6-DAVID-79: Gangs
7. 6-DAVID-80 through 6-DAVID-85:

(e) Records/Identification: IDA

1. 6-IDA-1 through 6-IDA-10: Forensic Specialists

(f) Canine: KING

1. 6-KING-10 through 6-KING-15: Canine Officers

(g) Motorcycle Units: MARY

1. 6-MARY-1 through 6-MARY-9: Motorcycle Officers
2. When motorcycle officers are operating conventional traffic vehicles, they will use TOM in place of MARY, but maintain their number identifiers. Their traffic enforcement responsibilities remain the same, unless changed by the supervisor.

(h) Communications: NORA

1. 6-NORA-1 through 6-NORA-29: Dispatchers
2. 6-NORA-31 through 6-NORA-60: Police Technicians

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3. 6-NORA-61 through 6-NORA-69: Personnel Services, Misc. Civilian Employees
4. 6-NORA-70 through 6-NORA-99: Volunteers in Police Services

(i) Supervisors: SAM

1. 6-SAM-1 through 6-SAM-25: Sergeants
2. 6-SAM-40 through 6-SAM-49: Civilian Supervisors

(j) Traffic Units: TOM

1. 6-TOM-1 through 6-TOM-9: Motor officers assigned to vehicles
2. 6-TOM-10 through 6-TOM-19: Hit & Run, Accident Investigators, DUI

(k) Tactical Units: VICTOR

1. 6-VICTOR-1 through 6-VICTOR-10:
2. 6-VICTOR-21 through 6-VICTOR-29: SWAT Team #1, Downtown Enforcement Team
3. 6-VICTOR-31 through 6-VICTOR-39: SWAT Team #2
4. 6-VICTOR-41 through 6-VICTOR-49: SWAT Team #3
5. 6-VICTOR-51 through 6-VICTOR-59
6. 6-VICTOR-61 through 6-VICTOR-69
7. 6-VICTOR-71 through 6-VICTOR-79
8. 6-VICTOR-81 through 6-VICTOR-89
9. 6-VICTOR-91 through 6-VICTOR-99: Hostage Negotiators

(l) Gangs, NRP, Mutual Aid: XRAY

1. 6-XRAY-70 through 6-XRAY-78: Gangs, NRP

(m) Police Officers on Special Assignment: YELLOW

1. 6-YELLOW-10 through 6-YELLOW-29: Other

(n) Special Events, Backup/Cover and Security: YELLOW

1. Officers on special assignments (i.e., Rose Parade, fixed posts, etc.) shall be assigned the YELLOW designator and a number. Generally no attempt will be made to identify a location or zone assignment.

(o) Narcotics: ZEBRA

1. 6-ZEBRA-1 through 6-ZEBRA-6: Narcotics

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803.2 COMMUNICATIONS BUREAU RESPONSIBILITY

(a) Maintain location and status information on each on-duty police mobile unit equipped with a radio.

(b) Maintain accurate and complete records of the activity of each mobile unit by correct use of the Computer Aided Dispatch System (C.A.D.).

(c) On officer-initiated calls or out-of-service calls, the mobile unit will advise Communications of the reason for the call and its location. Information will be completely and accurately recorded in C.A.D.

(d) Answer all emergency and non-emergency phone lines along with the administrative department phone line, 3666.

(e) Operate on Channel Two for administrative radio traffic and operate on Channel One when a Code Thirty-Three has been activated on the primary channel.

(f) Broadcast local APBs, Stop and Holds, Stop and F.I.s and rebroadcast APBs from other agencies.

1. Informational broadcasts will be made in a timely manner delayed only by emergency or urgent radio transmissions or dispatches.
2. Just occurred felonies and officer safety information shall be voice broadcast and immediately sent to the MDCs.
3. It is the responsibility of mobile units to monitor vehicle/MDCs/portable radios for informational broadcasts. Acknowledgement to Communications Center is not necessary.

(g) Complete SVS entries for the following:

1. Stolen vehicle
2. Felony vehicle
3. Stored vehicle, private property tows and repossessions
4. Impounded vehicle
5. Vehicle reported lost
6. Vehicle associated with a missing person

(h) EPO and service history are entered into the California Restraining and Protective Order System (CARPOS).

(i) Attach SVS entries and route to the Records Bureau. Field personnel should use the CYMBL system for vehicle descriptions (color, year, make, body style and license). The officer requesting the action (1 through 6 above) will provide Communications all the necessary information, which includes (as applicable):

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1. Color
2. Year
3. Make
4. Model
5. Body style
6. License number
7. Vehicle identification number
8. Towing agency
9. Vehicle Code Authority Section

(j) Allocation of radio channels.

1. Channel 1 - Police primary for all active units on regular assignment.
2. Channel 2 - Police administrative channel for all field requests from all units.
3. Channel 3 - Tactical channel for special assignments for all active units; i.e., Cruise, NET, etc. Also to be used for administrative requests for units assigned to Channel 3. Communications will monitor this channel by advance request only, other than regular assignments; i.e., Cruise, etc.
4. Channel 4 - Tactical channel for the Special Services Division (SSD); shall make sure the channel is clear prior to using it. Communications will monitor this channel by advance request only.
5. Channel 5 - Car to car talk around channel for all units assigned to Channel 1.
6. Channel 6 - Car to car talk around channel for all units assigned to Channel 3.
7. Channel 7 - Car to car talk around channel for all units assigned to Channel 4.

(k) Other duties and responsibilities as assigned.

NOTE: Channels 5, 6 and 7 talk around channels shall only be used when out of the local radio range.

803.2.1 COMMUNICATIONS INCIDENT

It shall be the responsibility of the Communications Bureau to record all relevant information on calls for criminal and non-criminal service or self-initiated activity. Employees shall attempt to elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. Desirable information would include, at a minimum, the following:

- Event number (computer generated).

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- Date and time of request (generally computer generated).
- Name and address of complainant, if possible.
- Type of incident reported.
- Location of incident reported.
- Identification of officer(s) assigned as primary and backup.
- Time of dispatch.
- Information related to responder safety.
- Time of the officer's arrival.
- Time of the officer's return to service.
- Disposition or status of reported incident.

803.3 CODES & PHONETIC ALPHABET

All personnel utilizing City radio frequencies shall utilize the standard ten-code as adopted throughout Sonoma County and as printed on the ten-code cards available through the Communications Supervisor.

Use of the ten-code ensures succinct communications between base and mobile operations.

It may be necessary to use the phonetic alphabet when spelling uncommon/unusual names. However, under normal circumstances phonetic spelling of full names or common names will not be necessary.

Phonetics shall always be used to designate the letters in vehicle license plates.

803.4 CODE SIGNALS

Radio Code Signals are used by both the base and mobile units to cut down transmission time and to make a business-like message without unnecessary explanation or words.

Code signals depict, in brief form, most assignments which a public safety unit could be dispatched. These code signals provide a compatible system with other governmental entities throughout the area, including agencies of the State of California.

The expressions "as soon as possible", "immediately", "right away", will not be used when assigning units to calls.

803.4.1 CODE ONE THROUGH CODE FOUR DEFINITIONS

CODE ONE - Routine

A Code One call is the lowest priority and may be handled at the convenience of the recipient when timely response is not required.

CODE TWO - Urgent

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A Code Two call is an urgent call that is immediately answered. Responding personnel shall immediately handle the call while obeying traffic laws and not using emergency lights/siren.

CODE THREE - Emergency

A Code Three call is an emergency call that is immediately answered. Responding personnel shall immediately handle the call and shall use emergency lights/siren to gain vehicular right of way in order to reach the emergency scene as rapidly as is safely possible.

CODE FOUR - No Further Assistance Required

Code Four is a status used by field personnel to advise Communications that no additional personnel are required at a specific incident scene. It shall be the responsibility of personnel at an emergency incident scene to advise Communications of a Code Four status as soon as is safely practical.

803.4.2 CODE SIX - OFFICER NEEDS NON-EMERGENCY ASSISTANCE

Field personnel shall request Code Six assistance whenever they need the non-emergency help of other field personnel. This type of assistance shall be for tasks that do not necessitate a Code Three response. Personnel requesting non-emergency assistance shall broadcast a "Code Six" followed by the type and number of personnel needed (e.g., "Code Six - one officer", "Code Six - one field and evidence technician"). Personnel responding to the assistance call shall drive in accordance with all traffic regulations applicable to non-emergency driving practices. Code Six responses shall be coordinated by the Communications Center via the radio.

803.4.3 CODE TWENTY - OFFICER NEEDS LOCAL EMERGENCY ASSISTANCE

(a) Field personnel shall request Code Twenty assistance whenever they need emergency help of Santa Rosa police officers. This type of assistance shall be for tasks that necessitate a Code Three response. Personnel requesting Code Twenty assistance may do so for any situation wherein they need officer assistance to prevent the commission of an act posing threat to the officer or others, control a situation that poses a threat to the officer or others, or any other circumstances wherein the need for a Code Three response is warranted.

(b) Personnel requesting emergency assistance from Santa Rosa police officers shall broadcast a "Code Twenty" followed by the number of officers needed. If the officer does not state the number of officers needed in the Code Twenty response, all available field Santa Rosa police officers shall respond until a Code Four is established.

(c) Code Twenty responses shall be coordinated by the Communications Center. Unless otherwise directed by the requesting officer, Communications shall initiate a Code Thirty-Three on Channel One and advise officers on all channels of the Code Twenty event.

(d) A Code Twenty response may be canceled by the requesting officer.

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803.4.4 CODE THIRTY - OFFICER NEEDS ANY AVAILABLE ASSISTANCE

Field personnel shall request Code Thirty assistance whenever they or any other persons are in immediate and substantive danger and emergency assistance is needed from any reasonably available law enforcement agency (e.g., Sonoma County Sheriff's Office, California Highway Patrol, Rohnert Park Department of Public Safety, etc.). A Code Thirty, the highest level of an emergency assistance request (e.g., officer being shot at), shall result in a Code Three response from all available officers and cannot be canceled by the requesting officer. Communications shall coordinate the response of Santa Rosa police officers and notification of allied agencies to the Code Thirty. A Code Thirty-Three shall be initiated on Channel One and officers on all channels shall be advised of the Code Thirty. The Code Thirty may only be canceled by an officer other than the one making the original request and who is at the scene of the emergency event.

Santa Rosa police shall respond to Code Thirty requests from other agencies in the following manner:

Requests Within Normal Radio Range:

(a) Normal radio range is:

1. North - Windsor area
2. East - Kenwood area
3. South - Rohnert Park area
4. West - Sebastopol area

(b) Communications shall assign the two closest officers to respond to the request.

(c) A supervisor shall be notified by Communications and respond to the request and supervise Santa Rosa personnel.

Requests Outside Normal Radio Range

(a) Communications shall notify the Sergeant of the request, and the Sergeant shall determine whether or not Santa Rosa police will respond to the incident.

(b) A supervisor shall respond with any officers sent to the emergency.

(c) When outside of normal radio range, Santa Rosa officers shall use radio Channels 5, 6 or 7 to communicate with each other.

803.4.5 ADDITIONAL CODE SIX, TWENTY, AND THIRTY GUIDELINES

(a) Utilization of the Code Six, Twenty and Thirty assistance system places the responsibility for appropriate use on the requesting individual who shall use the system in accordance with articulable safety needs. Personnel wishing assistance to respond to their location in a fashion other than following all rules of the road shall request the appropriate Code Twenty or Thirty response.

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(b) Communications shall advise the field supervisor of Code Twenty and Thirty events as they occur.

(c) Nothing in this procedure shall preclude a supervisor from evaluating the Code Six, Twenty or Thirty request and ensuring that the appropriate level of response and resources is achieved.

803.4.6 CODE THIRTY-THREE - EMERGENCY BROADCAST ONLY

(a) A Code Thirty-Three is the sole, dedicated use of a specific radio channel for a specific on-going emergency or potentially critical event in which field personnel are involved.

(b) A Code Thirty-Three may be initiated by field personnel or Communications.

1. Communications shall automatically initiate a Code Thirty-Three when any of the following occur:

(a) A Code Twenty event.

(b) A Code Thirty event.

(c) An officer is in foot or vehicle pursuit.

(d) A felony traffic stop.

(c) When a Code Thirty-Three is initiated, all personnel shall refrain from using the affected radio channel for anything other than event-related communications or direct monitoring.

(d) Communications shall ensure an intermittent beeping tone is broadcast during the Code Thirty-Three so all personnel will be aware of the need to control and minimize radio communications.

(a) A field unit may cancel use of the beeping tone if tactical considerations so warrant.

(e) All field personnel not directly involved in a Code Thirty-Three event shall switch their radio to the channel designated by Communications for non-emergency radio traffic (e.g., general dispatching during the emergency).

(a) Whenever a primary police channel has a Code Thirty-Three, emergency traffic only, it becomes the responsibility of the Channel Two dispatcher to handle all routine radio traffic for that channel. The Channel Two dispatcher shall monitor the status screen, dispatch all high priority incidents to available field units, and during extended periods of emergency traffic, shall dispatch routine calls for service.

(b) Routine administrative requests shall be advised to standby until "normal traffic" (Code Four, Code Thirty-Three lifted) is resumed on all primary channels.

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(f) Monitoring of radio channels by Communications shall give priority to Code Thirty-Three events. When one channel is devoted to a Code Thirty-Three, field personnel using other channels may be subject to delayed response should remaining Communications staff be involved in emergency call-taking.

(g) Field personnel shall promptly cancel a Code Thirty-Three when the emergency no longer exists. Communications personnel will not automatically cancel the Code Thirty-Three when the officer advises Code Four; they will seek permission prior to canceling the Code Thirty-Three.

803.4.7 TONE ALERTS

Tone alerts will be used to identify radio traffic about to be broadcast as follows:

(a) One Tone Alert: One beep tone prior to transmitting emergency in progress or just occurred calls with threat to people and/or property, or officer safety factors.

803.5 FEDERAL COMMUNICATIONS COMMISSION (FCC) RULES

Radio communications are governed by the rules and regulations of the Federal Communications Commission (FCC). Officers and employees are to ensure their radio broadcasts conform to these rules. Some of the rules are:

(a) The radio is to be used for official and emergency transmissions only. Use of first names or nicknames and personal messages are forbidden.

(b) Only approved radio code will be used, and these codes should be used whenever practical to cut down radio transmission time. Codes should not be used to such an extent that clear meaning of the message is hindered.

(c) All personnel are responsible for knowing the radio codes adopted by the department.

803.5.1 BASIC GUIDELINES WHEN COMMUNICATING

(a) Mobile units making traffic stops shall transmit to the Communications Center the precise location first then the license number of the vehicle. Color and make of the vehicle will not be transmitted on routine situations, only under special circumstances where it is felt such information is necessary.

(b) All mobile units will wait for the Communications Center acknowledgement before transmitting information that must be copied.

(c) All operators will break transmissions for at least five seconds during lengthy transmissions. The word "break" will be used to indicate these deliberate interruptions.

(d) Mobile to mobile transmissions are limited to official high priority traffic only and will be brief, except under emergency conditions.

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(e) All units will bear in mind that all radio traffic is taped and time monitored by the Communications Center and many private citizens operate home radios to monitor police traffic on all frequencies.

(f) Mobile units will not dispute assignments with Communications. However, an officer may provide additional information that may alter the original assignment.

(g) Mobile units will not use the Communications Center personnel to make low priority phone calls for them, but will utilize their department issued cellular phones whenever possible. Communications shall not perform low priority follow-up for mobile units.

(h) All personnel shall bear in mind the primary function of Communications is fast, accurate response to emergency radio and telephone traffic.

803.6 RESPONSE TO INCIDENTS REPORTED TO POLICE

Incidents requiring a police response will involve adequate personnel and resources to effectively handle the incident without jeopardizing the safety of either the personnel involved or any member of the community.

803.6.1 CALLS FOR SERVICE

(a) Calls for service will generally require the dispatch of only one unit.

(b) With the exception of those calls described in this policy, dispatchers will dispatch one unit only to each call.

(c) Personnel may request the assistance of one or more units at their discretion, based upon:

1. The nature of the call.
2. Special knowledge of the circumstances.

803.6.2 ASSISTING UNITS

Specific types of calls may require the initial dispatch of additional units. These calls are:

(a) Any in-progress felonies (including alarms).

(b) Any situation where weapons are involved.

(c) Any situation where there is an apparent and imminent potential for violence (i.e., domestic violence situations).

(d) It is the responsibility of the responding officer to advise Communications when additional units are no longer required so units may be returned to their assigned areas of responsibility.

1. Notification to Communications that additional units are not required shall be made as soon as practical after the officer has made an assessment of the situation.

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(e) A Patrol supervisor shall take immediate action to return unnecessary units to their beats when in his/her opinion an excessive number of officers respond, or are en route, to any call for service.

803.6.3 TRAFFIC INCIDENTS

Traffic related incidents generally require only the officer making the stop; however, some traffic situations do require additional assistance. Communications personnel will assign a cover or second unit upon the request of the officer who initiated the stop, or upon receipt of additional information which would warrant a second officer.

803.7 PRIORITIES

Assignment Priority of Calls for Service

Dispatchers have the authority to redirect field unit assignments as necessary. Any patrol supervisor or manager or communications supervisor has the authority and responsibility to direct or redirect assignments made by dispatchers. Communications, after receiving a call, will obtain the necessary information, evaluate the priority of the call, and dispatch the appropriate personnel and equipment defined as follows:

Category	**Emergency**	**Priority**
	In progress or just occurred with threat to people and in progress with imminent threat to property.	No delay in assignment. Assign unit at once. Notify supervisor when appropriate.
Category	**Urgent**	**Priority**
	In progress or just occurred with no imminent threat to people or property.	Maximum delay in assignment 10 minutes (stack time). After 20 minutes notify supervisor for disposition.
Category	**Routine**	**Priority**
	Not in progress nor just occurred.	Maximum delay in assignment 90 minutes (stack time). Notify supervisor for disposition.

803.7.1 PROBLEMS DURING SHIFT CHANGEOVER

To alleviate problems arising during shift changeover, the following policy shall be followed:

(a) Emergency and urgent calls shall be dispatched regardless of time within the guidelines specified above. Field units will not request clearance from their Team supervisor or dispute the call with Communications personnel.

(b) Make no dispatches other than emergencies or urgent calls 30 minutes or less prior to the end of the watch.

1. Dispatch appropriate on-coming shift units at the earliest opportunity.

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2. Notify a Communications Supervisor or Watch Commander of all calls that have exceeded the guidelines set forth above.

803.7.2 PRIORITY EXAMPLES

(a) Below are examples of typical calls for service received by Communications. Assignments shall be with the priority in the right column.

1. Backup units will be assigned and supervisors notified as circumstances warrant.

(b) General broadcasts should be reserved for major incidents.

(c) The categories EMERGENCY, URGENT, and ROUTINE, as used below are for the convenience and use of both Communications and mobile units. They are not to be confused or used in radio transmissions as CODE ONE, TWO or THREE relating to field responses and to the use of red lights or siren on police vehicles.

CATEGORY	**EMERGENCY**	**PRIORITY**
	Major Crimes	1. Beat Officer
	Crimes of Violence	2. Adjacent Beat Officer
	Major Disaster	3. Traffic Officer
	Alarms	4. Motorcycle Officer
	Prowler	
	Person Calling for Help	
	Mental Case	
CATEGORY	**URGENT**	**PRIORITY**
	Open door/window depending upon time of day and circumstances	1. Beat Officer
	Suspicious Person/Vehicle	2. Adjacent Beat Officer
		3. Traffic Officer
		4. Motorcycle Officer
CATEGORY	**ROUTINE**	**PRIORITY**
	Obtain report/no suspects	1. Field & Evidence Tech **
	Meet the citizen	2. Beat Officer
		3. Adjacent Beat Officer

** Field & Evidence Technicians shall not be dispatched to any calls or reports where suspects are present in the vicinity or the crime is in progress.

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803.7.3 REPORT WRITING - CODE 956

A Code 956 is for use by officers or technicians when writing reports in the police vehicle or police report writing facility. Officers or technicians completing a call that requires a written report may go into a Code 956 status to Communications depending on the status of unassigned calls. An officer in a Code 956 mode will not receive Routine Calls, but will respond to EMERGENCY and URGENT calls. It will be the responsibility of the officer or technician to monitor the radio at all times while on Code 956 status.

803.8 TRAFFIC BUREAU

To avoid confusion and inequity in the dispatching of traffic officers to calls for service, the following dispatching priorities for traffic and related matters shall apply.

Below are the Incident Types and Personnel Response Priority.

(a) Crimes of Violence
    1. Closest Officer respond and standby.
    2. Beat Officer
    3. Adjacent Beat Officer
    4. Traffic Officer
    5. Motorcycle Officer

(b) Accident - Class I (11-80)
    1. Closest Officer respond and standby.
    2. Traffic Officer
    3. Motorcycle Officer
    4. Beat Officer
    5. Adjacent Beat Officer

(c) Accident - Class II and III (11-79, 11-81, 11-82, 11-83)
    1. Field and Evidence Technician
    2. Traffic Officer
    3. Motorcycle Officer
    4. Beat Officer
    5. Adjacent Beat Officer

(d) D.U.I. Arrest from all Accidents
    1. Beat Officer
    2. Adjacent Beat Officer

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3. Traffic Officer
4. Motorcycle Officer

(e) Hazardous Materials

1. Beat Officer
2. Traffic Officer
3. Motorcycle Officer

(f) Traffic Complaint with suspect identification and/or reporting party contact required.

1. Motorcycle Officer
2. Traffic Officer
3. Beat Officer

(g) Traffic Complaint without suspect or vehicle identification and/or no reporting party contact required.

1. No immediate response required. Dispatch broadcast to Beat Officer of complaint information.

(h) Traffic Control - Hazards, Fire, Crowds

1. Field and Evidence Technician
2. Beat Officer
3. Adjacent Beat Officer
4. Traffic Officer
5. Motorcycle Officer

(i) General Parking Problem

1. City Parking Enforcement: Assigned Parking Districts (e.g., Downtown, Coddingtown, S.R.J.C.)

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Portable Radio Distress Signal

805.1 PURPOSE AND SCOPE

It shall be the policy of the Santa Rosa Police Department to provide an immediate response upon the activation of a portable radio distress signal.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

805.2 DEFINITIONS

(a) **1033 Portable Radio -** A "1033 portable radio" shall be the designated code provided by communications dispatchers to alert police personnel that a portable radio distress signal has been received.

(b) **Coordinated Response** - The necessity for units responding to a portable radio distress signal to share information while responding to ensure both a safe and tactical approach on their part while keeping in mind the safety of the employee to be contacted.

(c) **Employees** - Police officers, civilian personnel or any other person working for or with the Police Department who is provided a portable radio for their use.

(d) **Portable Radio Distress Signal** - An audible or inaudible signal originating from a Santa Rosa Police Department portable radio indicating there is a possibility the person in possession of the portable radio is faced with a personal emergency.

805.3 ON-DUTY EMPLOYEE AT A KNOWN LOCATION

(a) Upon receipt of a portable radio distress signal from an employee whose location is known, the communications dispatcher shall immediately:

1. Dispatch one unit to the employee's location and attempt to raise the employee on the portable radio. If the employee responds with "Code 4", the dispatcher will cancel the second unit and no further action is necessary. If the employee does not respond, the dispatcher will do the following:

    (a) Activate a tone alert along with a "Code 33" and initiate a full response consisting of a "Code 20-Two Officer" call on a "1033 portable radio".

    (b) Provide the employee's call sign, location and details of the original incident.

(b) Officers responding to a designated location shall:

(a) Respond Code 3 and exchange information to provide a coordinated response.

(b) Immediately assess the situation upon arrival and advise Communications.

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(c) If contact is made with the employee activating the distress signal prior to the arrival of back-up officers, the dispatcher shall:

(a) Attempt to determine the legitimacy of the alert and provide additional assistance upon request or based upon the updated information.

(b) Designate one officer to continue in a Code 2 status for verification purposes if the contacted employee responds in any way other than "Code 4."

805.4 ON-DUTY EMPLOYEE AT AN UNKNOWN LOCATION

(a) Upon receipt of a portable radio distress signal from an employee who is at an unknown location, the communications dispatcher shall immediately:

1. Dispatch one unit to the employee's last known location and attempt to contact the employee assigned to the portable radio. If the employee responds with "Code 4," the dispatcher will cancel the second unit and no further action is required. If there is no reply, the dispatcher shall:

(a) Activate both a tone alert and a "Code 33".

(b) Attempt to make contact utilizing the employee's call sign or name if the call sign is unknown.

(c) If contact is made, ascertain the employee's location and the legitimacy of the call, providing assistance upon request or based upon the information provided.

(d) Dispatch a single officer in a Code 2 status for verification purposes if the contacted employee responds in any way other than "Code 4."

(e) Provide an immediate broadcast to all Santa Rosa Police personnel where there is no response in an attempt to determine the officer's current or last known location.

(f) Contact an on-duty field supervisor for further instructions where the employee cannot be immediately located.

(g) Alert the Sonoma County Sheriff's Office, the California Highway Patrol, Public Transit, and City of Santa Rosa Public Works to have their personnel be on the lookout for the employee to include a vehicle description and number.

(b) Upon notification that an employee cannot be located, the on-duty field supervisor shall develop a plan to locate the missing employee utilizing whatever resources are available, and shall ensure notification of the on-duty or on-call Watch Commander.

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805.5 OFF-DUTY EMPLOYEE

(a) Upon receipt of a portable radio distress signal from a radio assigned to an off-duty employee, the communications dispatcher shall:

1. Attempt to contact the employee by radio, phone and by pager if available, to ascertain the legitimacy of the alert and/or the location of the radio giving off the distress signal.
2. If contact is made, ascertain the legitimacy of the alert; and if the location is within the City limits, provide assistance as requested or based upon the information provided. If the location is outside the City, and if necessary, request emergency assistance from the appropriate jurisdiction and contact the on-duty field supervisor.
3. If contact is not made notify the on-duty field supervisor.

(b) The on-duty field supervisor upon notification that an off-duty employee cannot be located shall:

1. Develop a plan to locate the individual to include making checks with individuals listed in the emergency contact file, known associates, friends and neighbors. The plan should also include teletypes to surrounding agencies, frequent checks of the employee's residence and both voice and phone mail messages as appropriate.
2. Notify the on-duty or on-call Watch Commander.

805.6 EMPLOYEE RESPONSE

An employee contacted in response to a distress signal emanating from the portable radio assigned to him/her shall respond as follows:

(a) A "Code 4" response shall be the only response given to indicate the distress signal was inadvertently activated or the situation prompting the alert is now under control.

(b) No response or any response other than "Code 4" shall be a signal that an emergency condition still exists, thus alerting Communications and responding officers of that fact.

805.7 BI-ANNUAL TESTING

During the months of January and July, each team, section or team supervisor shall be responsible for testing every portable radio with the tone alert feature assigned to personnel under their command. Notification to Communications shall be made prior to testing.

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Teletype Messages

809.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for sending a teletype when misdemeanor or felony crimes are perpetrated within the City limits of Santa Rosa.

Teletypes shall be prepared when information regarding suspects, vehicles or property is significant. Sending a teletype is intended to assist the Santa Rosa Police Department and other agencies in locating suspects or property, or advising of significant crime incidents.

All teletype requests shall be approved by a supervisor prior to being sent.

SRPD Form 362-A, Administrative Teletype Form, is available in the PDCOMMON directory in the "Forms - Forms Control" folder.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

809.2 FIELD SERVICES DIVISION

(a) The following crimes shall require a teletype whenever a suspect is outstanding, regardless of whether or not the suspect has been identified.

1. Robbery.
2. Kidnapping.
3. Hit and Run Accidents (Felony only).
4. Murder.
5. Assault With a Deadly Weapon.
6. Rape.

(b) Teletypes may be sent on misdemeanor crimes and other felony crimes not listed above at the discretion of the investigating officer when there is specific suspect information such as name, vehicle license number, etc.

(c) It will be the responsibility of the investigating officer to initiate the appropriate teletype.

(d) All teletypes issued shall be attached to the original crime report by Records personnel.

809.3 SPECIAL SERVICES DIVISION

(a) The follow-up investigator shall review reports and assure the appropriate and necessary teletypes have been sent.

(b) Additional teletypes shall be sent if there is:

1. Recovered property/property under observation.
2. Suspect in custody where there is a probability crimes have been committed in other jurisdictions.

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3. Cases where distinguishable modus operandi is present.

(c) The investigator shall update or cancel teletypes when appropriate through the Records Bureau.

809.4 TECHNICAL SERVICES DIVISION

(a) The Communications Bureau and the Technical Services Division will be responsible for:

1. All Stolen Vehicle System (SVS) teletype entries.
2. Any urgent county-wide stop and hold initiated by personnel in the field which meets the following criteria:
   (a) Known suspect(s) and description(s); or,
   (b) Vehicle description and license number; and,
   (c) Crime has occurred within the last thirty (30) minutes and a delay in notification would jeopardize apprehension of a suspect.
3. All emergency protective orders and out of state protective orders into the California Restraining and Protective Order System (CARPOS) will be entered by the Communications Bureau.

(b) During Records Bureau hours, Records personnel will be responsible for the following teletypes:

1. Repossessions.
2. Private property towed/stored vehicles.
3. Serialized property.
4. All Field Services Division and Special Services Division non-urgent requests.
5. County-wide stop and hold initiated by personnel in the station or by field personnel where the request can be made by telephone to the Records Bureau.
6. Cancellation of all teletypes, including urgent county-wide stop and holds sent by the Communications Bureau.

(c) Records personnel will enter repossessions and private property towed vehicles into the SVS as soon as they are received. All repossessions and private property tows received in Communications during Records hours, will be transferred to the Records Bureau.

(d) It shall be the policy of Technical Services Division personnel to conduct a second party check of all entries made within the Bureau.

1. In cases where the entry is associated with a police report the second party check shall by conducted by the records supervisor during the report approval process.
2. When repossessed vehicles and private property tows are entered, the entering technician shall have a co-worker conduct a second party check.

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3. When database entries are completed by Communications personnel, a second party check will be completed by a second dispatcher or a communications supervisor.

809.5 TELETYPES

(a) Teletypes generated by Field Services Division personnel shall be sent county-wide unless the suspect is known or believed to reside outside the county.

(b) Teletypes can be sent:

1. To a specific department.
2. Countywide.
3. Area wide (CLETS zone as defined by DOJ).
4. Statewide.
5. Nationwide.

(c) Content

1. Teletypes sent by personnel of the Santa Rosa Police Department regarding crimes shall include the following information:
   (a) Crime description.
   (b) Time, date and location.
   (c) Crime report number.
   (d) Suspect description.
   (e) Vehicle description.
   (f) Property taken.
   (g) Weapon used.
   (h) Direction of travel if known.
   (i) Name of contact person in the Santa Rosa Police Department.

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Non-Routine Requests for Police Records and Information

813.1 PURPOSE AND SCOPE

To establish a procedure for processing non-routine requests for Police Records and Information.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

813.2 BACKGROUND

The California Legislature declared in 1968 that it was the public's right to access information concerning the people's business. The California Public Records Act can be found in Government Code §§ 6250-6270.

The Police Department must promptly provide information the public has a right to know and at the same time withhold information the public does not have a right to know (e.g. information that would jeopardize an individual's right to privacy, safety and reputation).

Public records include all forms of communication related to public business, regardless of their physical form or characteristics. In other words, public records include any writing, picture, sound or symbol, whether it is paper, fiber, magnetic or other media.

813.3 ISSUE

Routine requests are processed daily by Records Bureau staff (including but not limited to requests for crime reports, accident reports and citations).

Other requests received orally or in writing by staff outside the Records Bureau could inadvertently be overlooked, denied, delayed and/or not recognized as Public Records Act requests requiring the department to respond per Government Code §§ 6250-6270.

813.4 PROCEDURE

All requests for Police Department public records and information received orally or in writing by staff outside the Records Bureau must be routed immediately to the current Public Records Act designee. Requests for information that fall under other laws are not subject to this procedure (e.g. requests for information related to criminal or civil court cases).

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Computers and Digital Evidence

814.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, cellular telephones, digital cameras, digital recorders and other electronic devices that are capable of storing digital information. This policy also establishes procedures for handling digital evidence generated or collected by the Santa Rosa Police Department.

Adopted 3-21-17 by Chief Robert L. Schreeder.

814.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Personnel should be aware of the potential to destroy information through careless or improper handling, and utilize police personnel trained in its identification, preservation and collection. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.

1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).

(e) Label each item with a Santa Rosa Police Department Property/Evidence tag and label in accordance with the Evidence and Property Policy (Lexipol 819).

(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so potential evidence is not lost.

(g) Package and book all evidence in accordance with Lexipol 819.

(h) At a minimum, personnel should document the following in related reports:

1. Where the computer was located and whether or not it was in operation.
2. Who was using it at the time.
3. Who claimed ownership.

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4. If it can be determined, the primary use for the device.

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media.

1. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

814.2.1 BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Personnel should contact Police IT for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

814.2.2 FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's data storage drives or any other storage media is required, forward the following items to Police IT:

(a) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to the investigation.

(b) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).

814.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

(a) If the media has a write-protection tab or switch, it should be activated.

(b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request Police IT to copy the contents to an appropriate form of storage media.

(c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.

(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

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814.4 SEIZING CELLULAR TELEPHONES AND TABLETS

Cell phones or other hand-held devices, such as tablets, connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Personnel should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off. If possible, place the device in airplane mode to prevent it from reaching any Wi-Fi or cellular networks.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

814.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

814.5.1 PRODUCING DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

814.5.2 DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files must be downloaded to the department's digital evidence management system. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) The device should be connected to a computer and the files accessed directly from the digital evidence management application.

814.5.3 PRESERVATION OF DIGITAL EVIDENCE

(a) Only Property and Evidence Technicians are authorized to copy original digital media that is held as evidence.

(b) Digital evidence must be copied to a duplicate file if modifications are going to be made. Modifications to modify lighting, contrast, exposure, tinting, or color manipulations or for any other purpose, must only be done to the copy file, not the original.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report and the produced digital file shall be booked into the digital evidence management system in addition to the original file.

(d) As the designated custodians, the Property and Evidence Technicians shall dispose of digital evidence according to evidence retention procedures.

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(e) Requests for digital photos, audio files, or video files made by attorneys, insurance agencies, and other private entities shall be made on the "Request for Duplication of Photographs, Audio & Digital Media" form, and working images shall be made according to Discovery or Records release procedure. It shall be the responsibility of the Property and Evidence Technicians to create a copy from the archived file for use by the requesting authority.

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Student Internship Program

816.1 PURPOSE AND SCOPE

The purpose of this policy is to set forth general operational guidelines for the Santa Rosa Police Department Student Internship Program.

Adopted 5-16-18 by Chief Robert L. Schreeder.

816.2 PROGRAM GOALS

The primary goal of the Police Student Internship Program (unpaid) is to prepare and develop qualified college students to enter the field of law enforcement. The program will provide college students with on-the-job work experience and educationally-based job training within a law enforcement environment. The program offers job readiness preparation, job coaching, and job site learning related to the student's educational or occupational goals. It is expected that student interns have a positive and meaningful experience with the Santa Rosa Police Department.

816.3 MINIMUM STANDARDS

(a) The Santa Rosa Police Department Student Internship Program shall be overseen by the Support Bureau Lieutenant and administered by a designated department "Coordinator."

(b) Student interns shall be enrolled in a work experience or internship program with any accredited university or college.

(c) Student interns must be 18 years of age or older and possess a U.S. High School degree or its equivalent.

(d) Student interns must be a U.S. citizen or permanent resident alien.

(e) Student interns must have a cumulative 2.8 GPA or higher prior to beginning the Student Internship Program.

(f) Student interns must be enrolled in the Fall or Spring semester for a minimum of six (6) units. They may continue to intern through the summer without being enrolled in summer classes.

(g) Student interns must commit to working a minimum of three (3) hours a week in their assignment.

(h) Student interns must be able to pass a comprehensive law enforcement background investigation.

(i) Student interns will not have any felony convictions as an adult and cannot be on probation for any criminal offense.

816.4 SELECTION PROCESS

(a) All potential student interns shall be enrolled in a work experience or internship program with any accredited university or college, including online academic

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institutions, and must complete a Santa Rosa Police Department Student Internship Program application.

1. Program guidelines and application packets shall be available at the specified educational institution and online at www.santarosapd.com.

(b) Department supervisors requesting a student intern shall develop an internship job task description to include work tasks, skills needed, and learning objectives and shall submit a copy to the Coordinator.

(c) The Coordinator shall recruit for the specific assignment through the Internship Coordinators at Santa Rosa Junior College and Sonoma State University.

(d) The Coordinator shall conduct a pre-screening interview with each applicant to analyze their skills, interests, career development goals and commitment to match the applicant to a student intern assignment.

1. The applicant shall be interviewed by the requesting Supervisor and the Coordinator.
2. The interview process shall be in accordance with guidelines set by the California Department of Fair Employment and Housing Act.
3. When an assignment is found suitable for a student intern's experience, skills and career goals, the Coordinator shall provide the student intern with a background packet through the Personnel Services Team.

(e) The Coordinator shall provide written notification to student interns regarding their status in the selection process.

1. The Coordinator shall maintain records of all students placed in the program and all students who were disqualified from placement in the program in accordance with the City’s Records Retention Schedule.

(f) Scheduling, evaluation, and supervision for student interns will be the responsibility of the department supervisors who request the student interns.

(g) The Coordinator shall process all work area requests for student interns and student intern applications, forward to the Personnel Services Team for assignment, maintain original documents and records, and generally administer the program.

(h) Student interns work variable hours per week on a schedule that accommodates his/her academic coursework or schedule and the operational needs of the Police Department.

(i) The placement, rotation, maximum hours worked and assignments of interns will be based on the needs of the organization and the intern’s direct supervisor. All assignments and changes of assignments will be approved by the Support Bureau Lieutenant.

(j) Student internships will last one year during undergraduate work and one year for graduate work.

816.4.1 BACKGROUND SCREENING

(a) All potential student interns shall undergo a background history screening to include:

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1. Completion of a Personal History Statement
2. A local criminal history record checks
3. A Department of Motor Vehicles check
4. A warrants check
5. A LiveScan
6. Employer and personal reference checks

(b) The background screening shall be conducted by the department's background investigators or appointed staff member(s) trained in conducting background history screening.

(c) Students will not be considered if they have been convicted of a felony, a crime of violence or any misdemeanor (except minor traffic violations) in the past three years. Students will be fingerprinted to check for criminal history.

(d) Any student intern falsifying statements on his/her application documents or during the interview and/or are otherwise deemed unsuitable during the background screening process shall be precluded from placement in the program. The Coordinator shall be responsible for notifying the student intern applicant and for maintaining proper documentation.

816.5 PROGRAM EXPECTATIONS

(a) Student interns shall keep their assigned internship schedules unless previous arrangements have been made with their supervisors, or in case of illness or emergency.

1. Student interns will not be assigned to work any hours without direct supervision.
2. Student interns shall be restricted to the area where their work assignment is located and to the employee common areas.

(b) Student interns shall participate in a program orientation and any training sessions as scheduled by the Coordinator and/or Supervisor, and shall remain in their academic institution's work experience or internship program at all times while in the Police Department's Student Internship Program.

(c) Student interns shall allow a photograph to be taken for proper identification and placement on department bulletin boards.

(d) Personal Conduct:

1. Student interns shall adhere to the Santa Rosa Police Department's Student Intern Personal Appearance Standards, Code of Conduct, Uniform Regulations, Social Media Policy, Mission, Vision and Values Statements, the City's Technology Use Policy and Romantic/Sexual Relationship Policy, and all applicable policies.
2. Student interns will conduct themselves in an appropriate manner and maintain proper relations with the public while performing their intern duties.

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816.6 COORDINATOR RESPONSIBILITIES

The Coordinator shall be responsible for the following:

(a) Providing student interns with a Student Intern Confidentiality Agreement.

(b) Arranging for an identification badge/card.

1. Student intern identification badges are to be worn at all times while in the Public Safety Building and shall not be used for any other purpose.
2. Badges and lanyards are to be left at the Records front counter when leaving for the day and may be picked up before reporting to work.
3. Student interns must enter the building by the front entrance and are not issued key cards to the Public Safety Building.
4. The identification badge/card shall remain the property of the Santa Rosa Police Department and must be surrendered upon separation from the program.

(c) Arranging a tour of the department for the student intern on his/her first day.

(d) Completing setup for computer or network systems access, if applicable.

(e) Reviewing with the student intern applicable department and City policies and parking instructions.

(f) Providing an application for the Ride-along/Observer Program for ride-along and/or sit-along opportunities throughout the department.

(g) Providing information regarding the Citizen Police Academy.

(h) Maintaining files, forms, documents, and databases of all student interns in the program.

816.7 SUPERVISOR RESPONSIBILITIES

The supervisor shall be responsible for the following:

(a) Requesting a student intern by completing and submitting a Student Intern Job Task Description to the Coordinator.

(b) Participating in the selection interview process and evaluating a student intern's qualifications for his/her job assignment.

(c) Working with student interns to meet their stated learning objectives.

(d) Mutually establishing achievable expectations, working days and hours.

(e) Supervising student intern activities and behavior.

(f) Providing training and guidance, and special projects when applicable.

(g) Providing instructional reference manuals, resources, and equipment for assigned tasks.

(h) Providing performance feedback and providing recommendations to advance students' careers and academic growth.

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(i) Completing all paperwork required by the college or university work experience or internship program, to include evaluation forms and timesheets.

(j) Assuring student interns abide by all laws, policies, agreements, and Mission, Vision, and Values Statements.

(k) Monitoring compliance with personal appearance standards for assigned student interns.

(l) Taking immediate action if a student intern reports to his/her assignment under the influence of drugs or alcohol or any prescribed medications that cause drowsiness or in any way obstructs the student intern's safe performance of work tasks.

816.8 STUDENT INTERN RESPONSIBILITIES

The student intern shall be responsible for the following:

(a) Providing assigned supervisor with academic learning objectives.

(b) Being responsive to instructions from his/her supervisor and other department personnel when necessary.

(c) Wearing his/her identification badge/card per department policy.

(d) Wearing attire to meet personal appearance standards. The dress code for student interns will be casual business attire (slacks, Dockers, collared shirts or appropriate blouses; no blue jeans, t-shirts, shorts or inappropriate clothing).

(e) Obeying department policies and agreements.

(f) Maintaining strict confidentiality of all information encountered through work assignments.

(g) Completing the required hours for the internship, maintaining a log of the hours, and attending mandatory internship meetings based on the work experience or internship program requirements.

(h) Completing all paperwork required by the college or university work experience or internship program.

(i) Not reporting to his/her assignment under the influence of alcohol or drugs or any prescribed medications that obstructs his/her safe performance of work tasks.

(j) Reporting to his/her supervisor any damage or loss of departmental equipment.

(k) Completing a Supervisor's Critique Evaluation form at the conclusion of assignment.

(l) Notify his/her direct supervisor if his/she is involved in any off-duty incident that may result in a response from a law enforcement agency.

816.8.1 STUDENT INTERNSHIP ASSIGNMENTS

- Patrol
- Investigations
- Traffic

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- Records
- Training
- Crime Analysis
- Communications

816.9 TERMINATION/DISMISSAL OR CHANGE IN ASSIGNMENT

(a) It shall be the responsibility of each supervisor utilizing a student intern to notify the Coordinator when an intern leaves an assignment or requests a change in assignment.

(b) All placement paperwork and the identification badge/card of a student intern who terminates his/her association with the Police Department Student Internship Program shall be routed to the Coordinator for appropriate disposition and processing.

(c) Unauthorized use of the department's identification badge/card is subject to immediate confiscation of the identification card and may result in dismissal from the program.

(d) The release of criminal information to the public might be considered a felony.

1. Any and all information pertaining to police records, or other clearance level material, is to be kept strictly confidential.
2. Any student intern in violation of this provision will not only be terminated as a student intern, but may also be prosecuted.

(e) Student interns demonstrating or suspected of any disqualifying behaviors or failing to meet expectations may be removed from the program at the discretion of the Chief of Police or designee.

(f) Student interns who disobey an ethical order or directive, whether verbal or written, or is subject to a criminal investigation shall be removed from the program at the discretion of the Chief of Police or designee.

(g) Student interns who release secured information to the public shall be removed from the program at the discretion of the Chief of Police or designee.

(h) Student interns involved in any situation or incident that could reflect negatively on the Santa Rosa Police Department may be cause for removal from the program.

(i) In the event that a student intern is removed from the program, the Coordinator will notify the student intern's academic institution.

(j) Student interns are subject to the City of Santa Rosa Romantic/Sexual Relationship Policy as well as any similar policies of their college or university.

816.9.1 LIABILITY

(a) Student interns agree that their placement in the Student Internship Program accrues no rights or benefits or Workers' Compensation protection.

(b) Student interns may not operate City vehicles for any purpose, nor use or handle any firearms or dangerous weapons, have unsupervised access to the department armory nor handle any evidence without direct supervision.

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(c) Student Interns shall not be involved in any field operations where there may be potential harm to or danger for the student intern. Supervisors will be responsible for the assessment of potential risks to the student intern during activities.

(d) Student interns shall not be issued key cards, building keys, City network access (unless approved by the Coordinator), or a voicemail account.

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Volunteers in Police Services (VIPS)

817.1 PURPOSE AND SCOPE

Volunteers in Police Services (VIPS) provide volunteer services as needed and defined by the Santa Rosa Police Department. Volunteers are committed to providing quality service to the men and women of the Santa Rosa Police Department. These volunteer services will be based on promoting trust, confidence, and open communication in order to establish a partnership between the Police Department and volunteer staff. By using volunteers, the Santa Rosa Police Department may increase the scope and type of services offered by the City of Santa Rosa.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 8-7-15 by Chief Robert L. Schreeder.

817.2 QUALIFICATIONS

(a) Interested citizens must complete a VIPS application and submit it to the Santa Rosa Police Department.

(b) Applicants must be at least 18 years of age and possess education equivalent to a high school diploma.

(c) Applicants must complete the Citizens Police Academy prior to obtaining Volunteer status. Exceptions may be made at the discretion of the VIPS Coordinator and Sergeant.

(d) Applicants must fill out a Personal History Statement to allow the department to conduct a background investigation. Applicants will not be considered if they have been convicted of a felony or a crime of violence or any misdemeanor (except minor traffic violations) in the past three years. Applicants will be fingerprinted to check for criminal history.

(e) Applicants should be of good moral character and reputation.

(f) Applicants must be able to demonstrate good judgment and possess skills and ability which will benefit functions of the Santa Rosa Police Department to the satisfaction of the Chief of Police.

(g) Applicants must live or work in Sonoma County.

(h) A copy of the applicant's driver's license and proof of auto insurance must be submitted with the Personal History Statement.

(i) Applicants may be required to submit a letter from their physician stating they are qualified to perform assigned tasks. Applicants may be considered if their doctor so stipulates, depending on the needs of the department. Applicants will also complete an emergency contact information form.

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(j) Applicants must successfully pass an oral exam administered by a panel consisting of personnel from the Santa Rosa Police Department and members of VIPS. All members will serve at the discretion of the Police Department.

817.3 GENERAL RULES, REGULATIONS, AND RULES OF CONDUCT

(a) Volunteers will keep to their assigned schedule unless previous arrangements have been made with immediate supervisors, or in case of illness or emergency. Every Citizen Volunteer Patrol member shall execute and complete any and all duties to which they have been assigned.

(b) Volunteers will attend orientation and training sessions as scheduled, and will undertake continuing education and training when provided by the department.

(c) Personal Conduct

1. Common courtesy will be exercised at all times.
2. Volunteers will respect the function of the department's paid staff and contribute fully to maintaining a smooth working relationship between paid staff and volunteers.
3. Volunteers will conduct themselves in an appropriate manner when acting on the department's behalf.
4. Volunteers must maintain proper relations with the public while performing their duties.
5. All members shall recognize and understand the importance of proper conduct and attitude toward all employees and other members of the VIPS.

(d) Members shall honor and obey all laws.

1. Report of Arrests: Any member who is subject of a criminal investigation shall submit to the Volunteer Program Coordinator, in writing, ALL information relating to the details of the incident. This shall be done no later than one (1) day after the incident or as soon as possible.

(e) Disobedience of an Order or Directive: Members shall be responsible for obeying legal and ethical orders and directives, whether verbal or written, from the Volunteer Coordinator and all supervisory personnel.

(f) False Reports: No members shall make any accusation, allegation or statement, knowing it to be untrue.

(g) Volunteers will carry out assignments in good spirit and will seek the assistance of their supervisor when necessary.

(h) Volunteers will consult their supervisor before assuming any new responsibilities affecting the department.

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(i) Breaks should be scheduled with the immediate supervisor.

(j) Volunteers will not report for duty or be on duty while under the influence of alcohol or drugs.

1. The odor of an alcoholic beverage shall be considered presumptive evidence. The supervisor in charge may release the volunteer from his or her shift or assignment, and dismissal from VIPS will occur immediately.
2. No Patrol VIP will consume alcoholic beverages for a period of not less than eight hours prior to reporting for duty.
3. At no time shall a volunteer drink an alcoholic beverage when on duty or in uniform.
4. Prescribed medications that cause drowsiness or in any way hamper the member's safe performance of duty will not be used while in a duty status.
5. Volunteers will need to discuss rescheduling arrangements with their supervisor when taking medication which may cause drowsiness or which, in any way, may hamper their normal work assignment.

(k) Members will not use tobacco products while in City vehicles or while on duty.

(l) Volunteers may be required to wear authorized uniforms when performing volunteer services outside the Police Department building, within view of the public. Visible uniform insignia should not be in view on the way to or from the scheduled assignment. Uniforms will only be worn when performing volunteer functions for the Santa Rosa Police Department.

(m) Grooming:

1. VIPS on duty shall at all times be neat and clean and practice proper personal hygiene at all times.
2. Hair must be styled and not extend into the eyes in such a manner to interfere with vision.
3. Mustaches and beards shall be kept neatly trimmed and well groomed.
4. Uniforms shall be cleaned and pressed and conform to specifications detailed by the Santa Rosa Police Department.

(n) Use of Department Equipment

1. Volunteers may use department equipment with the permission of a department supervisor. Equipment shall be used in the manner in which it was intended and shall not be misused. Under no circumstances shall department equipment be taken home, unless authorized by a department supervisor.
2. Members shall not maliciously damage any equipment or property.

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(a) Damage or loss of departmental equipment may subject the member responsible to make proper restitution. Lost or damaged property shall be immediately reported to an on-duty police supervisor.

(o) Volunteers will respect and accept the department's right to dismiss any volunteer for any reason.

(p) Volunteers will notify the VIP Coordinator in writing at least two weeks in advance of resignation or to request a leave of absence surpassing one month.

(q) Volunteers who leave the program are required to turn in all uniforms, materials and equipment that have been purchased by the Santa Rosa Police Department.

817.3.1 CONFIDENTIALITY

The release of criminal information to the public might be considered a FELONY.

The citizens of Santa Rosa have a right to privacy. Any and all information pertaining to police records, or other clearance level material is to be kept strictly confidential. Anyone in violation of this provision will not only be terminated as a VIPS, but may also be prosecuted.

817.3.2 REASONS FOR IMMEDIATE DISMISSAL

(a) Falsifying statements on VIPS application or during the interview process.

(b) Misusing VIPS identification badge and/or uniform.

(c) Reporting for work while under the influence of alcohol or drugs.

(d) Releasing secured information to the public. Violation of this provision may result in prosecution.

(e) Committing a misdemeanor (excluding traffic infractions) or felony at any time during VIPS tenure.

(f) Accepting favors and gratuities as a volunteer.

817.3.3 EXPECTATIONS

Volunteers are a valuable resource to Police Department staff members and deserve to be recognized. All volunteers have the expectation they will be:

(a) Assigned to tasks which are suitable to their experience, education and preference.

(b) Trained properly for assumption of responsibilities, and be provided with continuous education aimed at improving skills.

(c) Involved by making suggestions and assisting in planning.

(d) Treated with respect.

(e) Expected to have a positive, pleasant experience within the Santa Rosa Police Department.

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Time Sheets: VIPS will be asked by their immediate supervisor to fill out a time sheet. The supervisor will then send this to the VIPS Coordinator on a weekly basis.

817.4 IDENTIFICATION CARD

(a) An identification card shall be issued to each VIPS member for the purpose of identifying them while on duty, and shall be worn at all time inside the Public Safety Building when not in uniform. The card shall not be used for any other purpose, and shall not be worn when in uniform.

(b) VIPS will be asked to sign a Volunteer Identification form upon starting the VIPS program.

(c) The card shall remain the property of the Santa Rosa Police Department and must be surrendered upon separation.

(d) Use of Identification Card or Uniform: Unauthorized wearing or display of the identification card, uniform, or any portion thereof shall subject the member to disciplinary action, including termination.

817.5 REQUESTING VOLUNTEERS

(a) When there is a need for volunteers, a request should be routed via e-mail to the Volunteer Coordinator. If the Coordinator is not available, the Sergeant assigned to the VIPS can be contacted. The request will include a description of the assignment, date, time, and amount of resources needed.

(b) The Coordinator will evaluate the request and solicit qualified VIPS for the assignment. The Coordinator will respond to the requestor when the detail has been filled.

(c) Any feedback regarding the detail will be provided to the VIPS Coordinator.

817.6 CITIZEN VOLUNTEER PATROL

(a) Objectives

1. The Citizen Volunteer Patrol shall be composed of Volunteers in Police Services (VIPS) members. These specially trained volunteers will be utilized as additional "eyes and ears" of the department. The Citizen Volunteer Patrol is designed to supplement sworn officers in performing non-hazardous activities.

2. Citizen Volunteer Patrol members will not be, in any manner, considered law enforcement officers, but rather as public service personnel capable of performing duties in the areas of community awareness, anti-crime education, public services and non-hazardous patrol functions.

(b) Policies and Procedures

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1. All policies and procedures of the Santa Rosa Police Department are applicable to the Citizen Volunteer Patrol unless by their very nature they do not apply.
2. Citizen Volunteer Patrol members shall become thoroughly familiar with the provisions of these rules and regulations, as well as policies and procedures, and shall conform to and abide by them.

(c) Selection of Personnel

1. The Citizen Volunteer Patrol program shall be composed of members of Volunteers in Police Services who are familiar with the geographical area of Santa Rosa and have a valid California driver's license.
2. The Police Department shall interview potential Citizen Volunteer Patrol members to determine their suitability for the program. A written application and background check will be required on all Volunteers.

817.6.1 TRAINING

(a) All Citizen Volunteer Patrol members will complete the required basic course of instruction as determined by the Police Department.

(b) A member must complete a training period under the instruction of an authorized field training volunteer prior to patrolling with another member in the Citizen Volunteer Patrol. During Volunteer Patrol training the trainee must demonstrate they are able to work in a team environment and successfully execute radio, safety, traffic control, and other procedures as required by the department.

(c) Volunteers are required to attend regular training for safety purposes. If a VIP cannot attend mandatory training or two consecutive training meetings, they are required to obtain approval from the VIPS Field Training Officer or VIPS Sergeant prior to working a patrol shift.

817.6.2 UNIFORMS

All patrol members shall wear the basic standard uniform approved by the Santa Rosa Police Department for this position. All articles of a patrol member's uniform and the manner of wearing same shall conform to the Uniform Regulations policy and SRPD Uniform Specifications.

817.6.3 DUTIES AND ASSIGNMENTS

(a) Patrol of a specific area may be assigned by a police supervisor.

(b) Routine VIPS patrol shifts conclude at 9:00 p.m., unless requested by a supervisor or called out on a special detail. VIPS who are detained past 9:00 p.m. on a call shall advise the on-duty sergeant of their assignment.

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(c) Two Citizen Volunteer Patrol members are required for routine patrol shifts. Specific details or assignments may be completed by one member with the permission of a police supervisor.

(d) A VIP may become qualified to work solo patrol shifts if all the following conditions are met:

1. Completion of 200 hours of patrol shift, not including training.
2. Completion of one year as a Patrol VIP.
3. Approval of VIPS Field Training Officer, VIPS Coordinator, and VIPS Sergeant.

(e) If unable to report for a scheduled shift, patrol members shall make every effort to find a replacement from the Volunteer Patrol Team and notify the Volunteer Coordinator of such replacement. The member should also advise the scheduled partner so other arrangements can be made to avoid the loss of the patrol shift.

(f) Specific duties and assignments may vary and are situational to support the department and general public. All orders, duties and assignments must be legal, ethical and conform to Santa Rosa Police Department policies and procedures.

(g) Volunteers shall immediately report suspicious or unusual circumstances, particularly those appearing to be criminal in nature or life threatening. If immediate radio contact is impossible, all pertinent information will be recorded and passed by telephone to Dispatch as soon as possible.

1. UNDER NO CIRCUMSTANCES SHALL CITIZEN VOLUNTEER PATROL MEMBERS BECOME INVOLVED IN ANY ENFORCEMENT ACTION. However, members have the discretion to defend themselves or another member of the department.

(h) Duties may include, but are not limited to:

1. Provide extra eyes and ears in the community.
2. Transport equipment from one location to another as needed; i.e., cameras, portable radios, etc.
3. Respond to a supervisor's request to videotape an incident or function.
4. Respond to await a tow truck for an auto accident, impounded or recovered vehicle. Volunteer response would be after the officers have taken any law enforcement action, thereby freeing the officers to move onto another assignment while the Volunteer waits for the tow vehicle.
5. Traffic control at accident scenes, roadway hazards, fires, and other events.
6. Assist citizens with directions and/or information.

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7. Patrol special events; i.e., Downtown Market, Sonoma County Fair, parades, etc.
8. Regular patrols of Parks and Recreation areas and City parking areas.
9. Complete Vacation Home Checks.

(i) Most Citizen Volunteer Patrol business will be conducted by two members. Partners are responsible for each other's safety.

(j) Refresher Training

1. VIPS Trainers will go out on a refresher training patrol with Police Department FTOs for at least four (4) hours every 24 months.
2. Patrol VIPS will go out on a refresher training patrol with a VIPS Trainer for at least four (4) hours once every 24 months.

(k) Minimum Patrol Hours: VIPS are encouraged to complete a minimum of ten (10) hours of patrol each month. Arrangements must be made in advance with the VIPS Coordinator if unable to meet this time commitment.

(l) Extended Absences: If a Patrol VIP cannot meet the minimum patrol commitment, has received approval from the VIPS Coordinator, and does not go out on patrol for 60 days or more, the Patrol VIP must schedule a refresher training patrol with a VIPS Trainer or a Police Department FTO before resuming regular patrol duties.

(m) On-Line Calendar: At the end of each month, Patrol VIPS shall schedule their time using the on-line calendar for the following month. Any changes a Patrol VIP makes to the schedule must be entered on the on-line calendar and the patrol partner, if any, will be notified prior to the change. Under no circumstances should a Patrol VIP go on patrol without it being scheduled on the on-line calendar.

817.6.4 REPORTS AND RECORDS

(a) Patrol Activity Log

1. Members conducting patrol shall maintain a Patrol Activity Log at the end of each shift.
2. This log shall document services performed by patrol members and be an ongoing record of assignments and interactions with officers and the community.

(b) Notebooks: Each member shall maintain a Patrol Notebook. The notebook shall contain all reference and training material needed for members to perform their duties.

817.6.5 OFF-DUTY INCIDENTS

An off-duty incident involving a Citizen Volunteer Patrol member, where they identify themselves to any person as affiliated with the Santa Rosa Police Department and/or the Citizen Volunteer

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Patrol, will require the member to notify the on-duty sergeant and Volunteer Coordinator as soon as possible.

Any situation or incident involving a Citizen Volunteer Patrol member that could reflect negatively on the Santa Rosa Police Department shall be brought to the attention of an on-duty supervisor.

817.6.6 EQUIPMENT

Radios and Cellular Phones

(a) Volunteers will be assigned vehicles equipped with two-way radios and cellular phones.

(b) Volunteers shall use the radio to go in service, off duty, and Code 7.

(c) Volunteers may respond to radio traffic from Dispatch to transport equipment, assist with traffic control, or handle other calls for service.

(d) Use of the radio shall be reserved for official traffic only.

Patrol Vehicles

(a) Citizen Volunteer Patrol members shall use vehicles designated for VIP usage and available Field and Evidence Technician vehicles in the absence of designated VIP vehicles.

(b) Patrol vehicles shall be locked at all times when not in use.

(c) Patrol vehicles shall not be used for any purpose other than normally assigned duties and other duties as may be required by the on-duty police supervisor.

(d) No Citizen Volunteer Patrol member shall permit unauthorized persons to ride in or operate any patrol vehicles.

(e) Citizen Volunteer Patrol members shall refuel, properly park and lock patrol vehicles at the end of each use.

(f) All traffic accidents involving a patrol vehicle shall be immediately reported to Dispatch by radio. If radio contact is not possible, telephone contact shall be made without delay. A patrol vehicle shall not be moved from the scene of any accident until authorized by the responding officer.

(g) Needed repairs shall be reported by completing a "Vehicle Repair Request" form.

(h) Members of the Citizen Volunteer Patrol shall operate patrol vehicles in a safe and legal manner. All traffic regulations, including parking regulations, shall be strictly observed.

(i) Members shall not operate the overhead light bar of the patrol unit while responding to or from a call or traffic collision scene. The light bar shall only be activated while the patrol unit is stationary and only when a caution warning is necessary for public safety.

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(j) At no time shall the patrol unit be driven outside the City limits without the express permission of the on-duty police supervisor.

817.7 CHAIN OF COMMAND

All Volunteers when on assignment are supervised by the appropriate on-duty supervisor for the Police Department. Any personnel problems will be handled by the on-duty supervisor and referred to the VIPS Coordinator or designated sergeant.

Members shall respect and follow the Chain of Command as it applies within the organization and the Police Department in general. Volunteers should contact their Volunteer Coordinator for any requests and/or issues. In the absence of the Volunteer Coordinator, the VIP should contact the VIP FTO or VIP Sergeant.

817.8 SAFETY RULES

(a) No form of weapon of any type will ever be carried or employed by a Volunteer.

(b) NEVER enter a hazardous situation. If a situation demands action, radio or telephone Dispatch and request officer assistance.

(c) NEVER enter an open residence or building during a residential vacation or business check.

(d) DO NOT, under any circumstances, take any physical enforcement action.

(e) In all cases, Volunteers have a right to use self defense to protect themselves or other members of the department.

(f) Volunteers shall not pursue criminal suspects on foot or with a vehicle.

(g) Volunteers shall not become involved in a physical confrontation unless acting in self defense.

(h) Volunteers shall not attempt to prevent crimes in progress. Volunteers shall notify Dispatch immediately of possible crimes.

(i) Volunteers shall avoid the area of in-progress calls including, but not limited to:

1. Alarm calls
2. Disturbance calls
3. Assaults
4. Calls involving weapons
5. Pursuits

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Evidence and Property Procedure

819.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear, concise guidelines for handling, storing, and disposing of evidence and property while ensuring the security, integrity, chain of evidence, and authorized release of all items in the control of employees of this department.

Property documentation shall be achieved by the itemization of all property and evidence submitted to the Property/Evidence Team using the appropriate database for the item. The proper storage, chain of evidence, and releasing or destruction of all property and evidence shall be achieved by adherence to the following procedures.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 7-19-11 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

819.2 DEFINITIONS

For the purpose of this policy, property shall fall into one of the categories defined herein.

(a) **Evidence -** Any property that comes into the custody of a department employee pursuant to a criminal investigation when such property may tend to prove or disprove any fact related to a crime.

(b) **Found Property -** Any property having no evidentiary value with known or unknown owners.

(c) **Property -** Any personal belongings, paraphernalia, digital media, digital recordings, or other items that come into the custody of the department will for the purpose of this policy be defined as property.

(d) **Property for Destruction -** Any undefined property submitted or relinquished for the sole purpose of destruction.

(e) **Safekeeping -** Any personal property being held temporarily for return to the individual from whom it was received.

(f) **Storage -** The act of preserving property.

819.3 PROCEDURE

(a) Department employees taking any property into their possession in connection with their official duties shall, whenever possible, photograph and release the evidence to its rightful owner, or book the property in accordance with this policy.

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(b) Department employees removing any items from the property and evidence storage system shall return such items in the same condition and packaging as soon as possible. Property/Evidence Technicians shall be informed in writing as to the disposition of any items not being returned (i.e. to owner, left at court, taken to Lab, etc.).

(c) Department employees shall not convert any property for their own use.

(d) When the Property/Evidence Team receives improperly booked evidence and they are unable to complete the booking process, they have the right to refuse to accept the evidence. When evidence is refused, the Property/Evidence Team will initiate a Notice of Error Form (SRPD Form 195) and send it to the employee's supervisor for distribution to the employee. A second copy of the form will be retained in the Property/Evidence office until such time the problem is corrected. The form will provide instructions on the corrective action and the process needed to obtain the evidence.

(e) Any employee receiving a Notice of Error shall respond to property room personnel on their next scheduled workday. A failure to respond shall result in a second notice to a Lieutenant. If an employee is on vacation or away for an extended period of time, a supervisor shall notify property room personnel.

819.4 TEMPORARY STORAGE AREAS

819.4.1 SLAM LOCKERS

Slam lockers are located adjacent to the property preparation counter and are fixed in the wall. The slam lockers automatically lock when they are closed all the way. Slam lockers are designed as a secure temporary location for property or evidence until it can be taken into the control of the property room. Property and evidence should be placed in the appropriately sized locker. Heavier items should be placed in lower lockers whenever possible.

819.4.2 REFRIGERATOR

The refrigerator located in the Drying Cabinet Room shall be used only for properly packaged whole blood and urine evidence samples. Whole blood and urine samples shall be placed into a numbered refrigerated locker and the door secured by turning the knob to the right. Once locked, refrigerated lockers can only be accessed by a Property/Evidence Technician.

819.4.3 EVIDENCE DRYING CABINETS

The Evidence Drying Cabinets are used for drying evidence prior to being booked into Property/Evidence. Employees shall obtain a key from the on-duty sergeant and shall secure the cabinet while in use and retain the key until such time as the evidence is removed. The key shall then be returned to an on-duty sergeant. Employees utilizing the cabinets are responsible for the removal of the items once dried and booking them into Property/Evidence. Employees using the cabinets are responsible for cleaning and changing all pre-filters. Employees shall sign in and out of the Evidence Drying Cabinet log.

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All items must be booked as soon as practical once dried. It is the employee's responsibility to arrange for booking if they are going to be away for an extended time.

819.4.4 DROP SLOT
A drop slot is located outside the Property/Evidence room service counter. All property capable of fitting through the drop slot shall be placed into the drop slot whenever practical to save regular locker space.

819.4.5 DUI BLOOD DROP SLOT
The blue mailbox in the secondary workspace is for 23152 blood and Redwood Toxicology urine samples only.

819.5 INTERIM REMOVAL OF PROPERTY/EVIDENCE

(a) In order to remove items from Property and Evidence Storage, the authorized employee should when possible provide the Property/Evidence Technicians with a written request in advance stating the date and time needed for pick-up, case number, and a listing of the specific items needed.

(b) All property removed from Property and Evidence Storage shall be signed for.

(c) Former employees of the Santa Rosa Police Department shall not check out items without written approval from a department supervisor.

(d) Any property temporarily removed from Property/Evidence shall be signed back in by the person receiving the property. If property is returned after hours, it shall be placed in a locker or drop slot. The Property/Evidence Technician shall insure that proper notations are made in the Evidence Tracker database regarding the chain of custody.

819.6 BOOKING PROPERTY
Evidence and/or property shall be entered into the appropriate database any time it comes under the control of an employee of this department. This includes fingerprints, photographs, video surveillance or other digital media as outlined in Lexipol Policy 814, with the following exceptions:

(a) Found keys (to be placed in key box at the Front Counter).

(b) Ammunition for destruction.

(c) Syringes and razor blades for destruction (to be placed in the Sharps Container at the Property/Evidence Counter).

(d) Any found property under $100.00 in value (may be disposed of in the field).

819.6.1 EXPLOSIVES, AMMUNITION, FLAMMABLE AND HAZARDOUS MATERIALS
No flammable items, fireworks, destructive devices, or hazmat items shall be placed in a temporary slam locker, drop slot, refrigerator or drying cabinet.

(a) Fireworks that cannot be immediately disposed of shall be stored in the bunker container in the sally port at the Public Safety Building pending destruction.

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(b) Flammable items shall be taken to the Brookwood Storage Facility for temporary storage.

(c) The Sonoma County Sheriff should be contacted for storage or destruction of any explosive devices.

(d) The Environmental Crimes detective should be contacted regarding storage or destruction of any hazardous chemicals.

819.6.2 PACKAGING INSTRUCTIONS

(a) FIREARMS, MONEY, AND CONTROLLED SUBSTANCES shall always be packaged separately from other items of evidence or property.

(b) A property tag shall be securely attached to each itemized piece of property or evidence. The property tag shall be marked with the case number, item number, submitting employee name and indication of whether the item is evidence, safekeeping, found property, or for destruction.

(c) An appropriately sized container shall be used for all evidence and property. Items shall be packaged in manila envelopes, a paper bag, or wrapped in brown paper. All items shall be tape sealed and initialed.

(d) If the item is to be fingerprinted, it should be placed in a paper bag or wrapped in brown paper, with the notation "To Be Fingerprinted" on the outside of the bag.

1. The employee shall complete the “Evidence Section Work Request” and submit the request to the Forensic Identification Section with instructions for fingerprinting or other evidence processing.

2. The evidence item shall be stored in Property/Evidence. To ensure the chain of custody remains intact, the Forensic Specialists shall be responsible for checking the item out for processing.

(e) All property and evidence shall be booked in accordance with the Santa Rosa Police Department Property Packaging Manual.

819.7 RELEASING PROPERTY

(a) Photographing and releasing in the Field: Any property determined to be of evidentiary value that could be released back to the owner shall be photographed and released.

1. This policy shall apply only to property which can be released without jeopardizing criminal prosecution in the case.

2. Take photographs of each item in sufficient detail to permit identification of the property at a later date during court presentation.

(b) Authorization to release property or evidence shall be made in writing.

1. The employee assigned to the case shall give written authorization itemizing those items to be released and forward it to Property/Evidence.

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2. Release of property shall be by appointment only between 0800 - 1600 hours, Monday through Friday, except on holidays.

3. Walk-in appointments will be accepted between 0900-1600 hours on Wednesdays without an appointment. Property room personnel will assess at that time whether or not property is eligible for release. Bicycles may require a separate scheduled appointment due to the difficulty in retrieving them from an offsite location.

(c) Release of narcotics and currency:

1. When an employee needs to check out narcotics or currency for court, a subpoena must be presented to the Property/Evidence Team. A copy of the subpoena will be attached to the case. Evidence being taken to court must be returned to the Property/Evidence Team by the end of the business day. If the court requests the evidence be kept in their possession, the employee checking out the item shall have the court personnel complete an Evidence Transfer form.

2. If narcotics or currency is being checked out for any reason other than going to the DOJ lab or court, a written approval from the employee's supervisor must be obtained (e-mail format is acceptable). Supervisors checking out narcotics/ currency may have a peer supervisor sign for the release. The narcotics must be returned to the Property/Evidence Team by the end of the business day.

819.8 HANDLING OF SAFEKEEPING

(a) A Safekeeping Notice (SRPD 41 Receipt for Property Safekeeping) shall be issued for any property, other than firearms and marijuana, that is held as safekeeping. Distribution of the form shall be as follows:

1. Pink - Property Owner

2. Yellow – Health Facility

3. White - Records Bureau to be filed with the original report

(b) Firearms confiscated pursuant to Penal Code § 18250 (Domestic Violence) shall be booked as safekeeping. Distribution of the receipt (PD42) shall be as follows:

1. Pink - Property Owner

2. Yellow – Health Facility

3. White - Records Bureau to be filed with the original report

(c) Firearms confiscated pursuant to Welfare and Institutions Code § 8102 shall be booked as safekeeping. Distribution of the receipt (PD42) shall be as follows:

1. Pink - Returned to SRPD when completed

2. Yellow - Health Facility

3. White - Records Bureau to be filed with the original report

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(d) Safekeeping property, other than firearms, may be returned to the owner by appointment. It will be held for a maximum of sixty (60) days before being disposed of if unclaimed.

(e) Weapons confiscated under Penal Code §§ 33850 - 33895, and Welfare and Institutions Code § 8102, will be held pending direction from the Santa Rosa City Attorney's Office.

819.8.1 FOUND PROPERTY

(a) Items valued at less than $100 with no identifiable owner shall not be entered into the department's storage system.

(b) If known, the property owner's name, address and telephone number shall be noted in the Evidence Tracker database.

(c) Reasonable attempts shall be made to identify and return the property to its owner.

(d) If the owner cannot be identified, the property shall be disposed of in a manner prescribed by law or as described in the Property SOP.

819.9 FINAL DISPOSITION

Unclaimed property shall be disposed of in accordance with California Penal Code §§ 1407 - 1413, California Code of Civil Procedures § 2080.1, Santa Rosa City Code Section 11-42-020 and Welfare and Institutions Code §§ 217 and 8100 - 8103 pertaining to items held.

Unclaimed property may be converted to department use if a written request is made to the team supervisor and approved by the Bureau Lieutenant. Property may only be used for training, work, or undercover operations by Police or other City personnel. If the property will be diverted in compliance with California Civil Code § 2080.4, such action is governed by the following:

(a) “Property Requested for Police Department Use” form must be completed by the employee making the request and submitted to the appropriate supervisor for approval.

(b) The supervisor will forward the approval to the Bureau Lieutenant or Command Staff member who will sign and then submit to the Property/Evidence Team.

(c) No property is to be diverted for use by the City/Department until proper authorization has been received from the Bureau Lieutenant or Command Staff member.

(d) Firearms may be diverted for departmental use only after the following:

1. The case has been adjudicated and the weapon has been inspected by the armorer.

2. The Training Sergeant completes the “Property Requested for Department Use” form and submits it to the Bureau Lieutenant for approval. The Bureau Lieutenant will forward to the Division Captain for final approval.

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3. The proper entries have been made by the Property/Evidence Technician into the Tracker database showing the weapon appropriated and identifying the current location/assignment of the item.
4. Entries have been made into CLETS for “Department Use” by the Stores Specialist.
5. Firearms deemed inappropriate for departmental use shall be disposed of according to California Penal Code §§ 3400 - 34005.

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24 Hour Logging Recorder

821.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for the consistent recording, storage and retrieval of audio records in Communications.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

821.2 POLICY

(a) All audio communications in the Communications Center, telephone and radio, shall be recorded and maintained for a minimum of one year and one day from date of creation.

(b) Recordings shall initially be made on the Pyxis recorder.

(c) Upon request of a field superviser, detective, the City Attorney or when designated by a Communications supervisor, recordings shall be maintained as evidence hold for any requested time period. The requestor shall fill out SRPD Form 359, Request for Evidence.

(d) All requests for copies of audio recordings, including subpoenas, shall be routed to Communications and prepared as expediently as possible.

(e) Requests for cassette copies of audio recordings must be submitted in writing. Written requests shall include supervisory approval unless requested by a supervisor.

(f) No audio recording shall be released outside the department without specific authorization from the Technical Services Division Manager, the Chief of Police, or by subpoena or discovery motion.

(g) Employees shall not remove copies of recordings from the building except for official business.

(h) Audio recordings are for official purposes. Employees may review their own recordings or recordings of their assigned trainee for training purposes or to clarify information that may have been missed or misinterpreted.

(i) All recordings made for the purpose of evidence will be authenticated by the dispatcher making the reproduction. An authentication label shall be attached to every reproduction made. The labels are available at the Pxyis machine.

(j) All subpoena requests recevied as Duces Tecum will be forwarded to a Communications supervisor for processing.

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Use of Marijuana Drying Facility

823.1 PURPOSE AND SCOPE

The Marijuana Drying Facility (MDF) is designed for the sole purpose of air drying green vegetation and to eliminate odors caused by doing so within the Public Safety Building. Once the marijuana has dried it is to be packaged and moved to long term storage within the Police Department.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

823.2 POLICY

It is the policy of the Santa Rosa Police Department to reduce or eliminate the potential health risks associated with drying marijuana in the Public Safety Building.

823.3 PROCEDURE

Access to the container is limited to the Narcotics Investigations Team, Property/Evidence Technicians or those accompanied by a Narcotics Team member or Property/Evidence Technician. Primary responsibility for the MDF is assigned to the Narcotics Investigations Team.

823.3.1 FIELD SERVICES / SPECIAL SERVICES

(a) In the event green marijuana is taken into custody for any reason it shall be dried before being brought into the Public Safety Building for evidence storage.

(b) Marijuana submitted for drying in the MDF will not be logged into Evidence Tracker until it has been dried and packaged for booking. All marijuana placed in the MDF will be noted in the Crime Case report for tracking purposes.

(c) During hours when the Narcotics Investigations Team is available he/she should be requested to meet at the MDF. In the event the Narcotics Team is not available a Property/Evidence Technician should be requested.

(d) In the event there is not a Property/Evidence Technician on duty the plants should be temporarily stored in the sheds outside the back door of the Public Safety Building. The sheds should be secured with the attached lock and notification sent to Property/Evidence.

(e) Once the marijuana has dried the submitting officer will be responsible for packaging it. The guidelines for packaging and booking are set forth in the Santa Rosa Police Evidence Packaging Manual.

823.3.2 PROPERTY EVIDENCE

(a) Whenever there is marijuana located within the MDF a Property/Evidence Technician or Narcotics Investigations Team personnel shall be accompanied by at least one other employee when accessing it.

(b) When marijuana is hung to dry the bypass switch for the exhaust fan must be on.

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(c) When marijuana is present the alarm shall be armed upon exiting the MDF.

(d) In the event that marijuana from more than one case is drying at the same time they shall be separated and identified by case number, location and investigator.

(e) When marijuana is not located in the MDF the bypass switch for the exhaust fan shall be turned off and the alarm may be left off.

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Chapter 9 - Custody

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Strip Searches

902.1 PURPOSE AND SCOPE

This policy provides guidance regarding strip searches of individuals in custody. Such searches are necessary to prevent the introduction of contraband, intoxicants or weapons into the Santa Rosa Police Department (SRPD), and detention facilities. Such items can pose a serious risk to the safety and security of department employees, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

Adopted 8-20-10 by Chief Thomas E. Schwedhelm.

Revised 5-16-18 by Chief Robert L. Schreeder.

902.2 POLICY

All strip searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search. Strip searches shall not be used for intimidation, harassment, punishment or retaliation.

902.3 FIELD AND TRANSPORTATION SEARCHES

No individual in temporary custody of SRPD officers shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband.

(a) Strip searches requested by SRPD Officers at detention facilities:

1. The officer requesting the strip search shall obtain verbal authorization from an on-duty SRPD sergeant.
2. The officer requesting the strip search shall complete the detention facility form authorizing the strip search, and have it signed by a supervisor at the detention facility.
3. A copy of the detention facility strip search form shall be initialed by the authorizing SRPD sergeant and included in the crime report.

(b) Factors to be considered in determining reasonable suspicion include, but are not limited to:

1. The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
2. Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
    (a) A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

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3. Custody history (e.g., past possession of contraband while in custody, assaults on department employees, escape attempts).
4. The individual's actions or demeanor.
5. Criminal history (i.e., level of experience in a custody setting).

(c) No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

902.4 STRIP SEARCHES

Strip searches at Santa Rosa Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

(a) Written authorization from an on-duty sergeant shall be obtained prior to the strip search. The written authorization shall be documented on SRPD form 256 (Authorization for strip search).

(b) All officers involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second officer of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(e) The officer conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The primary officer conducting the search shall prepare a written report to include:

1. The facts that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The written authorization for the search, obtained from an on-duty sergeant.
4. The name of the individual who was searched.
5. The name and sex of the officers who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.

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10. The facts upon which the officer based his/her belief that the individual was concealing a weapon or contraband.

(g) No officer should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

(h) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from an on-duty sergeant shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.

(i) A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual’s authorized representative.

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Chapter 10 - Personnel

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Bilingual Testing and Pay

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a uniform procedure for bilingual testing for sworn personnel and additional pay for Spanish language proficiency.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

1005.2 GENERAL

(a) It shall be the department's policy to provide annual testing for sworn personnel who are interested in obtaining Spanish language proficiency certification for additional pay per their respective M.O.U.s. Department-wide bilingual testing of police officers shall occur annually, usually in the Spring. Officers shall not receive compensation for taking the test during off-duty hours.

(b) All officers are eligible to take the bilingual test, including those currently in the FTO program. If an officer passes the bilingual test and is currently in the FTO program, the officer will begin receiving the additional pay once he/she has graduated from the FTO program.

(c) The department shall compensate officers at two levels of proficiency in accordance with their M.O.U.: High proficiency and Acceptable proficiency. The rate of pay will be 5% of their base salary for the High Level of proficiency, and 3% of their base salary for the Acceptable Level of proficiency.

(d) Proficiency of each officer will be determined by the test evaluators. Role players may serve as test evaluators or be asked for evaluation input. The Support Bureau lieutenant or his/her designee will have final authority to validate the level of Spanish proficiency of the officer.

(e) The certification to receive bilingual pay is only gained or lost at proficiency testing.

(f) Should an officer receiving bilingual pay be in an injured status that precludes the officer from any work place activities, the following shall occur per the officer's M.O.U.:

1. If the officer's injury is industrial, no formal action to remove bilingual compensation shall be taken.

2. If the officer's injury is non-industrial, no formal action to remove the bilingual compensation shall be taken until 60 days after the officer is first unable to return to the work place. If the ill or injured officer is unable to return to the work place following the 60 day period, bilingual compensation may be removed. The Special Services Division Captain shall be responsible for administering this M.O.U. provision as it relates to removal of bilingual compensation.

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(a) Any decision made by the Captain to remove bilingual compensation may be appealed by the affected officer to the Chief of Police.

(b) Bilingual pay removed after the 60 day period shall be reinstated when the officer returns to work place duties, including modified/limited duty.

1005.3 BILINGUAL TESTING

(a) The Support Bureau lieutenant or his/her designee is responsible for notifying department personnel when the bilingual exam will be given. Every effort will be made to give a 60 day notice. Applicants who are testing will be given the rating factors and told that the test will consist of a question and answer segment and a role play segment. They will not be allowed to bring dictionaries or any other translation materials to the testing process.

(b) Bilingual testing shall be provided by the department in the form of role playing scenarios utilizing fluent Spanish speakers. The Support Bureau lieutenant may use fluent Spanish speaking officers, City employees or other persons with appropriate backgrounds and capabilities.

(c) Personnel involved in the testing process will include: One to two fluent Spanish speakers acting as role players; and one to three fluent Spanish speakers acting as test evaluators. The Support Bureau lieutenant or his/her designee will serve as the proctor.

(d) The role players, evaluators and Support Bureau lieutenant will choose one to two scenarios for each applicant officer to participate in.

(e) The test will consist of a verbal question and answer segment as well as a role play segment in Spanish about a typical police incident in order to determine the officer's level of Spanish proficiency. The applicant officer will interview the Spanish speaking role player(s) in order to determine what happened and then will report to the test examiners in Spanish (if he/she is able) or English what the officer learned about the scenario during the role play. The Support Bureau lieutenant or his/her designee will maintain the criteria for High Level and Acceptable Level of Spanish proficiency.

(f) The entire test will take approximately 45 minutes.

(g) Police officers determined through testing to be at the High Level and Acceptable Level proficiencies will retest the following year to determine continued proficiency. An officer may also be required to retest in the event his/her proficiency comes into question by a supervisor,

1. Officers passing at an Acceptable Level of proficiency two consecutives times will not have to retest again. They may retest as many times as they wish in order to move from the Acceptable Level of proficiency to the High Level of proficiency.

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2. Officers who successfully pass at a High Level of proficiency two consecutive times will not have to retest again.

(h) If a department emergency arises that causes a scheduled officer not to take the bilingual test, the test shall be rescheduled. If an officer was unable to attend the test due to a personal reason, the officer has the option to petition the Support Bureau lieutenant for an opportunity to test outside the normal testing process.

1005.4 AFTER TESTING

(a) The Support Bureau will notify the officers of their test scores and make their evaluations available to them. Officers who wish to discuss the evaluation will be encouraged to contact the law enforcement manager/evaluator who participated in the exam.

(b) The Support Bureau will publish the names of the officers who passed the test and the level of proficiency they demonstrated.

(c) An officer attaining a 70% score of the High Level proficiency qualifies for the additional 5% of base salary. An officer obtaining a 70% score of the Acceptable Level proficiency qualifies for the additional 3% of base salary.

(d) The Support Bureau will request Personnel Action Forms be initiated to give each of the officers passing the test the appropriate pay increase.

(e) Scoring forms for those passing at the Acceptable and High proficiency levels will be submitted to the Training Team and the forms shall be placed in the officers' training files.

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Complaint and Disciplinary Policies and Procedures

1019.1 POLICY

The Santa Rosa Police Department takes all complaints seriously regarding the service provided by the department and the conduct of its employees.

The department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure the community can report misconduct without concern of reprisal or retaliation.

Adopted 5-18-10 by Chief Thomas E. Schwedhelm.

Revised 5-16-12 by Chief Thomas E. Schwedhelm.

Revised 10-1-18 by Chief Robert L. Schreeder.

1019.2 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the department.

1019.2.1 PERSONNEL COMPLAINT CLASSIFICATION

Personnel complaints shall be classified in one of the following categories:

(a) **Informal –** A matter in which the Watch Commander is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused employee.

(b) **Formal –** A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused employee or referred to the Professional Standards Team, depending on the seriousness and complexity of the investigation.

(c) **Incomplete –** A matter in which the complaining party either refused to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Support Bureau Lieutenant or his/her designee such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1019.2.2 SOURCES OF COMPLAINTS

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any department employee becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, would be a violation of policy, procedure or law.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1019.2.3 COMPLAINT FORM AVAILABILITY

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1019.2.4 ACCEPTANCE OF COMPLAINTS

All complaints will be courteously accepted by any department employee and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving employee shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

A complaint may be filed in person, in writing, by e-mail, or by telephoning the department. The following should be considered when receiving a complaint:

(a) When an uninvolved supervisor or the Watch Commander determines the reporting person is satisfied his/her complaint required nothing more than an explanation regarding the proper implementation of department policy or procedure, a formal complaint need not be taken.

(b) When the complainant is intoxicated to the point his/her credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a Civilian Complaint form. If no additional information is received, the disposition shall be Incomplete.

(c) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parent(s) or guardian(s)

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present and after the parent(s) or guardian(s) has been informed of the circumstances prompting the complaint.

(d) When a Civilian Complaint form is completed in person by a member of the public, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate this is not feasible, the complaint may be dictated to the receiving supervisor.

(e) In an effort to ensure accuracy in any complaint, it is recommended a recorded statement be obtained from the complainant. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement.

1019.2.5 AVAILABILITY OF WRITTEN PROCEDURES

The department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.7) as noted on the SRPD Commendation and Complaint form.

1019.3 PERSONNEL COMPLAINT DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented in IAPro. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible. Personnel Complaints shall be classified in one of the following categories:

(a) **Informal** - A matter in which the complaining party is satisfied that appropriate action has been taken by a department supervisor of rank greater than the accused employee. Informal complaints need not be documented on a personnel complaint form and the responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

(b) **Formal** - A matter in which the complaining party requests further investigation or which a department supervisor determines that further action is warranted. Such complaints may be investigated by a department supervisor of rank greater than the accused employee, referred to the Watch Commander or forwarded to the Personnel Services Team, depending on the seriousness and complexity of the investigation.

(c) **Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Support Bureau Lieutenant or his/her designee may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1019.3.1 PERSONNEL COMPLAINT SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the employee's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigates any complaint.

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A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any complaint, that complaint be entered into IAPro.

1. The original complaint form shall be directed to the accused employee's supervisor if available. If the accused employee's supervisor is not available the original complaint shall be forwarded to the Professional Standards Sergeant. The Professional Standards Sergeant will review the complaint and make recommendations to the appropriate Division Manager. If the accusation requires immediate attention, the complaint shall be immediately forwarded to a Watch Commander.
2. If a complaint is received by the employee's direct supervisor, the supervisor will determine if the complaint may reach the level of a Written Reprimand or Greater. In this instance, a Watch Commander shall be notified.
3. If the employee's direct supervisor determines the complaint does not reach the level of a Written Reprimand or above, the supervisor will take appropriate action as outlined in Personnel Complaints.
4. Any complaint received via US Mail, in person or over the phone shall be forwarded to the Professional Standards Sergeant in the absence of the employee's direct supervisor.

(b) In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the employee's Watch Commander, Division Manager or the Chief of Police, who will initiate appropriate action.

(c) Responding to all complaints in a courteous and professional manner.

(d) Resolving those personnel complaints that can be resolved immediately.

1. Follow-up contact with the complainant should be made within 24 hours of the department receiving the complaint.
2. If the matter is resolved and no further action is required, a report need not be taken.

1019.3.2 PERSONNEL COMPLAINT INVESTIGATIVE STEPS

Personnel Complaints will follow similar investigative steps as an Administrative Investigation as described in this policy to include:

- Synopsis
- Investigation (Appropriate Investigative Steps)

The only conclusions for Personnel Complaints will be:

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(a) **Sustained**: When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct. Include any recommended steps, short of an Administrative Investigation.

(b) **Inconclusive**: When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

(c) **Resolved**: No further action taken.

(d) **Unfounded**: When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of Unfounded (Penal Code § 832.5(c)).

(e) **Exonerated**: When the investigation discloses that the alleged act occurred, but the act was justified, lawful and/or proper.

1019.4 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the department, the Chief of Police or his/her authorized designee may temporarily assign an accused employee to administrative leave with pay, with the approval of the Human Resources Director, or his/her designee. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

(b) Shall be required to continue to comply with all rules, regulations, policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1019.5 ADMINISTRATIVE INVESTIGATION (A.I.) PROCEDURES

Formal investigations of complaints, whether internally or externally generated, shall be thorough and complete and be completed within the timelines as set forth in the City of Santa Rosa Rules and Regulations, Rule 7, Disciplinary Procedures.

No investigation shall be undertaken against any employee solely because the employee has been placed on a prosecutor's list or the name of the employee may otherwise be subject to disclosure pursuant to However, an investigation may be based on the underlying acts or omissions for which the employee has been placed on a Brady list or may otherwise be subject to disclosure pursuant to (Government Code § 3303.5).

1019.5.1 ADMINISTRATIVE INVESTIGATION FORMAT

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

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Formal investigations shall essentially follow this format:

(a) **Introduction** – Include the identity of the employee(s), the identity of the assigned investigator(s), the initial date and source of the complaint.

(b) **Summary of Allegations** – List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

(c) **Investigation** – Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of employee and witness statements. Other evidence related to each allegation should also be detailed in this section to include Witnesses.

(d) **Exhibits** – A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

Upon completion of an administrative investigation, the report shall be forwarded to the Chief of Police through the chain of command. Each level of command should review and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1019.5.2 ADMINISTRATIVE INTERVIEWS

Whether conducted by a supervisor or a member of the Professional Standards Team, the following applies to employees covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303). This process will be extended to all department employees.

(a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on duty. If the employee is off duty, he/she shall be compensated.

(b) Unless waived by the employee, interviews of an accused employee shall be at the Santa Rosa Police Department or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused employee.

(d) Prior to any interview, an employee shall be informed of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.

(e) All interviews shall be for a reasonable period and the employee's personal needs should be accommodated.

(f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducement be used to obtain answers.

(g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a advisement. Administrative investigators should

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consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview.

(i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All employees shall provide complete and truthful responses to questions posed during interviews.

(k) No employee may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

1019.5.3 BUREAU MANAGER A.I. RESPONSIBILITIES

Upon receipt of any completed administrative investigation, the Bureau Manager shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Bureau Manager will complete a written summary of the findings whether or not the alleged actions did in fact occur.

The Bureau Manager will determine what complaint disposition should be assigned to each allegation.

1019.5.4 ADMINISTRATIVE INVESTIGATION DISPOSITIONS

(a) **Sustained** – When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

(b) **Inconclusive** – When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

(c) **Unfounded** – When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded.

(d) **Exonerated** – When the investigation discloses that the alleged act occurred but the act was justified, lawful and/or proper.

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If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1019.5.5 DIVISION MANAGER A.I. RESPONSIBILITIES

Upon receipt of any completed administrative investigation, the Division Manager of the involved employee shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Division Manager may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Manager may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Division Manager shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

1019.5.6 CHIEF OF POLICE A.I. RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Manager for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. If the discipline recommended is other than a Written Reprimand, the Chief of Police will obtain approval of the intended discipline from the Human Resources Director or his/her designee.

1019.6 ADMINISTRATIVE INVESTIGATION DISCIPLINARY PROCESS

If discipline is proposed, the Chief of Police, or his/her designee, shall provide the employee with a pre-disciplinary procedural due process hearing (Skelly) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police shall also provide the employee with:

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief of Police within ten (10) days of receiving the notice.

    1. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.

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2. If the employee elects to respond orally, the presentation may be recorded by the department. Upon request, the employee shall be provided with a copy of the recording.

(c) If the recommended discipline is a Written Reprimand the employee has the right of rebuttal by providing a written statement which will be included in the personnel file along with the Written Reprimand.

1. Once the employee is notified of the recommended discipline of a Written Reprimand, he/she may notify the Chief of Police that he/she will respond to the Written Reprimand in writing and/or orally at an informal meeting with the Chief following the timelines as established by the City of Santa Rosa Rules and Regulations. Written Reprimands resulting from preventable vehicle accidents are exempt from this requirement. The decision of the Chief shall be final and is not subject to appeal.

1019.6.1 A.I. PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.

(d) In the event the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1019.6.2 POST HEARING

After the hearing, the Chief of Police or his/her designee will complete a final notice of discipline and obtaining approval from the Human Resources Director or his/her designee. The employee shall be served and discipline shall be imposed. The employee shall be informed of his/her right to appeal.

1019.6.3 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to

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appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or City of Santa Rosa Rules and Regulations.

During any administrative appeal, evidence that an officer has been placed on a list or is otherwise subject to restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1019.6.4 RESIGNATION/RETIREMENT PRIOR TO DISCIPLINE

In the event that an employee tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1019.6.5 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will, temporary, and probationary employees and those employees other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal.

However, any probationary officer subjected to an investigation into allegations of misconduct, shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, temporary, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief of Police shall be final.

1019.7 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The supervisor conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1019.7.1 NOTICE REQUIREMENTS

The disposition of any civilian's complaint shall be released to the complaining party within 30 days of the final disposition (i.e. sustained, inconclusive, exonerated, unfounded). This release shall not include what discipline, if any, was imposed (Penal Code § 832.7(e)).

1019.8 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

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Lockers and storage spaces may only be administratively searched in the employee's presence, with the employee's consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309).

1019.9 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process.

(b) Information exists that tends to indicate a conflict of interest with official duties.

(c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements.

1019.10 CRIMINAL INVESTIGATIONS

Where an employee is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when an employee is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The employee should not be administratively ordered to provide any information in the criminal investigation.

The Santa Rosa Police Department may release information concerning the arrest or detention of any employee, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1019.11 RETENTION OF PERSONNEL INVESTIGATION FILES

All Administrative Investigations or personnel complaints shall be considered confidential personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the department may disclose sufficient information from the employee's personnel file to refute such false representations (Penal Code § 832.5).

Records shall be maintained:

(a) All Administrative Investigations shall be maintained for a minimum of five years from the final disposition date (Penal Code § 832.5).

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(b) All non-citizen (e.g., those that originate internally) initiated complaints shall be maintained for a minimum of five years from the final disposition date per the department's Retention Schedule.

(c) Traffic related complaints shall be maintained indefinitely.

(d) Sustained complaints shall be maintained in the employee's personnel file.

(e) Complaints which are unfounded, exonerated or inconclusive shall be maintained by the Office of the Chief of Police for a minimum of five years from the final disposition date.

1019.12 INTERNAL INVESTIGATIONS BY OTHER LAW ENFORCEMENT AGENCIES

Department employees shall cooperate with other law enforcement agencies conducting internal investigations. If any person conducting an internal investigation for another law enforcement agency requests an interview with an employee of this department, the request must be directed to the Support Bureau Lieutenant. All employees interviewed by administrative investigators from other law enforcement agencies shall make full, complete and truthful statements.

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Civil Claim and Lawsuit Procedure

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the Santa Rosa Police Department and its employees are afforded protection from liability concerns while being responsive to the demands of the civil justice system.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

1021.2 PROCEDURE

When a civil claim or law suit against the City of Santa Rosa or its employees is served on the Police Department, adherence to the following procedure shall occur:

(a) Copies of claims and law suits received by the City Attorney's Office will be forwarded to the Police Department. Copies of claims and lawsuits received by the Police Department will be forwarded to the City Attorney's Office. Upon receipt at the Police Department, the documents shall be forwarded to the Administrative Secretary.

(b) The Administrative Secretary shall ensure the following occurs:

1. Notify the Chief of Police, the appropriate Division Manager, and the Support Bureau lieutenant of the legal action and the accompanying circumstances.
2. Notify involved employees by memorandum of the legal action and direct them not to make statements concerning the legal action to anyone other than authorized representatives of the City Attorney's Office or the employee's private legal counsel.
3. Locate and forward all appropriate documentation and information surrounding the legal action to the City Attorney's Office. Ensure the necessary Notice of Legal Action form is filed with the Records Bureau.
4. Forward the file to the Support Bureau lieutenant to review.
5. Maintain a file of the legal actions until final disposition.

(c) Any employee receiving a civil subpoena or summons in conjunction with a legal action shall comply as required by law and/or department policy.

1021.3 EMPLOYEE INITIATED

When a department employee initiates a civil claim or legal action against another person, business, or government entity arising out of an incident that occurred pursuant to the employee's standing as a member of the department, adherence to the following procedure shall occur:

(a) The employee shall immediately notify the Special Services Division captain in writing that a claim or legal action has been made.

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(b) The Captain shall notify the Chief of Police, the Support Bureau lieutenant, and the City Attorney's Office of the claim or legal action.

(c) The City Attorney's Office shall coordinate the City's interests as they relate to the legal action.

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Business Cards

1025.1 PURPOSE AND SCOPE

The Santa Rosa Police Department will issue approved personalized business cards for use to all permanent department personnel.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

1025.2 PROCEDURE

The business cards shall be of the type approved by the department.

No employee shall make, cause to be made, or use any business card not authorized or approved which, in any way, identifies the individual as an employee of the Santa Rosa Police Department.

Employees shall not distribute any type of business card, authorized or not, with any written notation requesting the bearer be given consideration from any traffic violation or any other special consideration.

1025.3 FORMAT

The format of all business cards shall be standard. Business cards may contain the following information:

(a) Name

(b) Job title

(c) Department address

(d) Telephone and/or voicemail box and FAX number

(e) E-mail address

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Temporary Modified-Duty Assignments

1026.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

Adopted 5-16-18 by Chief Robert L. Schreeder.

1026.2 POLICY

Subject to operational considerations, the Santa Rosa Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the department with a productive employee during the temporary period.

1026.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Santa Rosa Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or his/her authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1026.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to the Support Bureau Lieutenant. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The nature and scope of limitations and/or work restrictions.

(c) A statement regarding any required workplace accommodations.

The Support Bureau Lieutenant will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the department and the limitations of the employee. The Chief of Police or his/her authorized designee shall confer with Risk Management or the City Attorney as appropriate.

1026.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Support Bureau Lieutenant or his/her designee.

1026.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every six weeks while assigned to temporary modified duty.

1026.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

(a) Periodically apprising the Support Bureau Lieutenant of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Support Bureau Lieutenant and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

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1026.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The department may require a physical fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the City's Risk Management Policy.

1026.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1026.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practical and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's regulations regarding family and medical care leave.

1026.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty in accordance with the City of Santa Rosa Personnel Rules and Regulations.

1026.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

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Employee Residence Address and Telephone

1027.1 PURPOSE AND SCOPE

The intent of this policy is to establish a procedure for maintaining a file of the current mailing and/or residence address and personal telephone number of each Police Department employee.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

1027.2 PROCEDURE

(a) All department employees shall maintain a current residence address and personal telephone number with the department.

(b) As part of the initial processing of new employees, a current residential address and personal telephone number shall be obtained for inclusion in department records.

(c) All employees are required to report any change in their residence address or personal telephone number, whether temporary or permanent, to their direct supervisor and the Administrative Secretary within 24 hours.

(d) Supervisors receiving updated personal information shall route it to the Administrative Secretary who shall cause the appropriate personnel information lists to be updated.

(e) All employees shall enter any changes in their residence address and personal telephone number into the IFAS system.

(f) Addresses and personal telephone numbers shall be confidential and used only for official departmental purposes.

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Special and Collateral Assignments

1028.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for the selection, assignment and rotation of personnel to special and collateral assignments within the Santa Rosa Police Department.

Adopted 1-14-10 by Chief Thomas E. Schwedhelm.

Revised 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 1-31-17 by Chief Robert L. Schreeder.

1028.2 POLICY

(a) All employees are expected to competently perform the expectations of the workplan of their classification. Additionally, employees may be assigned to perform special and/or collateral assignments in accordance with this policy.

(b) The establishment of this policy does not alter the management authority of the City or Chief of Police to determine the organization of work and work units. Special and collateral assignments are transfers since they are not promotional and do not alter an employee's job classification. Transfer assignments are made at the discretion of the Chief of Police as provided in City of Santa Rosa Personnel Rules and Regulations, Rule 2, Section 1.7.

(c) The regular and systematic rotation of personnel through special and collateral assignments enhances the ability of the department to accomplish specific objectives, provides for the professional development of individual employees, and improves the overall operation of the department.

(d) Fair and job-related standards and processes will be used for the selection of personnel for all special and collateral assignments.

1028.3 DEFINITIONS

Special and collateral assignments are distinguished by focused tasks and goals in a specific subset of Police Department activities. Consequently, different expectations of employee performance may exist, and different types and levels of employee skills may be needed to meet these expectations. Additional qualifications beyond the minimum eligibility standards below may be specified based on the nature of the assignment.

(a) **Special assignments** - Full-time, regularly assigned, primary work duties which are typically performed in lieu of the core duties of the job class.

(b) **Collateral assignments** - Intermittent or part-time, as-needed work duties performed in addition to a primary assignment that includes the core duties of the job class.

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1028.4 PROCEDURE

1028.4.1 MINIMUM ELIGIBILITY STANDARDS

(a) Satisfactory completion of the probationary period at time of appointment. Employees hired as lateral candidates with two years of experience at their previous job who are on probation are also considered eligible.

(b) Meets performance standards in their previous job who are on probation are also considered eligible.

(c) Willingness to work within the conditions identified in the job description for the specific assignment.

(d) Not currently or within the past year subject to the City's Attendance Management Program or to a Performance Improvement Plan.

1028.4.2 SELECTION PROCESS

(a) Supervisors of special and collateral assignments shall have a current job description available. Job descriptions will be reviewed annually. This description will include: 1) a list of the primary tasks performed by incumbents; 2) a list of the knowledge, skills, abilities and other characteristics needed to successfully perform those tasks; 3) a description of the working conditions of the assignment; and 4) a description of the training that will be provided upon assignment.

1. A four-week filing period shall be provided, and information shall be posted and distributed about the process. Interested employees shall submit an application form (available in the common directory, in the "Forms" folder) to the identified Bureau manager.
2. The exam process will result in a banded list of generally qualified or not qualified candidates for each assignment.
3. The selection of a candidate for a special or collateral assignment shall only be made from the list of generally qualified candidates.

(b) Prior to filling a specific special or collateral assignment vacancy, the supervisor will submit to his/her manager a plan for assignment-specific selection that identifies knowledge, skills, abilities, and other qualifications (KSAO's), the skill set to be measured and a description of the methods for measuring them. The plan should be reviewed by a Personnel Services Team member for consistency between skills being evaluated and the testing process.

1. KSAO's to be measured must be clearly job-relevant, those which are most critical to successful performance, and needed at entry to the position.
2. The methods used to measure KSAO's must be the most direct measures possible.

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3. The selection plan may include any or all of the following:
    (a) Appropriate input from peers.
    (b) Written input from supervisors (this input is subject to review by the applicant).
    (c) Review of recent performance evaluations.
    (d) Interview/oral board.
    (e) Practical exercise.
    (f) Knowledge test.
    (g) Any other testing process or material that demonstrates job skills.

(c) Selection and assignment shall be made from those employees deemed most suitable for the assignment by virtue of capability, work performance history, and department needs. There will be an effort to balance department needs and individual employee interests.

1028.4.3 TERM OF ASSIGNMENT

(a) The term of special and collateral assignments shall generally be a minimum of three years. Pursuant to organizational needs, some collateral assignments may have a term of less than three years.

1. Special and Collateral assignments may be extended in one-year increments based upon department needs, supervisor recommendation, and Division Manager approval.
2. The maximum length of a special assignment shall be seven years. Pursuant to organizational needs, collateral assignments may be extended beyond seven years.
3. The assignment may be shortened based upon the needs of the employee or the department. Employees who resign early from either a special or collateral assignment cannot be placed back into the assignment without completing the normal selection process.
4. Requests for extensions or reductions in assignment length will be made in writing to the Bureau Manager by the supervisor, and shall include justification for the extension or reduction.
5. Management may remove an employee from a special or collateral assignment if he/she is not meeting job expectations, is a subject of discipline, or the needs of the department change.

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(b) After completing a special assignment, employees shall return to a primary assignment consisting of the core duties of their job class for a minimum of one year, prior to being able to again serve in a special assignment.

(c) Continued satisfactory performance in both a collateral assignment and in the employee's primary assignment will be taken into consideration for extensions of an employee's collateral assignment.

1028.5 EXCEPTIONS

Nothing in this policy prohibits the Chief of Police from making special assignments of personnel determined to be in the best interest of the department.

1028.5.1 MANAGEMENT PERSONNEL

Management personnel shall not be subject to this policy. An effort shall be made to balance the needs and interests of the department with the needs and interests of management employees. Prior to making an assignment, the Bureau lieutenant shall solicit input from those management employees having an interest in supervising or managing departmental special functions. Selection and rotation of management personnel shall be at the direction of the Chief of Police.

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Public Safety Gymnasium

1029.1 PURPOSE AND SCOPE

An employee gymnasium is located on the first floor of the Public Safety Building. The purpose of this policy is to set forth procedures that will be in effect when the gymnasium is in use. To ensure the gymnasium is properly maintained and operated in the safest manner possible, the following guidelines are established.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

1029.2 ACCESS TO THE FACILITY

(a) All Police Department employees will be authorized use of the gymnasium while they are in an off-duty status.

1. Paid lunch periods are not "off duty".

(b) All Fire Department personnel are authorized use of the gymnasium while they are in an off-duty or on-duty status.

(c) Fire Department personnel will access the hallway leading to the gymnasium from Fire bay access.

1029.3 MAINTENANCE OF FACILITY

(a) All personnel using the facility shall be responsible for maintaining and leaving the gym facility in a clean and neat condition with all equipment returned to its proper place. The last person to leave will be responsible for turning off the lights.

(b) The Training Sergeant will be responsible for ensuring the following:

1. Adherence to all safety rules.
2. Inspection of all equipment to ensure proper working order.
3. Inspection of the first aid kit to ensure proper supplies are in stock.

(c) The Training Sergeant and Fire Battalion Chief will be responsible for making periodic checks of the gym facility to ensure compliance with this policy.

1029.4 INJURY REPORTING

(a) Any employee injured, however minor, while using the facility shall:

1. Report the injury immediately to the on-duty Police Sergeant (Police personnel) or the on-duty Battalion Chief (Fire personnel).
2. Submit a written memorandum detailing the circumstances of the injury within 24 hours to the Police Sergeant/Battalion Chief.

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3. The Police Sergeant/Battalion Chief receiving a report of injury will forward the report of injury to the Training Sergeant in charge of the gymnasium.

(b) Injuries that require immediate medical attention shall be reported to the Communications Bureau for dispatch of appropriate medical personnel.

(c) A first aid kit will be available in the facility for use when treatment of minor injuries is necessary.

1029.5 EQUIPMENT DAMAGE / MALFUNCTION REPORTING

Any employee who observes equipment to be damaged or malfunctioning shall report such to the on-duty Police Sergeant, who shall place the equipment out of service and route the information to the Training Sergeant.

Damaged/malfunctioning equipment shall remain out of service until such time it is repaired and put back into service.

1029.6 RULES OF CONDUCT

(a) There will be no smoking or eating allowed in the gymnasium.

(b) Outer doors will remain closed.

(c) Due to ongoing business in the building, the noise level shall be kept to a minimum.

(d) Persons using the facility shall avoid passing through public areas or interfering with those persons on duty.

(e) The manner of dress for all employees walking between the locker rooms and the gym should be appropriate. Exercise good judgment.

(f) Clothing worn in the gymnasium shall be appropriate gym attire that is modest and in good repair.

1029.7 LOCKER ROOMS

Police Department

(a) Police employees utilizing the gymnasium shall use the locker room to change clothes.

(b) Personnel not assigned a permanent locker will be allowed to temporarily use vacant lockers providing:

1. Use is limited to the specific day an employee is utilizing the gymnasium.
2. Employees provide their own lock that is identified with their name.
3. If showers are used, employees will remove personal items such as soap, shampoo, etc.
4. Wet or dirty towels will not be left in the shower or locker rooms.

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Fire Department

Fire employees utilizing the gymnasium shall utilize the locker room and shower facilities located in Fire Station One.

Fire employees assigned to outlying stations shall use their personal towels or towels provided by their Fire Station.

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Commendations and Awards

1030.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for the official recognition of employees who perform in a superior manner or who perform acts of outstanding achievement. Included in this policy are procedures for providing official recognition to other City employees or to members of the public who perform in a superior manner or who perform meritorious acts in aiding or attempting to aid members of the public or the department.

Adopted 5-16-12 by Chief Thomas E. Schwedhelm.

1030.2 CEREMONIES

Upon receipt of the Chief of Police's list of recipients for awards, the Support Bureau lieutenant shall make all arrangements for a presentation ceremony, to be conducted at the direction of the Chief of Police at an appropriate time and place.

1030.3 TYPES OF COMMENDATIONS

(a) Letters of Appreciation from a Citizen: Used to document a favorable comment from a citizen which is received either in person, by telephone, by e-mail or by letter.

(b) "Recognition of Excellence" Form: Used by an employee or volunteer to recognize another employee or volunteer for a good deed or act.

(c) Formal Commendation: Used to document the superior handling of a difficult situation, outstanding performance of duty, or an act of bravery.

(d) Employee of the Month.

(e) Employee of the Year.

1030.3.1 LETTER OF APPRECIATION

(a) Letters of appreciation received from a citizen concerning a member of the department shall be forwarded to the appropriate Division support staff.

1. The support staff member shall prepare a letter of response to the citizen for the Chief's signature.
2. The Administrative Secretary will then contact the concerned employee and have the employee initial the letter of appreciation.
3. The Administrative Secretary will then cause both items to be placed in the employee's personnel file.

(b) A citizen's telephone call of appreciation may be handled in the same way as a letter of appreciation, by documenting the circumstances on a memo, Formal Commendation

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or Recognition of Excellence form and handling in the same manner as an appreciation letter.

(c) An e-mail may be printed and initialed by the employee then forwarded to the Administrative Secretary to be placed in the employee's personnel file.

(d) An investigation into the circumstances prompting the citizen's letter of appreciation may indicate a Formal Commendation is in order. The citizen's letter will then become an attachment to the Formal Commendation.

1030.3.2 RECOGNITION OF EXCELLENCE FORM

Recognition of Excellence forms initiated by an employee shall be forwarded to the recipient's supervisor, who shall have the recipient initial the memo. The supervisor shall route a copy to the employee, a copy to the Administrative Secretary for inclusion in the employee's personnel file, and keep a copy for the supervisor's file for inclusion in the employee's next evaluation.

1030.3.3 FORMAL COMMENDATION

(a) Formal Commendations are initiated by completing a Commendation Form. Normally, the Commendation Form will be completed by an employee's supervisor; however, any supervisor may initiate a commendation and direct the completed form to the employee's immediate supervisor. The form shall include the following:

1. Full name and title of person commended.
2. Circumstances of the incident in chronological sequence.
3. Names of suspects, victims and witnesses - if applicable.
4. Charts, diagrams, or photographs may be attached.

(b) The Commendation Form will be routed through the chain of command to the Chief of Police. When approved at every level, the form will be returned for the employee's review and signature.

(c) The completed Commendation Form shall be returned to the Office of the Chief of Police for distribution. Commendations will be distributed in the following manner:

1. A copy to the employee(s).
2. Copies posted on the department bulletin boards.
3. The original to the employee's personnel file.

(d) Commendation Criteria

1. Initiative
    (a) The self-initiated development of solutions or plans to agency issues, documented in proper format and brought to a satisfactory closure.

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(b) The self-motivated involvement with another agency or community group pertaining to related activities which benefits the community, the City, or the department.

2. Leadership

(a) An illustration of employees exerting a positive influence upon their peers toward productivity or in problem solving.

(b) Recognition to employees who consistently make themselves available for special details or who demonstrate the motivation to make a contribution beyond expectations of satisfactory performance.

1030.3.4 EMPLOYEE OF THE MONTH

(a) An Employee of the Month is an individual who has significantly contributed to the mission of the department by virtue of positive behaviors and accomplishments. An employee may be recognized for a specific worthy act or ongoing pattern of positive contributions. An Employee of the Month is an individual who can serve as a professional role model for others to emulate.

(b) Command Staff shall select a department employee to be the Employee of the Month for each month of the calendar year. Anyone who is selected as Employee of the Month will also be considered for selection as Employee of the Year.

1. The selection process is informal in nature and may consist of a review of monthly commendations, Recognition of Excellence forms, letters of appreciation and verbal input from members of the department or public. Command Staff shall conduct this review and recommendation process during a regularly scheduled staff meeting. The Chief of Police is the final authority in the selection process.

1030.3.5 EMPLOYEE OF THE YEAR

An Employee of the Year is an individual who is one of the persons selected as Employee of the Month during a calendar year. The employee is selected by virtue of significant contributions to the mission of the department and is of such positive organizational influence that department and community acknowledgement is warranted. An Employee of the Year is one who has a history of sustained organizational contributions and whose manner of performance mirrors City and Police Department values.

In January, Command Staff shall select an Employee of the Year from amongst the persons selected for Employee of the Month during the previous calendar year.

1030.4 COMMENDATIONS TO PRIVATE PERSONS OR OTHER CITY EMPLOYEES

Employees may initiate a commendation to private persons or other City employees by advising their supervisor.

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(a) If the supervisor concurs, he/she shall document the event on a Commendation Form in the same manner as described in this policy.

(b) The form, including a letter and certificate of appreciation to the concerned citizen, will be forwarded through the chain of command to the Chief of Police, and in the case of another City employee, a letter to the employee's Department Head describing the circumstances of the commendation.

1030.5 AWARDS

Annually in December, the Chief of Police shall appoint a committee representing a cross section of department personnel to review all commendations issued during the past twelve months. After a review of all Formal Commendations and Recognitions of Excellence, this committee shall make recommendations for meritorious awards as follows.

1030.5.1 DEPARTMENT AWARDS

Department awards recognize employees, interns, volunteers, or others who are affiliated with the Police Department.

(a) Medal of Valor: A certificate and medal presented by the Chief of Police for an act of extraordinary bravery above and beyond that expected in the line of duty. All of the following criteria shall be met:

1. Failure to take such action would not justify censure.
2. Risk to the employee's life actually existed and the employee was able to perceive the risk.
3. The objective was of sufficient importance to justify the risk.

(b) Meritorious Award - Gold: A certificate and medal presented by the Chief of Police for an act of heroism performed at great personal risk with the intent of saving life and/or property.

(c) Meritorious Award - Silver: A certificate and medal presented by the Chief of Police for an act of outstanding performance with the intent of saving life and/or property.

(d) Distinguished Service Award: A certificate presented by the Chief of Police for an incident or for sustained exemplary service, requiring attention to duty over and above the standard level expected for the position involved.

1030.5.2 CITIZEN AWARDS

Citizen Awards recognize private citizens who have assisted department personnel and who have no affiliation with the department.

(a) Award of Merit: A plaque presented to private persons by the Chief of Police to recognize an act of bravery involving personal risk in aiding or attempting to aid another person or a member of the department.

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(b) Certificate of Community Service: A certificate presented to private persons by the Chief of Police for an outstanding act of community service or the rendering of assistance to save life or property.

1030.6 RECOMMENDED GUIDELINES FOR THE COMMITTEE

(a) Concerns or questions regarding the comments contained in or the actions described in the commendation should be resolved/clarified by interviewing the employee and witnesses.

1. Verbal input from a committee member should not be used to add details to a commendation or to clarify an employee's actions.

(b) There will be commendations that do not fit an award category. Committee members should not feel that all commendations should be considered for an award.

(c) There should be no expectation that an award or a certain number of awards need be awarded during any year.

(d) The Silver Award is not intended to be awarded for the completion of a long, complicated, or intensive investigation; that type of investigation is inherent to the position.

(e) The Distinguished Service Award is not intended to be awarded for assignment or tenure in a position, but rather to recognize service and efforts that are clearly above that which is expected of an employee in that position.

(f) The committee should set a deadline for submission of commendations for consideration. Additional commendations should not be solicited nor should the committee investigate incidents brought to their attention for which a commendation was not written.

1. Only commendations written for an act or incident which occurred in the previous calendar year should be considered.

(g) The Chief of Police shall review the recommendations of the committee and cause the certificates and awards to be prepared.

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Funerals

1031.1 PURPOSE AND SCOPE

The purpose of this policy is to establish standard procedures for the official participation of the Santa Rosa Police Department in funerals of its employees and officers of other law enforcement agencies.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

1031.2 GENERAL PROVISIONS

The department shall participate officially at the funeral of any deceased employee, active or retired, only after being requested by the next of kin or a person acting for the family of the deceased.

The Field Services Division captain or his/her designee shall be in charge of all arrangements for departmental participation in funerals.

1031.3 FUNERALS FOR ACTIVE EMPLOYEES

(a) If the family requests it, the department's participation in the funeral may extend to providing any or all of the following:

1. Honor Guard Detail
2. Color Guard Detail
3. Pallbearers
4. Motorcycle Escort
5. Family Escort
6. Reception
7. Funeral Program

(b) Pallbearers: If requested by the family, six pallbearers shall be assigned.

1. The uniform shall be the Class A uniform with white gloves, white shoulder cords, and minimum gun belt.
2. Pallbearers shall be under the direction of the Sergeant of the Honor Guard.

(c) Motorcycle Escort: The Traffic Sergeant shall assign and direct the motorcycle escort for the funeral procession. The number of motorcycles assigned shall be determined by the size of the funeral procession.

(d) Family Escort: The Captain shall designate an officer(s), if requested by the family, to remain with the family of the deceased throughout the funeral. Officer(s) assigned would attend to any special needs of the family and offer assistance where appropriate.

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(e) Funeral Program: A printed funeral program shall be prepared with the cooperation of the funeral director.

(f) Reception: The department shall host a reception, if requested by the family.

1031.3.1 RESPONSIBILITIES OF THE FSD CAPTAIN

The Field Services Division Captain or his/her designee will be responsible for:

(a) Personally calling upon the family of the deceased, inquiring as to the family's wishes concerning departmental participation in the funeral, and rendering to the bereaved family every possible service;

(b) Making necessary press releases and Teletype notifications to outside agencies;

(c) Posting the required uniform for officers attending services;

(d) Taking charge of all arrangements where official participation has been approved;

(e) Assuring the proper number of officers has been selected for participation in the funeral;

(f) Conferring with the funeral home regarding necessary arrangements;

(g) Arranging with the Traffic/Patrol supervisors for sufficient personnel for traffic control; and,

(h) Arranging to return the deceased's personal property to the family, and for the return of department property from the family.

1031.3.2 HONOR GUARD DETAIL

Mortuary Honor Guard: The Sergeant of the Honor Guard will arrange for members of the Honor Guard to provide security for the casket at the mortuary.

Funeral Honor Guard: The Sergeant of the Honor Guard shall be responsible for:

(a) Conferring with the FSD Captain regarding the time of arrival, seating arrangements, and other pertinent details;

(b) Issuing commands for the execution of all movements and gestures of respect; and,

(c) Designating an assembly point near the location of the funeral and performing inspections of personnel.

1031.4 FUNERALS FOR FORMER EMPLOYEES

If requested by the family, the department's participation in funeral services for former employees shall be determined by the Chief of Police.

The honors listed in "Funerals for Active Employees" may be extended to the deceased upon approval of the Chief of Police.

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1031.5 FUNERALS FOR SWORN OFFICERS OF OTHER LAW ENFORCEMENT AGENCIES

In the event of the on-duty death of an officer of another law enforcement agency in Sonoma County, the department's participation shall be a minimum of two motorcycle officers and two Honor Guard members.

The Field Services Division Captain shall determine attendance at services outside of Sonoma County. If attendance is approved, a minimum of two Honor Guard members shall attend.

1031.6 VARIATION IN PROCEDURE

Changes in this policy made necessary by a shortage of personnel, the size of the funeral, the type of service, the physical arrangement of the place of service, or any other reason, shall be made by the Field Services Division Captain.

Any additional honors to be accorded to deceased employees of this department or to deceased officers of other law enforcement agencies shall be at the discretion of the Chief of Police.

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Peer Support, EAP Program, Critical Incident Stress Debriefings

1033.1 PURPOSE AND DEFINITIONS

To establish a policy and guidelines for the use of the Peer Support Program (PSP) and the Santa Rosa Police Department's Employee Assistance Program (EAP), Critical Incident Stress Debriefings, Post-Trauma Counseling and Professional Services Programs. The purpose of these programs is to provide a support and assistance network to all employees when personal or professional problems could negatively affect their work performance, family or self; and to identify sources of stress for department employees.

Adopted 2-26-16 by Chief Robert L. Schreeder.

DEFINITIONS

(a) **Critical Incident** - Any event that has emotional power to overwhelm an individual's usual ability to cope and which may interfere with the functioning of a person's coping mechanism immediately or in the future, including but not limited to: Line-of-duty death or serious injury; other death or serious injury of a co-worker; disasters/multi-casualty incidents; officer-involved shootings; significant incidents involving injury or death to children; deaths that occur during police operations; cumulative events or circumstances that overwhelm a department member.

(b) **Critical Incident Stress Debriefing (CISD)** - A closed, confidential but not privileged discussion of a critical incident relating to the feelings and perceptions of those directly involved prior to, during, and after a stressful event. Intended to provide support, education, and an outlet for views and feelings associated with the event. Debriefings are not therapy nor an operational critique of the incident.

(c) **Employee Assistance Program (EAP)** - The City of Santa Rosa has contracted the services of several professionals and made their services available to employees of the department. The Employee Assistance Program (EAP) provides a wide range of psychological services to assist employees in problem solving to prevent the consequences of stress from impairing job performance.

(d) **Peer Support Program (PSP)** - Developed for trained employees to help other employees with difficult situations and conflicts on a personal or professional level.

(e) **Peer Support Volunteer (PSV)** - A sworn or civilian employee who is a specifically trained colleague, not a counselor or therapist.

(f) **Post-Trauma Counseling Program** - Psychological counseling to employees who encounter a traumatic event.

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1033.2 EMPLOYEE ASSISTANCE PROGRAM (EAP)

Providers for the Santa Rosa Police Department's Employee Assistance Program (EAP) have been carefully selected for their professional experience, reputation, and expertise. Brochures with EAP providers and contact information are available throughout the department.

1033.2.1 GUIDELINES FOR USE

(a) Permanent full-time employees may directly contact any of the listed providers to arrange for a confidential consultation regarding any problems the employee believes to be interfering with job performance.

(b) Employees, or another member of their immediate family, may use a total of six (6) hours of consultation during any fiscal year. The duration of each visit is flexible.

(c) Scheduling Consultation: Employees may make appointments by directly calling the provider of their choice.

1. Consultations may take place in a variety of settings, including evening appointments, at the employee's private residence, the offices of the provider, or any other suitable location.

2. The provider may suggest the most appropriate time and location.

(d) When employees avail themselves of this program, it shall be done in an off-duty status.

(e) The psychotherapist-patient privilege is applicable to the Employee Assistance Program.

(f) Confidentiality/Administration: Billing detail to the City for EAP services rendered will be done with code identifiers known only to the provider to maintain the anonymity of the employee.

1033.2.2 ADDITIONAL COUNSELING

(a) Additional consultation beyond the maximum six (6) hours may be approved by the Chief of Police.

(b) The provider will only make a request for additional counseling with the knowledge and consent of the employee. A request for additional counseling will be made by the provider who, at this point, shall:

1. Identify the employee and the general nature of the consultation to the Chief of Police; and,

2. Make a recommendation for additional counseling and a specific number of hours.

3. The provider may require the employee to sign an acknowledgment and waiver form prior to requesting approval for additional counseling.

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(c) Employees have the option to proceed privately and independently of this program with a provider at their own expense.

(d) The employees' individual health plan may provide coverage for this additional counseling service.

1033.2.3 RIDE-ALONGS FOR PROVIDERS

(a) The EAP providers may volunteer their time and schedule ride-alongs and interface with department employees on a regular basis.

(b) In most cases, employees shall not be required to participate in this ride-along program, but the department reserves the right to require such participation should that be deemed necessary for unique circumstances.

(c) The purpose and intent of the ride-alongs are to:

1. Acquaint the providers with the daily tasks and work environment of the employees; and
2. Afford the providers with a fuller appreciation of job situations and stresses encountered daily by the employee; and
3. Build trust and rapport between the employees and the providers.
4. Ride-alongs by EAP providers are not mandatory. They are done on a voluntary basis and are not compensated.

1033.3 POST-TRAUMA COUNSELING PROGRAM

The following incidents shall automatically require the involved employee to be scheduled for a consultation with an EAP provider.

(a) Any intentional or accidental discharge of a firearm resulting in injury or death.

(b) Any employee involved in a motor vehicle accident when serious injury occurs or another party is killed.

(c) Any physical confrontation wherein an employee is injured as a result, and the supervisor believes counseling would be beneficial.

(d) Any major crime, accident, or event in which an employee is involved and the supervisor believes counseling would be beneficial.

1033.4 FITNESS FOR DUTY EXAMINATION

(a) The Chief of Police has the authority to require an employee to participate in a Fitness for Duty Examination where circumstances suggest that such an evaluation is appropriate. Fitness for Duty Examinations will not be conducted by an EAP provider. These examinations may only be conducted by providers certified to conduct such evaluations.

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(b) Procedure

1. The supervisor responsible for an employee involved in any incident described in this policy shall:
    (a) Contact a Division Manager and review the incident.
    (b) Direct a copy of the report to the Division Manager.
2. The Division Manager or his/her designee shall contact the psychologist and schedule an appointment at the completion of the incident/investigation.
    (a) If an immediate response is not indicated, an appointment shall be made for a date as soon as practical, but prior to the employee returning to work.
    (b) The Division Manager or his/her designee shall brief the psychologist on the incident.
3. Employees shall meet with the psychologist as directed by the Division Manager.
    (a) Employees shall be considered "on-duty" at such meetings.
4. Time, duration and location of the meetings for Fitness for Duty Examinations are flexible and left to the judgment and discretion of the psychologist that best satisfies the counseling needs of the employee.

(c) Fitness Report

1. The psychologist shall report to the Chief of Police the employee's fitness to return to duty or recommend additional counseling if necessary.
2. The fitness report shall indicate the employee was evaluated by the psychologist and can return to full duty with a specific date.

(d) The psychotherapist-patient privilege is not applicable to the Fitness for Duty Examinations.

1033.5 PEER SUPPORT PROGRAM (PSP)

(a) The Peer Support Program augments outreach programs such as the Employee Assistance Program; it does not replace them.

(b) Peer Support Volunteers (PSV) serve three major functions:

1. PSVs provide a source of help for employees who do not wish to speak to mental health professionals.
2. PSVs can refer receptive employees in need of professional help to the Employee Assistance Program (EAP) providers or other professionals and resources.
3. PSVs provide a resource for other department employees at critical incidents, critical incident debriefings, and events of a similar nature.

(c) Voluntary Participation: All participation in the PSP shall be voluntary and initiated by the person seeking the support. There will be no mandatory referrals of individuals to

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PSVs; however, PSVs may be assigned to attend critical incident debriefings or other events of a similar nature.

(d) Support Services from Employee Assistance Providers

1. EAP providers may be used to provide support and training as necessary. EAP providers are a resource to assist individual PSVs when problem areas are identified.

(e) Training: Ongoing training to maintain and develop the PSV support function will be provided in accordance with POST approved guidelines and the Santa Rosa Police Department Training Plan.

1033.5.1 ADMINISTRATIVE STRUCTURE

(a) The PSP works in association with the department's Employee Assistance Program; however, it functions and is administered as an independent unit.

1. A steering committee consisting of a cross section of all members of the department, a department supervisor, and the Support Bureau lieutenant, will be responsible for the development and implementation of procedural guidelines for the program.

2. The steering committee shall be responsible for the daily administration and coordination of the PSP. The steering committee reports administratively to the Chief of Police through the Support Bureau lieutenant.

3. Appointment to the steering committee shall be approved by the Support Bureau lieutenant.

(b) Duties of the Support Bureau lieutenant:

1. Act as liaison between the PSP and the Chief of Police.

2. Approve all overtime related to the PSP.

3. Provide final approval for selection and removal of PSVs.

4. Coordinate the collection and dissemination of statistical data.

(c) Duties of the liaison supervisor:

1. Act as liaison between the Support Bureau lieutenant and PSP.

2. Coordinate training and meetings.

1033.5.2 SELECTION OF PSV'S

(a) PSVs shall represent as broad a cross section of departmental employees as possible.

1. PSVs will be chosen from employees who are currently in good standing within the department.

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2. PSVs will be solicited from those individuals expressing an interest in becoming a PSV and from those individuals recommended by their peers.
3. Initial screening of applicants will be completed by the Peer Support Steering Committee. Final approval of volunteers will be made by the Support Bureau lieutenant.

(b) Selection Criteria

1. Expressed desire to be a PSV.
2. No work restrictions involving psychological stress or other personal issues which would preclude this type of assignment.
3. Completion of the introductory probationary period.
4. Candidate's work assignment complements the balance of other PSVs department wide.
5. Priority for applicants will be determined by individual qualifications and departmental needs.
6. Support Bureau lieutenant's approval.

(c) Removal Criteria

1. Failure to attend or maintain mandatory training.
2. Psychological or other personnel issues which would present ethical conflicts in the role of a PSV.
3. Failure to make oneself available as a PSV.
4. Any other action which either discredits the PSP or makes their continuation in the program ineffectual.

1033.5.3 CONFIDENTIALITY

(a) The PSV shall maintain the confidentiality entrusted to him/her and shall not discuss any information developed in a peer support contact, except in the following instances:

1. Where the information received by the PSV must be revealed by law, such as cases of child abuse or felony criminal conduct.
2. Where the PSV is directly involved as a participant or witness to a criminal event or violation of departmental rules or regulations.
3. Where there is reason to believe the employee intends to seriously injury themselves or another person.
4. Where due to substance abuse the employee is a clear and immediate danger to himself/herself, citizens, or fellow employees.

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5. When subpoenaed to a deposition, criminal trial or other legally sanctioned hearing requiring testimony.

(b) Personnel investigations and inquiries are private personnel matters protected by law and City policy. A PSV may provide general support or guidance; however, such support or guidance may not include discussion or communication about any of the specifics of an active personnel investigation or inquiry.

(c) Unless a PSV is directly involved in or is a witness to an incident that is subject of a personnel investigation or inquiry, no information developed in the support contact between a PSV and an employee prior to the initiation of a personnel investigation or inquiry can or will be used in any future disciplinary proceedings.

(d) PSVs shall not hamper or impede an internal or criminal investigation.

(e) When a PSV has determined a situation exceeds his/her expertise or requires specialized assistance, the employee shall be provided with information on how to contact an EAP provider.

(f) PSVs must advise employees that information told to them is not protected by legal privilege and confidentiality is administratively provided and will not be recognized in court proceedings.

(g) PSVs shall not keep written formal or private records of support contacts under any circumstances.

1033.5.4 DUTY STATUS AND COMPENSATION

PSVs and employees seeking consultation do so voluntarily, off duty and without compensation, except as set forth below. Employees seeking consultation do so primarily for their own benefit.

(a) PSVs shall only receive compensation for PSP activities off duty when one of the following conditions are met:

1. Department sponsored training and meetings during normal days/times off.
2. Critical incident debriefings where the PSV has been requested to attend by a supervisor.
3. Request by the Support Bureau lieutenant to provide support services.
4. Specific exceptions arising out of critical incidents, debriefings and other related incidents where prior approval has been obtained.

(b) Because it is not always possible to predict when a situation may occur that lends itself to peer support, the on-duty supervisor may approve up to one hour of on-duty, compensated consultations between employees and PSVs. The PSV and the employee seeking consultation shall arrange any further meetings off duty,

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uncompensated. If the situation requires continued urgent counseling, the employee shall be directed to one of the EAP providers.

1033.6 CRITICAL INCIDENT STRESS DEBRIEFING (CISD) GUIDELINES

(a) All CISD for the Santa Rosa Police Department shall be approved by the Peer Support Coordinator (Support Bureau lieutenant) or any available lieutenant.

(b) CISD debriefings should be coordinated by a Peer Support member.

(c) The debriefing shall be restricted to those people involved in the incident. Any non-involved persons are subject to the approval of the facilitator.

(d) Attendance at a CISD is strongly encouraged by the department.

(e) When a critical incident occurs, the on-duty Watch Commander shall notify the Peer Support Coordinator. The coordinator will work with affected personnel to coordinate the CISD.

1. Any supervisor may initiate the request for a CISD debriefing through the Peer Support Coordinator or any available lieutenant.

(f) An EAP provider contracted with Santa Rosa Police Department with proper training and experience will conduct the CISD with the assistance of Peer Support Volunteers.

(g) Confidentiality and exceptions

1. It shall be mandatory that Peer Support Team members maintain strict confidentiality in matters discussed with a CISD. Any statement of discussion with peer support team members while acting in a peer support role shall remain confidential. Members of the Peer Support Team are also employees of the Police Department and therefore are bound under certain laws to report the following incidents if they are divulged. The exceptions to the confidentiality rule are as follows:

   (a) There is reason to believe a peer presents a danger to himself/herself or others (e.g., threats or actions toward suicide, homicide, etc.).

   (b) There is a belief that an employee has committed a felonious act, or any act subject to mandated reporting requirements. When a Peer Support Team member believes a felony has been committed he/she shall report it to a supervisor.

2. Participants will be advised of the confidential nature of each meeting and exceptions at the beginning of each CISD. Peer Support Team members becoming aware of any exception will discuss the exception only with the proper authority in accordance with the circumstances.

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Meal Times - Police

1034.1 PURPOSE AND SCOPE

This policy is to establish an orderly system of meal time periods for uniformed personnel assigned to the Field Services Division; and to provide more available time for meals during the work shift to accommodate most, if not all, team members. Priority 3 calls for service which have been held for the maximum stack time in Communications will not be the basis for denying an officer a meal break.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

1034.1.1 PROCEDURE

(a) The team supervisor shall assign a specific meal time to each team member.

(b) The team supervisor shall provide Communications with a list indicating the meal time of each team member.

(c) Changes in the meal time schedule shall be subject to the approval of the team supervisor who shall notify Communications of such changes.

(d) Field personnel shall request clearance from Communications for meal times.

(e) Field personnel may not be cleared for meal time if calls of an emergency or urgent nature are waiting to be assigned.

(f) Field personnel failing to receive their meal time as scheduled shall be allowed to proceed at the first available opportunity.

(g) No employee shall be denied a scheduled meal time in order to accommodate another employee who has missed a meal time.

(h) If an employee is within two hours of the end of his/her shift, and has not been provided a meal period, it will be the employee's responsibility to notify Communications. Communications shall notify a supervisor who shall determine if a meal period can be provided prior to the end of shift.

(i) Field personnel on meal time are subject to interruption and recall if circumstances warrant.

(j) Meals shall not be permitted outside the City limits by field units, unless approved by the lieutenant.

(k) Field personnel shall provide Communications with the location of their meal by giving either an address or telephone number where they can be reached.

1034.1.2 COMPENSATION

(a) Sworn personnel who schedule their meal time later than the beginning of the seventh hour into their shift and who miss meal time shall not receive additional compensation.

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(b) Sworn personnel assigned to Field Services who, at the direction of a supervisor, are not given a meal break during a work shift of at least eight (8) hours or are interrupted and not allowed to return to finish their meal, will be paid according to their existing Memorandum of Understanding between the City of Santa Rosa and their respective work unit.

(c) Civilian personnel shall be compensated according to the existing Memorandum of Understanding between the City of Santa Rosa and their respective work unit.

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Identification Cards, Badges, Cap Shields, Key Cards and Fobs

1043.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a procedure for controlling the issuance, possession, use, repair, replacement, and return of Police Department identification cards, badges, cap shields, key cards or key fobs, and retirement identification cards and badges.

Key Card or Key Fob: A key card is credit card size and allows access to the Public Safety Building and back parking lot. A key fob is a small fob that may be attached to a keychain and allows access to the Public Safety Building and back parking lot.

Adopted 5-22-13 by Chief Thomas E. Schwedhelm.

Revised 10-1-18 by Chief Robert L. Schreeder.

1043.2 ISSUANCE OF I.D. CARDS, BADGES, SHIELDS, KEYCARDS

(a) The Personnel Services Team or their designee shall be responsible for the issuance, repair, replacement, and return of all identification cards.

(b) The Stores Specialist shall be responsible for the issuance, repair, replacement, return, and maintenance of records of all department issued badges and cap shields.

(c) The Office of the Chief of Police shall be responsible for the issuance, replacement and maintenance of records for all department issued keycards or key fobs.

(d) Identification cards and key cards or key fobs shall be issued to:

1. Full-time Police Department employees.
2. Permanent part-time and temporary Police Department employees.
3. Volunteers in Police Services (VIPS).
    (a) The VIPS Coordinator shall be responsible for authorizing the issuance of identification cards to VIPS members.
4. Key cards or key fobs may be issued to other City employees, volunteers, interns, or other personnel upon approval of the Chief of Police or his/her designee.

(e) Badges and cap shields shall be issued to all sworn employees, field and evidence technicians and community service officers.

1. Volunteer badges only, not cap shields, shall be issued to VIPS members upon approval of the VIPS Coordinator.
2. Flat badges shall be issued to all sworn employees of the rank of sergeant and above.

(f) The department may issue flat badges to police officers assigned to a specialty assignment for the duration of that assignment.

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1. The sergeant of each Special Services Division team shall be responsible for the maintenance and issuance of these flat badges.

(g) Retirement badges shall be issued in accordance with this policy.

(h) Retired identification cards shall be issued in accordance with this policy and SRPD Policy #220.

1043.3 POSSESSION, USE, CARE OF I.D. CARDS, BADGES, ETC.

(a) All department-issued identification cards, badges, cap shields, key cards or key fobs are the property of the City of Santa Rosa and shall be returned upon termination of employment.

(b) Identification cards shall be carried, and badges either worn or carried, while on duty.

1. Only department approved identification cards and badges shall be carried and used.

2. The special nature of an officer's assignment may cause the Chief of Police or his/her designee to grant exceptions to the requirement that badges and identification cards be carried while on duty.

(c) Identification cards and badges issued by the department are intended for use by employees for the purpose of individual identification in the performance of official duties.

(d) Use of official identification, including the badge, to gain favors, discounts, or any other type of special consideration is inappropriate and constitutes a misuse.

(e) Identification cards, badges, cap shields, key cards or key fobs shall be maintained in good condition and shall not be altered.

(f) The badge, or the likeness thereof, or the name Santa Rosa Police Department, shall not be used for personal or private reasons without approval of the Chief of Police.

(g) Employees shall not sell, loan, give away, or allow any badge or identification card to be reproduced or duplicated except as authorized or approved by the Chief of Police.

1043.4 WEARING I.D. IN THE PUBLIC SAFETY BUILDING

All persons inside the secure perimeter of the PSB shall have identification visible at all times. Identification shall be worn on an outer garment on the upper half of the body for easy identification. Acceptable forms of identification are as follows:

(a) Department authorized uniform (civilian, sworn, VIPS).

(b) Law enforcement uniform.

(c) Other law enforcement identification card.

(d) Department issued identification or badge.

(e) Temporary visitor's pass.

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1. Visitor passes shall be issued at the main reception counter in the first floor lobby or at the secondary reception counter in the second floor lobby during hours when these areas are staffed.
2. Individuals shall sign in on the visitor logs maintained at both reception counters.
3. Tours or groups being shown the building for whatever reason shall be accompanied by a department authorized employee and shall not be required to have passes.

Employees observing unknown persons in areas without a pass shall ascertain the nature of the visitor's business and ensure proper security is maintained.

1043.5 PRIVATELY PURCHASED POLICE OFFICER BADGES

Police officers are authorized, at their own expense, to purchase Santa Rosa Police Department flat badges per the procedures listed below. This does not apply to detective flat badges issued to officers in specialty assignments.

Officers are authorized to purchase Santa Rosa Police Department flat badges at their own expense with the approval of the Chief of Police.

(a) Flat badges purchased by officers shall meet the design specifications as approved by the department.

(b) The use of the flat badge shall be the same as other badges issued by the department as outlined in this policy.

1. Officers shall complete the "Santa Rosa Police Department Privately Purchased Flat Badge Agreement" (located in the pdcommon directory under "Forms"). Once the agreement has been signed by the officer and the Chief of Police, a letter shall be drafted addressed to the department-approved badge company, authorizing the officer to purchase a flat badge.

(c) Officers are not authorized to use privately purchased flat badges for purposes other than those approved by the department.

All other procedures that apply to the regular duty badge, will apply to privately purchased flat badges.

1043.6 DAMAGED, LOST OR STOLEN DEPARTMENT I.D., BADGE, ETC.

Whenever a key card or key fob is damaged, lost or stolen, the employee shall notify the Office of the Chief of Police to replace or repair the item(s).

Whenever an identification card, badge, or cap shield is damaged, lost or stolen:

(a) The employee shall:

1. Comply with the policy on Personal/City Property, Damaged or Lost, Reporting Procedure; and,
2. Prepare a memorandum to document the circumstances which necessitate the repair or replacement and submit it to his/her supervisor; or,

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3. Prepare a Crime/Case Report to report the loss or theft and submit it to his/her supervisor; and,
4. Request the lost or stolen item(s) be entered into the CLETS and NCIC systems when appropriate; and,
5. Initiate countywide or other teletypes to report the loss or theft of identification cards and/or badges when appropriate.

(b) The supervisor shall:

1. Review the Damaged/Lost Property Report and memorandum or Crime/Case Report to ensure the damage, loss or theft is appropriately documented.
2. Investigate the circumstances of the damage, loss, or theft and prepare the appropriate documentation as necessary.

(c) The lieutenant shall:

1. Review the documentation, ensure appropriate action has been taken, and request the Personnel Services Team, Stores Specialist or Office of the Chief of Police replace or repair the item(s).
2. Ensure that a copy of the memorandum or Crime/Case Report of the lost or stolen item is forwarded to the Office of the Chief of Police for filing to ensure adequate tracking.

1043.7 SUSPENSION OF I.D. CARD, BADGE, ETC.

The Chief of Police or his/her designee may suspend an employee's privileges, including a sworn officer's peace officer authority, when it is deemed to be in the best interest of the department, and the employee:

(a) Is granted a leave of absence without pay, or is placed on active military leave exceeding thirty (30) days; or,

(b) Is given an emergency suspension resulting from an occurrence that is sufficiently serious in nature to expose the department to liability by having the employee continue to work; or

(c) Is placed on disciplinary suspension for a serious breach of department or City Rules and Regulations; or

(d) Alleges or exhibits a consequential psychological disorder or physical disability that could place the department or employee at risk.

1. Evaluation of the psychological disorder or physical disability shall be accomplished through consultation with competent medical authority. Psychological disorder as used in this policy may include mental or emotional impairment of such nature that it may pose an unreasonable risk to the department and employee should the employee continue in his/her assignment status. Physical disability may include illness, injury or disease which prevents an employee from physically accomplishing tasks required of an assignment;

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or complying with firearms/self-defense training requirements; or results in an employee's loss or impairment of motor control.

The employee shall immediately surrender, for the duration of the action, the following applicable department issued items:

(a) Identification Card

(b) Badge

(c) Cap Shield

(d) Weapons

(e) Key card or key fob

The department may modify or waive the requirement of the immediate surrender of the items listed above when the terms of the leave of absence or suspension make it impractical.

1043.8 RETIREMENT I.D. CARDS AND BADGES

(a) A retirement identification card shall be authorized for any employee, and a retirement badge shall be authorized for any sworn officer, who honorably retires from the department.

(b) Minimum requirements to be considered as an honorable retirement upon separation of service are as follows:

1. Employee has served 15 or more years in law enforcement service and has completed a probationary period with the City of Santa Rosa; or,
2. Employee has served 10 or more years as a sworn officer with the City of Santa Rosa; or,
3. Employee retires pursuant to a job-related industrial injury.

(c) The following circumstances may result in the denial of privileges associated with an honorable retirement:

1. Involuntary termination of employment; or,
2. Voluntary termination of employment in lieu of, or pursuant to, imposition of formal discipline; or,
3. Voluntary termination of employment while under investigation for circumstances which could result in the imposition of formal discipline and when that investigation concludes that formal discipline would have been implemented.

(d) An employee denied the privilege to receive a retirement identification card and/or retirement badge shall be afforded the opportunity to appeal that decision to the Chief of Police.

(e) Retirement identification cards and retirement badges shall be provided by, and remain the property of, the City of Santa Rosa and may be revoked for good cause.

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(f) All retirement cards shall be issued in accordance with this policy. The Police Department shall adhere to the provisions of SRPD Policy 220, which states the circumstances for issuance of an endorsement to carry a concealed firearm to an honorably retired peace officer.

(g) Every recipient of a retirement identification card and/or retirement badge shall be required to sign a declaration agreeing to comply with the conditions for the issuance and retention of City property.

(h) A retirement identification card and retirement badge may be revoked if the retired employee violates any department rules, state or federal laws, that if violated by an employee on active duty would result in that employee's arrest, suspension, or removal from the department. The department shall also adhere to the provisions of SRPD Policy 220 that states the circumstances and procedure by which an honorably retired peace officer's endorsement to carry a concealed firearm may be suspended or revoked.

(i) Issuance of Retirement Badges

1. Notwithstanding the provisions of this policy, a peace officer with five or more years of service with this department who voluntarily separates employment while in good standing shall receive a retirement badge pursuant to the other conditions established in this policy. A retirement badge is intended to serve as a personal memento of a peace officer's service with this department. Issuance of a retirement badge to peace officers not meeting the criteria established in this policy in no way entitles a separated peace officer with the privilege of being issued a retirement identification card or authority to carry a concealed weapon.
2. Retirement badges shall be altered to distinguish them from general service badges in a manner prescribed by the Chief of Police.
3. Retirement badges should be presented to retired or separated peace officers no later than six (6) months from the date of retirement or separation.

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Uniform Regulations

1046.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a standard of appearance by which the uniformed members of the Santa Rosa Police Department may be readily recognized by the general public, and to project a positive professional image by all department personnel. It is also the purpose of this policy to establish standards for department employees having body markings or piercings. It shall be the policy of the Santa Rosa Police Department that on-duty employees, unless in an undercover capacity, shall not have any visible body markings or piercings.

Sworn and civilian personnel, unless specifically exempted, shall wear the specified uniform while on duty. All on-duty personnel, whether in uniform or plainclothes, shall dress in a manner that projects a positive image and professionally represents the department.

Adopted 1-31-17 by Chief Robert L. Schreeder.

(Uniform Specifications may be found in the "common" directory in the "Policies" folder.)

1046.1.1 DEFINITIONS

(a) **Body Markings** - Tattoos, brandings, scarifications or intentional disfigurements.

(b) **Branding** - Intentional burning of the skin for the purpose of creating a design, form, figure or art.

(c) **Cosmetic Tattoos** - A cosmetic technique which employs tattoos as a means of producing designs that resemble makeup such as eyeliner, eyebrow darkening and other permanent coloration of the skin of the face, lips, and eyelids. Cosmetic tattoos shall not be considered tattoos for the purposes of this policy so long as they would not constitute a violation of any other department policy if they had been applied using a temporary technique such as conventional makeup.

(d) **Intentional Disfigurement** - The intentional disfigurement or mutilation of the body. Examples include but are not limited to: Split or forked tongues, foreign objects inserted under the skin, or holes in the ear larger than those caused by normal piercing.

(e) **On-Duty Personnel** - Includes all full and part-time employees while on a paid status regardless of the location. This policy also applies to interns and volunteers while working in their capacity.

(f) **Piercing** - The act of creating a hole in any part of the body for the purpose of creating a design, form figure, art or adornment with jewelry.

(g) **Scarification** - Intentional cutting of the skin for the purpose of creating a design, form, figure or art.

(h) **Tattoo** - Marking of the skin with indelible designs, forms, figures, art, etc., by making punctures in the skin and inserting pigment.

(i) **Uniformed Personnel** - Includes all personnel within the Police Department who are required to wear distinctive apparel in the course of their duties, as defined in this policy.

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1046.2 GENERAL INFORMATION

(a) Maintenance of the Uniform:

1. All uniformed personnel shall maintain and have available a serviceable uniform whatever their current assignment.
2. Uniforms shall be kept neat, clean and pressed. Leather and metalwork shall be polished.
3. Uniforms with holes, tears, or showing obvious signs of wear or repair shall not be worn.

(b) Mourning Bands:

1. When a California Peace Officer is killed in the line of duty, any member of Command Staff may approve the use of mourning bands. Upon approval, uniformed employees shall wear a black mourning band across the uniform badge. Mourning bands shall also be worn for law enforcement officers killed in the line of duty outside California when approved by the Chief of Police. The mourning badge may be worn from the time of death until midnight on the day of the funeral.
2. The band shall be worn diagonally from the upper left (2 on a clock face) to the lower right (8 on a clock face), with the band covering the point of the star on the lower right.
3. Any member of command staff authorizing the use of the mourning band shall send out a department email that acknowledges the line of duty death and specifies the authorized time frame that employees may wear the band.

(c) General:

1. All articles of uniform shall conform to the Santa Rosa Police Department Uniform Specifications Manual available in the "common" directory in the "Policies" folder.
2. Supervisors shall continually monitor the appearance of all department personnel.
3. All supervisors have the authority and the duty to require compliance with this policy.
4. Uniformed personnel shall wear the designated uniform when on duty unless the Chief of Police or authorized representative designates otherwise.
5. Uniform articles that allow ready identification of personnel as members of the Police Department shall not be worn with civilian clothing except by civilian personnel during the performance of their official duties or, unless authorized for a special assignment.
6. Police Technicians assigned to Property and Evidence may wear a department name tag with civilian clothing during the performance of official duties.
7. The uniform shall not be worn off duty when conducting personal business.

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8. Unless authorized while wearing the Class A uniform, head gear shall be removed while indoors.
9. Uniform items listed as "optional" are not required but may be purchased, used, and maintained by uniformed personnel according to specifications.

1046.2.1 ACCESSORIES FOR UNIFORMED PERSONNEL

(a) Jewelry

1. Personal jewelry shall not be worn on the uniform.
2. Visible jewelry shall be conservative and limited to:
    (a) Medical or identification-type bracelets.
    (b) Two rings (a set of wedding and engagement rings shall be considered as one ring).
    (c) Watch: Field personnel shall wear or carry a timepiece capable of keeping the correct time.
3. Earrings - Sworn Personnel:
    (a) Sworn personnel in a uniformed assignment shall not wear earrings.
    (b) Sworn female personnel in a non-uniformed assignment may wear earrings The number shall be limited to two earrings in each ear. They shall be a standard post or wire that have a conservative professional appearance with a length and diameter not to exceed two (2) inches.
    (c) Sworn male personnel in a non-uniformed assignment shall not wear earrings, except when given explicit permission by their division manager due to the nature of their assignment.
4. Earrings - Civilian Personnel:
    (a) Civilian female personnel in a uniformed assignment may wear earrings but they shall be no larger than one square inch. The number shall be limited to one earring in each ear. They shall be a standard post or wire.
    (b) Civilian male personnel in a uniformed assignment shall not wear earrings.
    (c) Civilian female personnel in a non-uniformed assignment may wear earrings that have a conservative professional appearance with a length and diameter not to exceed two (2) inches.

(b) Sunglasses may be worn only during daylight hours. If worn, they shall have non-mirrored lenses, and shall not have bright colored frames. Safety straps, if worn, shall be black or navy blue in color. In the event, personally owned equipment is damaged, lost or stolen in the normal course of an officer’s duties, the officer shall follow the procedures as outlined in SRPD Policy 700, Reporting Procedure for Damaged or Lost Personal/City Property.

(c) All personnel shall carry a department issued identification card and, if applicable, a valid California driver's license while on duty.

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(d) Cellular Telephone: If uniformed personnel are issued a cellular telephone, it shall be operational and worn on the person (a black holder is optional).

(e) United States National Flag Pin: The wearing of a department issued United States National flag pin on the uniform is optional but shall not be worn on the Class C uniform during crowd control, riots, or other similar tactical operations.

1046.2.2 BODY MARKINGS/PIERCINGS

In order to maintain public confidence and departmental professionalism, employees with body markings shall cover them while on duty or while representing the department in any official capacity, unless specifically exempted by the provisions of this policy (e.g. cosmetic tattoos).

(a) General Public View – An assignment where it could reasonably be expected that the employee could be observed by a member of the public. While on duty, all tattoos/ piercings shall be covered and not visible to the public while wearing a short sleeve (Class B) uniform.

1. Current employees hired before March 1, 2010, with existing tattoos shall be exempt from this policy with an exemption form as noted below. Any additional tattoos or alterations to existing tattoos will be subject to the provisions outlined in this policy.

2. Employees hired after March 1, 2010, will meet the standards outlined in the department policy.

(b) Unless working in an undercover capacity, employees shall have no visible body markings or piercings except as permitted in this policy. Body markings and piercings shall be covered by a portion of the department approved uniform, or by a department approved skin colored temporary sleeve under the following conditions:

1. While in uniform;

2. While representing the department in any official capacity; or

3. While on duty and in general public view.

(c) Participation in off-duty athletic events shall not be considered representing the department in an official capacity.

(d) No employees shall display body markings that are inappropriate. Inappropriate body markings may include but are not limited to those that exhibit or advocate discrimination towards gender, race, religion, ethnicity or national origin; gang affiliation, supremacist or extremist group affiliation; drug use; sexually explicit acts; or other obscene material. The Chief of Police will have the final discretion as to what is considered inappropriate.

(e) Exemptions to this policy must be approved by the Chief of Police. An employee seeking an exemption for an existing body marking(s) shall submit a memorandum through his/her chain of command to the Chief of Police. (The exemption form is available in the “common” directory "Forms" folder.) The memorandum will be maintained in the employee's department personnel file.

1046.3 PERSONAL APPEARANCE STANDARDS

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1046.3.1 UNIFORMED MALE PERSONNEL

(a) Hair Standards

1. The hair shall present a well-groomed appearance. In no instance shall the bulk or length of hair interfere with proper fit of any authorized headgear.
2. The hair in front shall be worn so as not to touch the eyebrows.
3. When the hair is worn over the ear, it shall extend no lower than the bottom of the opening in the ear.
4. The hair in the back shall be worn so as not to extend beyond the top of the collar of the uniform shirt, when the individual is in a standing position.

(b) Sideburns

1. The sideburns shall not extend more than one-half (1/2) inch below the lowermost portion of the ear where it connects to the head.
2. The sideburns shall not be wider than one (1) inch at any point and must be horizontal along the bottom.
3. At no time shall the sideburns connect with the moustache.

(c) Facial Hair

1. Moustaches, if worn, shall be well groomed and shall not extend below the lowest part of the bottom lip, and shall not exceed a width of three-fourth (3/4) inch to the side from the corner of the mouth.
2. Beards and goatees shall not be worn.

1046.3.2 UNIFORMED FEMALE PERSONNEL

(a) Hair Standards

1. The hair shall be worn in a contemporary style and shall present a well-groomed appearance. In no instance shall the bulk or length of hair interfere with proper fit of any authorized headgear.
2. Individuals assigned to field duties shall secure the hair in the back and sides so that it does not fall below shoulder level when the individual is in a standing position.
3. The hair on the sides of the head shall be styled or have hair clips to prevent it from falling into the eyes when the individual is in an erect or forward leaning position.
4. The hair in front may extend to the top of the eyebrows.
5. Hair clips, barrettes, and ornaments shall be plain and unobtrusive, and match the uniform.

(b) Makeup

1. Makeup shall be subdued and present a natural, professional appearance.
2. Nail polish, if worn, shall be a clear or a light pastel shade.

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1046.4 COURT AND BUSINESS ATTIRE FOR ALL PERSONNEL

(a) All personnel appearing in court, court-related proceedings, formal meetings, or presentations in a public business setting shall wear business attire or a uniform, if applicable.

(b) Male Personnel: Business attire includes an appropriate combination of suit or sport coat and slacks, shirt and tie with or without a sweater, and dress shoes capable of taking a shine. Jeans and corduroy style pants and western or ornate style boots shall not be worn. Sunglasses shall not be worn in court, and shall be stored so as not to be visible.

(c) Female Personnel: Business suit or skirt and blouse combination, appropriate combination of suit or dress, skirt, slacks and blouse, sweater and/or jacket, and a professional dress shoe.

(d) The duty uniform may be worn to court.

(e) Fraternal or organizational emblems shall not be worn on either the uniform or civilian attire.

1046.5 PERSONNEL IN NON-UNIFORMED ASSIGNMENT

(a) For general office and field work including informal meetings and training not requiring specific attire, business casual attire is acceptable; although personnel may wear business attire at any time.

(b) All clothing shall be appropriate to the type of job being performed and shall be clean, coordinated, well maintained, and of such a style that they do not detract from the desired professional appearance.

(c) Clearly identifiable insignias, emblems, etc., that denote affiliations, advertising or membership with clubs, organizations, businesses or interests other than approved Santa Rosa Police Department logos shall not be worn as a part of, or upon, clothing.

(d) Slacks shall not be of the blue jeans type (except as noted below). Colored denim jeans, Khaki and Corduroy slacks shall be in good condition. Women may wear cropped or capri type pants that hit mid calf as acceptable business casual attire if they are presented professionally.

1. On Fridays, general office personnel and personnel not required to be in uniform, may wear blue jeans in good condition when not required to attend court, court-related proceedings, or formal meetings or presentation in a public business setting.

2. In addition, employees in the Communications Bureau may wear blue jeans in good condition at any time when not required to attend court, court-related proceedings, formal meetings, or presentations in a public business setting.

(e) Shorts of any length, "work" shirts, "work" boots are not approved for wear.

(f) "Fanny" or waist packs are not appropriate for business or office wear, but may be used for undercover operations if departmental approval has been granted to use the "pack" as a firearm holster.

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(g) This policy is not intended to be all-inclusive; rather, it should help set the general parameters for attire and allow judgment about items that are not specifically addressed.

(h) The final decision about the appropriateness of specific attire rests with the Supervisor, Division Manager, or his/her designee of the impacted division.

1046.5.1 MODIFIED DUTY

Personnel assigned to modified duty may transition to appropriate business attire, as outlined in 1046.5 of this policy.

1046.5.2 EXCEPTIONS

(a) Personnel may wear suitable clothing for event-specific tactical training; e.g., firearms and defensive tactics, drivers training.

(b) Undercover assignments

1. In those event-specific circumstances where attire other than business or business casual is required, and with supervisory approval, department personnel may wear functional clothing that is clean and in good condition.

2. Functional clothing is considered to be jeans or similar work pants, recreational shoes, and/or other reasonable clothing that enables an individual to function in a task-specific environment distinctly different from the normal daily operational environment.

(c) Search warrants or other tactical activity: Involved personnel shall wear tactical clothing items with clearly denoted police insignias and lettering as outlined in the Department Uniform Specifications Manual, unless otherwise directed by a supervisor.

(d) Officers assigned to the Property Crimes or Narcotics Investigation Teams, and those assigned to special task forces requiring such attire, are the only personnel authorized to wear functional clothing as their regular operational attire, except during court appearances.

1046.5.3 POLO SHIRTS

Polo Shirts may be worn by sworn and civilian personnel, or volunteers. All shirts will be in good repair, not faded or torn. Employees who choose to wear a Polo Shirt either as part of a uniform, or in a non-uniform capacity, shall comply with specifications as noted in Numbered Memo #14-03, or when incorporated in the Uniform Specification Manual.

1046.6 UNIFORM TYPES FOR SWORN PERSONNEL

1046.6.1 CLASS "A"

(a) The Class A dress uniform consists of a uniform hat, dress jacket, uniform trousers, long-sleeved uniform shirt, black neck tie, black socks, black shoes or boots and required or authorized accoutrements.

(b) All sworn personnel shall own and maintain a Class A uniform.

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(c) For ceremonial events, all accessory items shall be removed from the Sam Browne belt, except the duty sidearm, holster, and belt keepers, unless otherwise directed by the Chief of Police or authorized representative.

1046.6.2 CLASS "B"

(a) The Class B duty uniform consists of a short or long sleeve uniform shirt, undergarment or neck tie, uniform trousers, black socks, black shoes, athletic shoes or boots and required or authorized accoutrements.

(b) The following items are optional: Uniform hat, campaign hat, dress jacket (neck tie required), heavyweight or lightweight jacket, gloves (during cold weather and only with long sleeve shirt), rain gear, and baseball cap.

1046.6.3 CLASS "C"

(a) The Class C utility uniform consists of a short or long sleeve utility shirt, undergarment, utility trousers, black socks, black shoes, athletic shoes or boots and required or authorized accoutrements.

(b) The following uniform items are optional: Heavyweight or lightweight jacket, and gloves (during cold weather and only with long sleeve shirt), rain gear and baseball cap

(c) The Class C uniform may be worn in patrol as an alternative to the Class A or B uniform. The Class C will not be worn during formal presentations such as at City Council, promotional ceremonies, recruiting events or other events/functions as designated by the Chief of Police or his/her designee.

1. Officers who choose to wear the Class C uniform shall wear the Class C uniform as outlined in the Uniform Specification Manual. Officers who choose to wear a Class C uniform shall comply with 1046.6.3 (b) by September 1, 2017.

(d) The Class C uniform with long sleeve shirt shall be worn during crowd control or other similar tactical operations.

(e) All sworn personnel shall own and maintain a long sleeve Class C uniform.

1046.6.4 BICYCLE PATROL

Officers assigned to bicycle patrol may wear the Class C, or bicycle uniform and must wear a bicycle helmet.

The following uniform items are optional: Bicycle jacket, rain gear, and gloves.

1046.6.5 MOTORCYCLE UNIFORM

The Motorcycle uniform consists of the uniform shirt, undergarment, motorcycle breeches, motorcycle boots, helmet, gloves and required or authorized accoutrements.

The following items are optional: leather jacket, lightweight jacket, bow-tie and baseball cap.

1046.6.6 CANINE HANDLERS

Officers assigned to patrol as canine officers may wear the “Class C” patrol uniform as described in this policy.

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While wearing a Class C uniform, Canine officers may also wear a BPS tactical vest designed to replicate a uniform shirt. This will allow for greater access to equipment needed during a deployment.

1046.6.7 COLOR GUARD AND HONOR GUARD

The Color Guard uniform shall consist of a campaign hat, 100% wool uniform trousers with blue striping, long-sleeved 100% wool uniform shirt with gold rope through right shoulder epaulet, blue ascot, white dress gloves, black socks, black low-cut high-gloss parade shoes, Sam Browne belt, holster, sidearm and belt keepers.

The Honor Guard uniform shall consist of a campaign hat, dress jacket with white rope through the right shoulder epaulet, white ascot, 100% wool uniform trousers with blue striping, white long sleeve dress shirt, neck tie, white dress gloves, black socks, black low-cut high-gloss parade shoes, Sam Browne belt, holster, sidearm and belt keepers and mourning band on badge.

1046.6.8 UNDERGARMENTS

(a) A white t-shirt, black turtleneck, mock-turtleneck shirt or dickey must be worn with all open collar uniform shirts.

(b) Undergarments shall not be visible when wearing a neck tie.

(c) The sleeve of an undergarment shall not be visible when wearing the uniform shirt.

(d) Female personnel shall wear a brassiere and the color shall be such that it is not readily visible beneath the shirt.

1046.7 UNIFORM TYPES FOR CIVILIAN PERSONNEL

1046.7.1 POLICE TECHNICIAN - CLASS "B"

(a) The Police Technician Class B uniform consists of a short or long sleeve uniform shirt, white t-shirt, uniform trousers, socks or stockings, black shoes or boots and required or authorized accoutrements.

(b) The following uniform items are optional: Necktie, sweater, skirt, split skirt.

(c) The Property Technician Class C uniform described below may be worn by police technicians assigned to Property/Evidence when authorized by their supervisor.

1046.7.2 PROPERTY TECHNICIAN - CLASS "B"

The Property Technician Class B uniform consists of a short or long sleeve uniform shirt, white t-shirt, uniform trousers, socks or stockings, black shoes or boots and required or authorized accoutrements.

The following uniform items are optional: Necktie, sweater, skirt or split skirt.

1046.7.3 PROPERTY TECHNICIAN - CLASS "C"

The Property Technician Class C uniform consists of a black polo shirt, white t-shirt, khaki uniform pants, socks and black shoes or boots and required or authorized accoutrements.

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1046.7.4 POLICE FIELD & EVIDENCE TECHNICIAN AND COMMUNITY SERVICE OFFICER - CLASS "B"

The Police Field and Evidence Technician and Community Service Officer Class B uniform consists of a short or long sleeve uniform shirt, white t-shirt (when a neck tie is not worn), uniform trousers, black socks, black shoes or boots and required or authorized accoutrements.

The following uniform items are optional: Uniform hat, campaign hat, heavy or lightweight jacket, gloves (during cold weather only and with a long sleeve shirt), rain gear and a baseball cap.

1046.7.5 POLICE FIELD & EVIDENCE TECHNICIAN AND COMMUNITY SERVICE OFFICER - CLASS "C"

The Police Field and Evidence Technician and Community Service Officer Class C uniform consists of a utility shirt, white t-shirt, utility trousers, black socks, black shoes or boots and required or authorized accoutrements.

The following uniform items are optional: Uniform hat, campaign hat, heavy or lightweight jacket, gloves (during cold weather only and with a long sleeve shirt), rain gear and a baseball cap.

1046.7.6 FORENSIC SPECIALISTS

Personnel assigned to the special assignment as Forensic Specialists may wear any of the following uniforms:

(a) Casual Business attire as outlined in this policy.

(b) Property Technician “Class C” uniform as outlined in this policy.

(c) FET/CSO “Class B” uniform as outlined in this policy.

(d) FET/CSO “Class C” uniform as outlined in this policy.

1046.7.7 VEHICLE MAINTENANCE TECHNICIANS

Vehicle Maintenance Technicians shall wear a Santa Rosa Police Department Polo Shirt and functional clothing.

Functional clothing is considered to be jeans or similar work pants, recreational shoes, and/or other reasonable clothing that enables an individual to function in a task-specific environment distinctly different from the normal daily operational environment.

Polo Shirts may be worn by sworn and civilian personnel, or volunteers. All shirts will be in good repair, not faded or torn. Employees who choose to wear a Polo Shirt either as part of a uniform, or in a non-uniform capacity, shall comply with specifications as noted in Numbered Memo #14-03, or when incorporated in the Uniform Specification Manual.

1046.7.8 UNDERGARMENTS

(a) A white t-shirt, black turtleneck, mock-turtleneck shirt or dickey must be worn with all open collar uniform shirts.

(b) Undergarments shall not be visible when wearing a neck tie.

(c) The sleeve of an undergarment shall not be visible when wearing the uniform shirt.

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(d) Female personnel shall wear a brassiere and the color shall be such that it is not readily visible beneath the shirt.

1046.8 UNIFORM TYPES FOR VOLUNTEERS IN POLICE SERVICES (VIPS)

Class A: Business Attire.

Class B

(a) The VIPS Class B uniform consists of a uniform shirt, white t-shirt, black turtleneck, mock-turtleneck shirt or dickey, uniform trousers, black socks, black shoes or boots and required or authorized accoutrements.

(b) The following uniform items are optional: Baseball cap, jacket, neckwear, black gloves (during cold weather and only with long sleeve shirt) and rain gear.

Class C

(a) The VIPS Class C uniform consists of a VIPS polo shirt, khaki trousers (not provided by the department), black socks, black shoes or boots.

(b) The follow uniform items are optional: Baseball cap, Campaign hat, jacket, gloves (during cold weather), and rain gear.

Undergarments

(a) A white t-shirt, black turtleneck, mock-turtleneck shirt or dickey must be worn with all uniform types.

(b) Undergarments shall not be visible when wearing a neck tie.

(c) The sleeve of an undergarment shall not be visible when wearing the uniform shirt.

(d) Female personnel shall wear a brassiere and the color shall be such that it is not readily visible beneath the shirt.

1046.9 SAFETY EQUIPMENT

(a) The department shall issue all personnel the appropriate safety equipment specific to their assignment as outlined below. The issued equipment remains the property of the City and the responsibility for proper maintenance and safekeeping rests with the personnel to whom the equipment was issued.

(b) Equipment issued by the department shall be returned upon separation from the department in serviceable condition, giving due consideration to age and the serviceable life of the equipment.

(c) High-Visibility Reflective Safety Vest (HRSV)

1. In accordance with Federal Highway Administration Title 23, Part 634 of the Federal Code of Regulations, when performing patrol duties, all uniformed employees shall maintain a serviceable, department-issued HRSV readily available within their patrol vehicle.

2. The HRSV should be worn by uniformed personnel under the following circumstances:

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(a) While actively engaged in traffic control duties;

(b) While actively engaged in the investigation of a crime, collision, or other incident (after scene stabilization) close enough to the right-of-way of an active traffic lane so as to constitute a hazard;

(c) When, in the judgment of an on-scene supervisor, officer safety and/or identification would be enhanced by the wearing of the HRSV by specified personnel, the HRSV shall be worn, as directed.

(d) Optional Safety Equipment: Use of safety equipment items not issued by the department may be permitted with approval.

1. Requests for approval of equipment items not issued by the department shall be submitted on a department form to the appropriate Bureau lieutenant.

2. Approvals shall be granted in writing and shall be maintained in appropriate departmental files.

3. Personally owned equipment damaged, lost or stolen in the normal course of an officer's duties, the officer shall follow the procedures as outlined in SRPD Policy 700, Reporting Procedure for Damaged or Lost Personal/City Property.

1046.9.1 SWORN UNIFORMED PERSONNEL

The following items shall be issued to and worn by sworn uniformed personnel unless otherwise specified:

(a) Sam Browne belt and keepers

(b) Dress belt

(c) Chemical agent and holder

(d) Handcuffs and case

(e) Ammunition pouches and two fully loaded magazines

(f) Flashlight (kept readily available)

(g) Baton

(h) Whistle (optional)

(i) Key ring (optional)

(j) Holster

(k) Handgun

(l) Electronic Control Device"Taser" (kept readily available)

(m) Body Armor (optional)

(n) Radio

(o) Radio earpiece (optional)

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(p) Cellular telephone (kept readily available)

(q) Portable Audio Recording Device (kept readily available)

(r) Body Worn Camera

1046.9.2 SWORN NON-UNIFORM PERSONNEL

The following items shall be worn by sworn personnel assigned to a plain clothes position.

(a) Handgun and approved holster (full size, compact, sub-compact)

(b) Extra magazine

(c) Handcuffs

The following items shall be worn during tactical operations, including, but not limited to search warrants, probation searches, arrests or takedowns.

(a) Handgun (full size, compact)

(b) Two extra magazines

(c) Handcuffs

(d) Baton

(e) OC

(f) Radio

(g) Taser if issued

(h) Badge

(i) Personnel who have been issued a Body Worn Camera shall adhere to the Body Worn Camera policy (Lexipol 450) during the service of all tactical operations.

1046.9.3 CIVILIAN UNIFORMED PERSONNEL

The following items shall be issued to and worn by civilian uniformed personnel unless otherwise specified:

(a) Dress belt

(b) Sam Browne belt and keepers (FET/CSO optional)

(c) Chemical agent and holder (FET/CSO only)

(d) Radio (FET/CSO only)

(e) Radio earpiece (FET/CSO only and optional)

(f) Flashlight (FET/CSO only and must be kept readily available)

(g) Whistle (FET/CSO only and must be kept readily available)

(h) Cellular telephone (kept readily available)

1046.9.4 VOLUNTEER UNIFORMED PERSONNEL

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The following items shall be issued to or made available to volunteer uniformed personnel as necessary based on their assignment:

(a) Dress belt

(b) Flashlight and holder

(c) Radio

(d) Reflective vest

(e) Cellular telephone (kept readily available)

(f) Whistle

1046.9.5 BODY ARMOR (OPTIONAL)

(a) The department encourages all on-duty officers to wear soft body armor. Body armor must be either department-issued or department-approved. Their use in some instances may be required.

(b) When wearing a uniform, all visible portions of the body armor shall be clean and free from stains, holes, or other obvious signs of wear.

(c) When officers are assigned to a SWAT operation, stakeout, service of felony arrest warrant(s), or are serving a search warrant at a location where there is a reason to believe a felony suspect may be present, the wearing of body armor is mandatory.

(d) A stakeout, for purposes of this section, is a pre-planned event where time and practicality allows officers to put on body armor in anticipation of encountering armed or dangerous suspects or circumstances.

1046.9.6 RIFLE RATED BALLISTIC PLATES AND CARRIERS (OPTIONAL)

Sworn personnel may purchase their own rifle rated ballistic plates and carriers to be worn in the event of an active shooting situation or other event that would require higher rated ballistic protection.

The ballistic plates and carriers purchased by the employee shall meet department approved uniform specifications, including the following criteria:

(a) The plate carrier must be black in color.

(b) Identification patches of “POLICE” in large white letters on the back and in small letters on the front.

(c) Cloth Santa Rosa Police Department badge adhered to the left breast of the carrier.

(d) Approval of the ballistic plates and carriers must be granted in accordance with this policy prior to deployment.

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Social Media

1055.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to department employees and volunteers regarding appropriate speech and expression for personal and department sponsored social networking websites, web pages, and other electronically transmitted or hard copied material. Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression by employees that is protected or privileged under law.

This policy is intended as a supplement to the City of Santa Rosa Social Media Policy to address issues unique to the Santa Rosa Police Department and its employees.

Adopted 9-12-12 by Chief Thomas E. Schwedhelm.

1055.2 DEFINITIONS

(a) **Social Media** - A category of internet-based resources that integrates user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace, LinkedIn), microblogging sites (Twitter, Nixle), photo and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg, Reddit).

(b) **Social Networks** - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

(c) **Electronic Communication** - Any kind of communications, created by, represented by, sent to, or stored by any user using any electronic communications system, including all information, data, and attachments to the communication.

(d) **Blog** - A contraction of the term "weblog" is a type of website, usually maintained by an individual with regular entries of commentary, descriptions of events, or other material such as graphics or video. "Blog" can also be used as a verb, meaning to maintain or add content to a blog.

(e) **Personal Information** - Any type of information that might lead to the identification of any individual. Examples may include social security numbers, dates of birth, addresses, phone numbers, e-mail addresses, driver's license or other state identification numbers.

(f) **Electronic Media** - Digital photos, audio recordings, videos or digital information.

(g) **Post or Posting** - Text or digital information that is placed on a website. This includes text, photographs, audio, video, or any other multimedia file.

(h) **Confidential Information** - Any information of a personal or private nature or that is deemed confidential by law. This includes information that is obtained as a result of any law enforcement activity including, but not limited to: information or digital media

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depicting the Santa Rosa Police Department, its employees, crime scenes, internal videos, daily work activity, or information sensitive to law enforcement that has not been authorized for public release.

(i) **Proprietary Information** - Any photographs, videos or information digital or otherwise created or obtained while an employee is on duty remains the property of the Santa Rosa Police Department. The work product of the Santa Rosa Police Department is subject to all federal law, state law, City codes, and department policies regarding its confidentiality and release.

(j) **Work Product** - Anything created by an employee as part of the employee's duties or activities on behalf of the City is considered to be the property of the Santa Rosa Police Department. Examples may include, but are not limited to: photos, videos, audio recordings, blog entries depicting the Santa Rosa Police Department or its employees, internal videos, daily work activity, electronic files or documents.

(k) **Employee** - Any full, part-time or temporary employee, intern or volunteer.

1055.3 USE OF DEPARTMENT SOCIAL MEDIA SITES

(a) AllSanta Rosa Police Department Social Media Pages shall adhere to the standards and requirements in the City of Santa Rosa Social Media Policy.

(b) **No confidential information may be used or posted on any department owned or sponsored social media page without authorization** of the Chief of Police, a Division Manager, or a Bureau Manager.

(c) Employees may create and use fictitious social media accounts with the approval of a supervisor as a tool to assist with official criminal investigations.

(d) When evaluating whether to disseminate information via social media sites, employees shall use the following criteria:

1. Can we legally release the information?
2. Is the information a matter of public interest?
3. Does releasing the information benefit the department and community?

1055.4 EMPLOYEE USE OF PERSONAL SOCIAL MEDIA SITES - STANDARD OF CONDUCT

(a) The public has placed its trust in the Santa Rosa Police Department to administer a professional, proactive, and progressive law enforcement agency. The department embraces the public trust and recognizes that effective law enforcement would be severely hampered if such trust were lost.

(b) By accepting employment with the Santa Rosa Police Department, all employees are subject to a higher standard of conduct than is found in other government service.

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Employees must be aware that their actions on or off duty are subject to public scrutiny and reflect on the Santa Rosa Police Department and the law enforcement profession. This includes the use of social media whether for departmental or personal purposes.

(c) Subject to any state and federal law, department employees who choose to maintain or participate as private citizens in social media or social networking sites shall abide by the following standards of conduct:

1. Employees shall not post content on social media sites that will tend to compromise or damage the mission, function, reputation, or professionalism of the Santa Rosa Police Department or its employees.
2. Employees are prohibited from using department computers or cell phones/ devices for personal participation in social media or social networking, unless permission is granted by a supervisor.
3. Employees are prohibited from using privately-owned personal computers or devices for personal participation in social media or social networking while on duty, except in the following circumstances:
   (a) When brief personal communication may be warranted by the circumstances (e.g., to inform family of extended hours).
   (b) During authorized breaks; however, such usage should be limited and not disruptive to the work environment.
4. Employees shall not disclose, post, transmit, or otherwise disseminate any personal, proprietary, or confidential information to which they have access as a result of their employment without express permission from the Chief of Police, a Division Manager, or a Bureau Manager. Disclosure of such information, whether via social media or any other method, is also regulated by the Eighth Canon of the Santa Rosa Police Department Code of Conduct.
5. Employees shall refrain from speech or expression that could reasonably be foreseen as creating a negative impact on the credibility of the employee as a witness.
6. Employees shall refrain from posting content of any form that could reasonably be foreseen as creating a negative impact on the safety of Santa Rosa Police Department employees or the security of department operations.
7. Employees shall refrain from posting content that violates the policies and procedures of the Santa Rosa Police Department or the City of Santa Rosa.
8. Employees shall refrain from posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Santa Rosa Police Department on

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any personal or social networking or other website or web page if doing so would tend to harm the reputation of the department.

9. Employees shall take reasonable and prompt action to remove any content that is in violation of this policy and/or posted by others from any web page or website maintained by the employee (e.g., social or personal websites).

(d) Department employees should be aware that privacy settings and social media sites are constantly in flux, and they should never assume personal information posted on such sites is protected. Additionally, postings made under the claim of restricted settings may still constitute a violation of policy.

(e) Department employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice. Employees are advised that there can be no expectation of privacy with regard to anything they post on social networking sites. The department has the right to view all postings made on public social media sites.

(f) Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of any provision of this policy shall notify his or her supervisor immediately for follow-up action.

1055.5 NIXLE USE ADDENDUM

This section is intended to establish guidelines for use of Nixle and as an addendum to the SRPD Social Media Policy.

The Santa Rosa Police Department should, whenever practical, utilize Nixle for public notifications in matters concerning public safety, urgent advisories and information such as media releases.

1055.5.1 DEFINITIONS

(a) **Nixle** - A public notification system using SMS, e-mail, Twitter and Facebook for subscribed users.

(b) **Subscriber** - An individual who signs up for Nixle notifications originating from the Santa Rosa Police Department.

(c) **Alert** - An emergency notification such as: an evacuation, missing person at risk, shelter in place order, and special instructions essential for public safety of which timely notification is essential.

(d) **Advisory** - An urgent notification such as: wanted subjects, unplanned road closures and wanted vehicles.

(e) **Community** - A notification of a non-urgent variety, such as: planned road closures, media releases and community outreach bulletins.

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1055.5.2 PROCEDURE

(a) Emergency Notifications - "Alerts"

1. Primary responsibility for emergency notifications will be Communications.
2. Supervisor approval is required for "Alert" notifications.
3. "Alerts" should clearly specify the affected area.
4. "Alerts" shall be directed to the geographically specific area of the incident.
5. "Alerts" shall be sent via SMS and web/e-mail message.

(b) Urgent Notifications - "Advisory"

1. Primary responsibility for "Advisory" notifications will be Communications.
2. The on-duty supervisor shall be advised of all "Advisory" messages.
3. Whenever possible "Advisory" notifications should be directed to the geographically specific area of the incident.
4. "Advisory" notifications should clearly specify the affected area.
5. "Advisory" notifications shall be sent via SMS and web/e-mail message.

(c) Non-Urgent Notifications - "Community"

1. Primary responsibility for "Community" notifications will be the originator of the message.
2. "Community" messages shall be sent via e-mail/web message only.

(d) Information Specific to all Messages

1. Utilizing the Location filter will allow users to pinpoint notifications by using the map.
2. The originator should give consideration to publishing the notification to Twitter and Facebook.

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