POLICY AND PROCEDURE MANUAL
REDACTED

Updated 07/21/2020

Vision Statement

The Oceanside Police Department will be recognized as an organization that is a model of excellence by those we serve, our members, and other safety professionals.

Mission Statement

Our purpose is to work with the community to build trust and provide quality service that actively prevents crime, reduces the fear of crime, and promotes safety.

Core Values

◄ Trust ►

The reliance that we will carry out our duties with character and competency.

◄ Personal Responsibility ►

A willingness to act with integrity, solve problems and accept accountability for our actions.

◄ Quality Service ►

Through innovative means, solve problems individually, and collectively giving our best effort at all times.

◄ Partnership ►

Working together to achieve common goals and solve problems.

◄ Community Safety ►

A commitment to prevent crime, reduce the fear of crime, and enhance community well-being.

◄ Diversity ►

We respect and value all members of the department and the community.

Standards of Conduct

Police employees are granted a public trust which requires that they consistently demonstrate the highest degree of integrity. To be worthy of this public trust, and to ensure that their professional conduct is above reproach, members of the Oceanside Police Department must not only conform to the Law Enforcement Code of Ethics, but must also abide by the following rules of conduct as a means of internal regulation.

The essence of a profession is to require that, in addition to prescribing a desired level of performance, it must establish minimum standards of ethical conduct with prescribed rules for internal discipline to ensure compliance. Accordingly, these internal regulations are established for all members of the Oceanside Police Department. These internal regulations are character based and are designed with a philosophy of promoting trustworthiness at all levels of the organization with a reliance on training, a tolerance of honest mistakes, and an intolerance to character deviations.

The multitude of circumstances encountered by members of the Department, make it impractical (or unrealistic), if not impossible to formulate an exhaustive manual of rules. Of necessity, members will be required to exercise good judgment in determining their course of conduct in the general discharge of police responsibilities.

Because unforeseen or unique circumstances exist, supervisors have the authority, within the framework of the law, to issue special orders that may deviate from our Policies and Procedures. With such departure, it is the supervisor's responsibility to justify the action as being lawful, reasonable and in alignment with the Departments Mission, Values, and, the Law Enforcement Code of Ethics.

Frank S. McCoy
Chief of Police

Law Enforcement Code of Ethics

"As a law enforcement officer, my fundamental duty is to serve mankind--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 men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; 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 in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided in 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, 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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement."

VOLUME I – POLICY

000 GENERAL PROVISIONS

001 DEFINITIONS:
MEMBER: All employees and all volunteers.
OFFICER: All members, who by job description wear an Oceanside Police Department uniform.
POLICE OFFICER: All sworn officers as defined by PC §830.
POLICY: The guiding principle for action for all members based on Department Mission and Values. The Chief of Police sets policy.
PROCEDURE: The more detailed set of steps needed to implement policy or to perform a function required of our Department and profession. Division Captains are to set and modify procedures.
SERGEANT: A sworn member who is assigned to supervising other members of the Department.
SUPERVISOR: A member who is assigned to supervising other members of the Department.

005 If any section or provision of the Policy and Procedure Manual is, for any reason, held to be invalid, the remainder of the Policy and Procedure Manual shall not be affected thereby. It is the intention of the Department to adopt each section, subsection, sentence, clause, or phrase of the Policy and Procedure Manual, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid.

010 Responsibility for Policy Review. The Office of the Chief of Police shall be responsible for conducting an annual review of the Policy and Procedure Manual. Policies and Procedures shall be added, deleted, or revised as required and approved by the Chief of Police. (Refer to Volume II, Section 103)

010.01 Modifications to the Policy and Procedure Manual. The following procedure will provide direction on the means by which additions, deletions, or revisions may be made to the Policy and Procedure Manual.

010.01.1 Authority. Any member may suggest additions, deletions, or revisions to the Policy and Procedure Manual by forwarding those suggestions to the Chief of Police through the Chain of Command.

010.01.2 Department Policy. Only the Chief of Police is authorized to implement additions, deletions, or revisions to Department Policy as stated in Volume I of the Policy and Procedure Manual.

010.01.3 At the discretion of the Chief of Police or Division Captain a department-wide staff review of the proposal may be initiated.

010.01.4 The Professional Standards Lieutenant is responsible for the maintenance of the Policy and Procedure Manual and will ensure a computer file containing all additions, deletions, or revisions is available on the Police Drive of the OPD network.

010.01.5 The Chief of Police is responsible for ensuring an electronic version of the Policy and Procedure Manual is provided to the following entities:
a. City Manager's Office
b. City Attorney's Office
c. Human Resources
d. Oceanside Police Officer's Association
e. Oceanside City Employees Association

010.01.6 All policy changes will be documented by the Professional Standards Lieutenant in the Policy and Procedure Manual folder on the Police J-Drive. As changes occur, Department members will be sent an email regarding said changes.

100 RULES OF CONDUCT.

101 Discipline. A violation of any Department or City policy, procedure, rule, protocol, order or other form of directive is subject to discipline, up to and including termination. Violations may also be addressed through corrective action, such as training and/or documented counseling. This section shall be all encompassing and it is not necessary for any other section or sub-section herein to specifically make a reference to discipline in order for discipline to be a consequence for violating a Department or City policy, procedure, rule, protocol, order or other form of directive.

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101.1 Types of Discipline. Categories of discipline include the following: Written Reprimand; Transfer; Reduction in Pay; Demotion; Suspension; and Termination. Discipline can include one or more categories.

105 Ethical Accountability. The public demands the integrity of its law enforcement members be above reproach. The dishonesty of a single member may impair public confidence and cast suspicion upon the entire department. Members must scrupulously avoid any conduct that might compromise the integrity of themselves, fellow members, or the organization.

105.01 Legal Practices. Police officers shall follow current legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

105.02 Principles. Members shall follow the principles of integrity, fairness, and impartiality in connection with their duties.

105.03 Spirit of the Law. Officers shall endeavor to uphold the spirit of the law, rather than enforcing the letter of the law.

105.04 Loitering. Members, while on-duty or in uniform, shall not loiter in business establishments except as necessary in the performance of duty.

105.05 Conflict of Interest. Members shall not engage in any activity that would create a conflict of interest for them or the Department. Conflict of interest includes, but is not limited to, conducting any type of investigation, enforcement action, report documentation, processing of reports or inquiries into law enforcement computer systems for any incident in which members are personally involved or are related to any parties thereto. (This section is not meant to supersede a police officer's responsibilities while off-duty, per Policy and Procedure Manual, Volume I, Section 115.08)

105.06 Truthfulness. In accordance with constitutional guarantees, members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department that may be asked of them. Members shall truthfully, completely, and impartially report, testify, and present evidence in all official matters.

105.07 Compensation for Damages. Members shall not seek or accept out of court compensation for any damages incurred in the line of duty without first notifying the Chief of Police in writing.

105.08 Gifts and Gratuities. Members shall not solicit or accept from any person, business, or organization any gift or gratuity for the benefit of the member or others if it may be reasonably inferred that the person, business, or organization seeks to influence action of an official nature or seeks to affect the performance or non-performance of any official duty.

105.08.1 Any unauthorized gift, gratuity, loan, fee, reward, or other item falling into any of these categories shall be forward to the Chief of Police via a memorandum regarding the circumstances. Gifts given to the Department for the purpose of enhancing Department programs are likewise exempt from this policy.

105.09 Contractors. When representing the Department to outside business organizations which are or are likely to become vendors or contracting parties with the City or the Department, members must conduct themselves in a manner that will bring credit to themselves and the Department. Because a police member is one of the most conspicuous representatives of government, the member's conduct is likely to be scrutinized far more severely than that of any other person; therefore, when dealing with prospective contractors, members must avoid becoming engaged in conduct which is or which might appear to be censurable.

105.09.1 Department resources will not be committed to furthering the work of a prospective contractor or vendor prior to the formation of a contract. Similarly, whatever is seen or heard of a confidential nature, or is confided in official capacity, will be kept as such unless disclosure is necessitated in the furtherance of Department objectives. Personal feelings or motives, or the possibility of personal gain will not influence decisions. Therefore, members shall not place themselves in a position of compromise by soliciting or accepting any gratuity, even when such activity might otherwise be considered an acceptable form of business negotiations outside the Department.

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110 Constitutional Integrity. Members shall uphold the Constitution of the United States, the State of California, and all laws enacted or established pursuant to legally constituted authority.

110.01 Dignity, Human Rights. Members shall respect and uphold the dignity, human rights, and constitutional rights of all persons.

115 General Duties. Members must be faithful to their oath of office, the principles of professional police service as described in the "Law Enforcement Code of Ethics," the Mission and Values of the Department, and in the discharge of their duty. They must not allow personal motives to govern their decisions and conduct.

115.01 Attention to Duty. Most police work is performed without close supervision, the responsibility for the proper performance of duty lies primarily with the members themselves. The members carry with them a responsibility for the safety of the community and their fellow members. Members discharge that responsibility by the faithful and diligent performance of their assigned duty. Anything less violates the trust placed in them by the people of the community, and nothing less qualifies as professional conduct.

115.02 Duty to Report Misconduct. Members, who become aware of possible misconduct by another member, shall immediately notify a supervisor. Any member who observes misconduct shall take appropriate action to cause the misconduct to immediately cease. Appropriate action can consist of verbal actions up to physical restraint of the member. The fact that a supervisor is present and not taking immediate action to stop the misconduct does not relieve other members present from this obligation. Experience, rank or tenure are not factors in knowing the difference between right and wrong, and do not provide an excuse for failing to take appropriate action. Although supervisors are responsible for investigating allegations of misconduct, all department members are responsible for preventing, in so far as they are able, and reporting misconduct. The responsibility to report misconduct begins the moment the person becomes a member of the Oceanside Police Department. For purposes of immediate notification to a supervisor, such notification shall be made as soon as a scene has been rendered safe. (Revised 8/20)

115.02.1 Duty to Intervene. The Oceanside Police Department recognizes our responsibility for the care and well-being of subjects in our custody. Any officer present and observing another officer using force that is plainly and unambiguously beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, immediately intervene to prevent the use of such unreasonable force. Intervention can consist of verbal actions up to physical restraint of the officer. An officer who observes another officer use force that exceeds the degree of force permitted by law or policy shall promptly report these observations to a supervisor. Experience, rank or tenure do not provide an excuse for failing to intervene. For purposes of prompt supervisory notification, such notification shall be made as soon as a scene has been rendered safe. (Added 8/20)

115.03 Duty to Disclose. When members acquire knowledge of facts that will tend to incriminate any member, it is their duty to disclose such facts to their superiors and to report freely concerning such facts when called upon to do so. It is a violation of duty for members to refuse or fail to disclose pertinent facts within their knowledge, and such neglect of duty can result in disciplinary action.

115.04 Duty to Report Disqualifying Information. Members have responsibility for reporting, through their chain of command, any known information that would serve to disqualify candidates from being assigned to a specialized position or entering service with the department.

115.05 Knowledge of Laws. Members shall be responsible for keeping informed of current law as applied to their duties and all officers shall be aware of the extent and the limitations of their authority in the enforcement of laws.

115.06 Reporting for Duty. Members shall report for duty at the time and place required by assignment or direction and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty.

115.07 On-Duty. Police officers shall at all times, when on-duty, and in accordance with law, protect life and property, detect and arrest violators of the law, prevent crime, preserve the public peace, and enforce the laws of the State of California and the ordinances of the City of Oceanside.

115.08 Off-Duty. Police officers may, when off-duty and within the City of Oceanside, take appropriate and reasonable action to protect life and property, preserve the public peace, prevent crime, and cause the apprehension of violators of criminal laws. Absent exigent circumstances, on-duty officers will be called for police matters.

115.08.1 When outside the City of Oceanside, but within the State of California, off duty police officers ~~shall~~ may assist any law enforcement officer who appears to be in the need of immediate assistance and when feasible assist in the apprehension of any felon. Police officers shall also take appropriate and reasonable action where there appears to exist a serious threat to life or property.

115.08.2 Police officers who are outside the boundaries of the State of California have no police officer status and, therefore, have only the rights and obligations of a private citizen.

115.09 CCW by Non-Peace Officer. Professional support staff members who, in their capacity as a private citizen, have applied for and received a concealed weapons permit, shall immediately inform the Chief of Police of this fact in writing. No firearm shall be carried by such member, while on-duty, without written authorization from the Chief of Police.

115.10 Identification. While on-duty, police officers shall carry their badge and identification card on their person at all times, presenting them when requested, except when impractical or dangerous to their safety or to an investigation.

115.11 Releasing Identity. Members shall furnish their name, ID number and title to any person requesting the information when they are on-duty or at any time while holding themselves out as having an official capacity. This section shall not apply at the Chief of Police's discretion.

115.12 Performance of Duty. Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.

115.12.1 Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, failure to conform to work standards established for the member's rank, grade or position, the failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving official attention, absence without leave, or unnecessary absence from an assigned area, or post.

115.13 Citizen Complaints. Members shall courteously and promptly record, in writing, any complaint of misconduct made by any person against any member of the Department. Members may attempt to resolve the complaint, but shall not attempt to dissuade any person from lodging a complaint. Members shall follow established department procedures for processing complaints. (Refer to Vol. II, Section 400.)

115.14 Examinations. Upon order of the Chief of Police, and in accordance with constitutional guarantees, members shall submit to and cooperate with any medical, psychological, ballistic, chemical or other tests, photographs, or lineups that are specifically directed.

115.15 Police Badges and ID Cards. Badges and ID cards will be used only for the purpose of conducting official police business. Badges and ID cards will not be used or displayed in violation of any law or in order to gain personal preferment. Members who are not sworn police officers are prohibited from using their badges or ID cards in such a manner as to represent themselves as sworn officers.

120 General Conduct.

120.01 Obedience to Rules. Members shall not commit any acts or fail to perform any acts that constitute a violation of any of the rules, regulations, instructions, directives, or orders of the City or Department, whether stated in this Policy and Procedure Manual or other official document.

120.02 Obedience to Laws. Members shall obey all federal, state, county and municipal laws.

120.03 Detentions. Officers shall not use their official position to detain an individual or to restrict the freedom of any individual except in a reasonable manner as permitted by law.

120.04 Use of Force. An officer's use of force shall be in accordance with law and established Department procedures. The officer shall not use more force than is reasonable under the circumstances. (I-501, III-840)

120.05 Arrests. Members shall not make any arrest, or issue any citation they know is not in accordance with law and established department procedures.

120.06 Treatment of Persons in Custody. Officers shall not mistreat persons who are in their custody or presence, nor shall officers permit anyone else to mistreat persons who are in their custody or presence. Officers shall handle such persons in accordance with law and within established department procedures.

120.07 Obedience to Lawful Orders. Members shall promptly obey any lawful order(s) of a supervisor; this includes orders relayed from a supervisor through another member.

120.07.1 Members, who are given an otherwise proper order that is in conflict with a previous order, rule, regulation, or directive, shall respectfully inform the supervisor issuing the order of the conflict. If the supervisor issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the supervisor shall be responsible for the conflicting order. Members shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.

120.07.2 Supervisors shall not knowingly issue an illegal order.

120.08 Discrimination. Members shall not allow their personal convictions, beliefs, prejudices, or biases to interfere with their official acts, decisions, or interaction with others. Members shall not harass or participate in harassment concerning gender, race, religion, politics, national origin, sexual orientation, lifestyle, or similar personal character. The City of Oceanside's personnel policies will be followed to investigate any complaint of discrimination.

120.09 Courtesy. Members shall, if possible, be courteous to the public and to other members. They shall be tactful in the performance of their duties, control their tempers, and exercise the utmost patience and discretion

120.10 Unbecoming Conduct. Members shall conduct themselves at all times, both on and off duty, in such a manner as to reflect favorably on the Department. Members shall not conduct themselves in any manner which could bring the Department into disrepute or reflects discredit upon them as members of the Department, or which impairs the operation and efficiency of the Department or the member.

120.11 Abuse of Position. Members shall not use their official position, official identification card, or badge for:
a. Personal or financial gain,
b. Obtaining privileges not otherwise available to them except in the performance of duty, or
c. Avoiding the consequences of illegal acts.

120.12 Endorsements & Referrals. Members, in an official capacity, shall not recommend or suggest to the public in any manner the employment or procurement of a particular product, or private, professional, or commercial service (such as an attorney, ambulance service, towing service, bondsman, security, etc.).

120.13 Social Associations. Except as necessary (relatives may provide an exception) in the performance of official duties, members shall avoid continuous associations or dealings with persons who they know, or should know are racketeers, sexual offenders, felons, suspected felons, persons under criminal investigation or indictment, or who have a reputation in the community for present involvement in felonious or criminal behavior. Members shall not in any manner, assist or protect the criminal element.

120.14 Visiting Prohibited Establishments. Members shall not knowingly visit, enter or frequent a house of prostitution, unlawful gambling house, or establishment wherein any law of the United States, state, city, or county is regularly violated except in the performance of duty or while acting under proper and specific orders from a supervisor.

120.15 Rumors & Criticism. In accordance with constitutional guarantees, members are held to the highest and most exacting standards of professionalism. In this sense, any conduct that undermines the efficiency, internal order and/or discipline of the organization must not exist.

To this extent, the following shall apply to all members: intentionally false, malicious and/or reckless rumors and/or criticism directed toward other members or the Department which undermines the discipline, internal order, morale or respect of the Department shall not be tolerated.

120.16 Unauthorized Representations. Members shall not address public gatherings, appear on radio or television, lecture on "police" or other related subjects, prepare any articles or books for publication, act as correspondents to a newspaper or periodical, release or divulge investigative information, or any other matters of the Department while holding themselves out as having an official capacity as an Oceanside Police Department member without the approval of the Chief of Police. Nothing in this section prevents a member from exercising their First Amendment rights as a private citizen, particularly referencing matters of public concern.

120.17 Out of Assignment Activities. Members shall not conduct any investigation or other official action not part of their regular duties without obtaining permission from their supervisor unless the urgency of the situation requires immediate police action.

120.18 Political Activity. Members shall not:

a. Use their official capacity to influence, interfere with, or affect the result of an election.
b. Use or give the appearance of using their official status at any time or place for the purpose of soliciting contributions or attempting to exert influence in respect to any election. This includes, but is not limited to, the use of title, wearing of uniform, badge or other official apparel.
c. Engage in any political activity during working hours.

120.19 Financial Disclosures. Members shall submit financial disclosures when required by the Chief of Police and authorized by law.

120.20 Labor Activity. Members shall not willfully engage in any strike. As used in this section, "strike" means any concerted action to withhold from the full, faithful performance of the duties of employment for the purpose of inducing, influencing, or coercing a change in wages, hours, or other terms or conditions of employment, including but not limited to: a failure to report to duty, an absence from duty without authorized leave, feigning sickness, or the stoppage or slow down of work.

120.21 Advertisements. Members shall not permit or authorize the use of their name, photograph, or official title in connection with testimonials or advertisements of any commodity or commercial enterprise, if such use identifies the person as a member of the Oceanside Police Department, without approval of the Chief of Police.

120.22 Outside Employment. The Government Code establishes the parameters of prohibited activities in the Department's Outside Employment Policy. The purpose of this policy is to establish specific guidelines regarding prohibited activities that incorporate the broad parameters set forth in Government Code §1126. (Refer to Vol. II, Section 320)

120.23 Neglect of Duty. While on-duty, members shall not engage in any activities or personal business that would cause them to neglect or be inattentive to their duty. Such activities include, but are not limited to: recreational reading, playing games, watching television, or otherwise engaging in entertainment, except as may be required in the performance of duty.

120.24 Sleeping on Duty. Members shall remain awake while on-duty. If unable to do so, they shall report to their supervisor who shall determine the proper course of action.

120.25 Personal Correspondence. No member shall use the Department address as a depository for private correspondence. Qualifying members may use the Department address for driver's licenses and vehicle registrations for themselves and their spouse, in accordance with law enforcement confidentiality procedures allowable through the Department of Motor Vehicles. All other exceptions to this policy are to be approved in advance by the Chief of Police.

120.26 Illness or Injury Reports. Members, when off-duty because of illness or injury, who cannot report for duty, shall report the fact to their command as soon as possible and no later than one hour prior to going on duty.

120.26.1 Members shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health. A supervisor may visit a member who is off-duty with an illness or an injury and, unless otherwise restricted by an attending physician, the supervisor must be granted reasonable access to the member.

120.27 Alcohol and Drugs in Police Installations. Members shall not bring or store alcoholic beverages or controlled substances, including marijuana, in the police facility or within any official vehicle except in the performance of their duties. Such items shall be processed in a timely manner and in accordance with department procedures.

120.28 Use of Drugs Other Than Marijuana. Members shall not use any controlled substances except when lawfully prescribed by a licensed physician. In such cases, the member shall inform the physician of their duties at the Department. If the physician places job related restrictions on the member, the member shall provide his/her supervisor with a physician's note explaining the restriction(s) prior to the start of his/her next shift.

120.28.1 Use of Marijuana or Medical Marijuana. Pursuant to the authority granted by California Health and Safety Code Section 11364.45(f), Police Department members are prohibited from using marijuana, on or off duty. Members found to have smoked or otherwise ingested marijuana by testing positive in controlled substances test are subject to discipline, up to and including termination.

120.29 Use of Alcohol. Members shall not drink intoxicating beverages while on-duty except in the performance of duty and then, only while acting under proper and specific orders from a supervisor. When acting under such orders, members will consume only a minimum amount of alcohol and, under no circumstances, will the member become impaired to any degree.

120.29.1 Members shall not report for duty, or be on-duty, while under the influence of intoxicants to any degree and, except in the performance of duty, members shall not have any odor of intoxicants on their breath or person.

120.29.2 Alcohol and Drug Testing. A supervisor, with the concurrence of the Watch Captain, is authorized to order a member who, while on-duty, has the objective symptoms of being under the influence of any intoxicants, including marijuana, to take an alcohol or controlled substances test to determine the member's degree of intoxication, if any.

If the supervisor, based on evidence and information at the time, reasonably believes the member's ability to perform his or her job is impaired to any degree whatsoever, the supervisor will place the member on special assignment at the member's residence for the remainder of the shift and initiate the appropriate transportation arrangements, investigation, and report.

120.29.3 Members, while off-duty, shall refrain from consuming intoxicating beverages to the extent that it results in public intoxication or obnoxious and/or offensive behavior in public which would tend to discredit them or the Department, or render them unfit to report for their next regular assignment**.**

120.30 Personal Telephone Calls. Members shall not make nor have personal telephone calls directed to the station of a frequent or prolonged personal nature, except in an emergency or cases where the calls are of considerable importance.

120.31 Dissemination of Information. Information and documents regarding official business shall be disseminated only to whom it is intended, in accordance with Department procedures and the law.

120.31.1 Members will exercise due caution in maintaining and protecting the safety and security of confidential documents.

120.31.2 Members shall treat as confidential all matters relating to investigations, internal affairs, and personnel and not discuss them unless lawfully required in the performance of their duties.

120.32 Department Reports. Members shall submit all necessary reports on time and in accordance with established department procedures and supervisor direction. Reports submitted by members shall be truthful and

complete, and no member shall knowingly enter, or cause to be entered, any inaccurate, false, or improper information.

120.33 Processing/Use of Property. Found Property or Evidence that has been discovered, gathered, or received in connection with department responsibilities shall be processed in accordance with established department procedures. Members shall not convert to their own use, conceal, falsify, destroy, remove, tamper with, or withhold any property or other evidence found in connection with an investigation or other police action. Release or destruction of property shall conform to established department procedures.

120.34 Use and Care of Department Equipment. Members shall use Department equipment only for its intended purpose, in accordance with established department procedures, and shall not abuse, damage, sell, give away or, through negligence, lose department equipment. All equipment issued to members shall be maintained in proper working order and is subject to inspection at any time by a supervisor. Loss of, or damage to, department equipment shall be promptly reported to the member's supervisor. Department supplied equipment must be surrendered immediately upon demand, in good condition, to a supervisor before an extended absence, rotation out of a specialized unit, suspension, resignation, termination, or retirement.

120.34.1 Any willful act by a member that results in any loss, damage, misappropriation or abuse of Department equipment may be grounds for discipline, and require reimbursement to the city.

120.34.2 Supervisor Responsibility. Supervisors are responsible for collecting unit-specific equipment from members whenever they rotate out of a specialized assignment, or collateral duty, or separate from the department.

120.35 Operating Vehicles. Members who drive City vehicles shall: (Refer to Vol. III, Section 300)

a. Drive in a careful, defensive and prudent manner.
b. Obey all traffic laws and all departmental orders and regulations pertaining to such operation.
c. Report the suspension or revocation of their driving privileges to their supervisor immediately.
d. Not use their personal vehicles for any assignment while on-duty unless authorized to do so by their supervisor.
e. Not permit persons to ride in official vehicles except as necessary to conduct official business in accordance with department procedures or with supervisory permission.
f. Use safety belts as the design intends.
g. Immediately call a supervisor to the scene of any collision involving a City vehicle.
h. Advise their supervisor prior to taking a vehicle unless the vehicle is pre-assigned to that member.

125 Discrimination & Sexual Harassment Policy. The police department is committed to maintaining a workplace free of harassment and discrimination. In furtherance of this objective, it is the policy of the police department that all members must be permitted a work environment free from discrimination and sexual harassment. Discrimination or sexual harassment of public sector members violates the Fourteenth Amendment right to equal protection of the laws and Title VII of the United States Codes. Such conduct shall not be tolerated by this department and is deemed to be a violation of departmental policy, as well as City policy. (Refer to City's Sexual Harassment Policy and to Vol. II, Section 415)

200 SUPPORT OPERATIONS

201 Personnel Records. Member personnel records are confidential and shall not be disclosed except as provided by this policy. For purposes of this policy, "Personnel Records" are those files maintained by the Department as described in Penal Code §832.8.

201.01 Disclosure of Contents. Contents of Personnel Records may be disclosed:

a. As provided by law,
b. To the individual member,
c. To department command officers and supervisors as designated by the Chief of Police,
d. To authorized legal counsel of the Police Department or the City of Oceanside when necessary in the preparation of legal defense,
e. When necessary for the performance of lawful personnel benefits or management function,
f. To persons having written authorization from the member. Written authorization must bear an original signature or be a certified true copy. This disclosure is limited to the Chief's Administrative Secretary and Professional Standards Supervisor.

g. Background requests made to any other member shall be referred to the Personnel Department and no information will be released without their clearance.

201.01.1 Generally, access to personnel records may be granted to members of the Department for:
a. Performance appraisal,
b. Internal Affairs investigations,
c. Promotions or discipline,
d. Filing of documents.

201.02 Divisional Files. Divisional files are Personnel Records maintained at the unit level. The primary purpose is to aid the supervisor in helping the member improve performance. They are not suitable places for handling allegations of misconduct. Divisional File entries describe performance – positive or negative. These entries should be as factually accurate as possible. Divisional File entries should not contain comments or statements of reprimand. Reprimands generally reflect misconduct and should be administered through the disciplinary process. This does not prohibit placing a copy of disciplinary action in the Divisional File for the current rating period.
201.02.1 Divisional file entries are temporary files in the sense that they exist to aid the supervisor in preparing performance appraisals. Divisional file entries may be included or excluded from performance appraisals. This decision rests with the supervisor and is based on how significantly the entry reflects ongoing performance.

201.02.2 Once a performance appraisal is completed, Divisional File entries will be purged. A copy of the most recent performance appraisal may be kept in the Divisional file.

201.02.3 Divisional file entries for police officers shall comply with Govt. Code §§3305 and 3306 that afford the officer an opportunity to review any adverse comments or file entries, and an opportunity to file a response within 30 days. Periodically, Division Captains are to direct audits of divisional files to ensure that entries comply with these guidelines.

201.02.4 To attain uniformity and to preclude the practice of duplicate or unnecessary record keeping, section managers will ensure the following:
a. Assignments: If a member is assigned to another division or unit, his/her Divisional File shall accompany him/her, provided it is of use to the new supervisors. If such files are of no further use, they are to be destroyed. Duplicate files are not necessary and shall not be kept.
b. Termination: Upon separation from service, their supervisor shall close out the Divisional File immediately. Materials no longer needed shall be destroyed. Items of value shall be forwarded to the Chief's Office for inclusion in the member's closed personnel file. There shall be only one closed file on former members. No information shall be released from the closed filed except with direct authorization from the Chief of Police.
c. Current Members: Divisional Files are kept only for the convenience of the respective units. Supervisors must keep them current and must not allow them to become repositories of outdated or worthless information. In no event should information be released to outside inquirers from the Divisional Files unless specifically authorized by the Chief of Police.

201.02.5 Inquiries about former members shall always be referred to the Personnel Department for answer or disposition.

201.03 Method of Purging. Performance evaluations older than two years will be removed from the Personnel File when the third evaluation is received. In addition, any disciplinary documents or any comments adverse to the member contained in the Personnel File shall be purged after two years.

201.03.1 Documents so removed shall be stored in the City archives for the period established by law. Such outdated reports are accessible only to the affected member and to the Chief of Police. The Chief of Police or his/her designee shall be responsible for the purging of the Personnel Files.

205 Written Review of Policy. (Refer to Vol. II, Section 150) The Policy and Procedure review is intended to maintain members' familiarity with critical areas within the Department's Policies and Procedures. All members are responsible for being familiar with and follow the Department's Policy and Procedure.

210 Required Notifications. Members shall immediately notify the Office of the Chief of Police in the event they are subject to any of the following:

a. Arrested or cited for any crime other than minor traffic violations.
b. Are served with any temporary restraining order, protective, or stay away order.
c. Their driving privilege is restricted, suspended, or revoked. This notification requirement shall only apply to those members who are required to possess a valid California driver license as part of their employment.

Notification may be made verbally, in person, or on the phone, but written notice shall be done within 48 hours.

210.01 Notification of Next of Kin, Address, and Telephone Numbers. Within 24 hours of a change in "Next of Kin", personal address, or phone number, the member will provide a revised "Emergency Notification Information" form to their supervisor. The supervisor will place a copy in the member's Divisional File and forward a copy to the Chief's office. The Chief's Executive Assistant will in turn notify Human Resources.

210.01.1 Confidentiality of Address and Telephone Number. The address or/and telephone number of a member will not be given to any person without the member's permission. Other members of the Department may obtain addresses or phone numbers for official purposes only. Addresses and telephone numbers may also be given to the City Attorney's Office, City Personnel Office, District Attorney's Office, or San Diego Sheriff's Department Court Services Division if necessary for court purposes or for subpoena purposes. In all other cases, the member may be called and requested to return the telephone call of the person making the inquiry.

210.02 Changes of Marital Status or Number of Dependents. Members should immediately notify the Department's Payroll Senior Office Specialist of the change desired. The Department's Payroll Senior Office Specialist will in turn notify the Chief's Office and City Personnel Office so the appropriate changes can be made for insurance coverage, income taxes, etc.

215 Residency Requirement. Members subject to emergency recall must live within a reasonable distance so as to be able to respond to emergency recalls within a reasonable time. The response time shall not exceed one hour of travel at the speed limit (at other than peak commute hours) measured from the Oceanside city limits. (OPOA M.O.U.)

220 Telephone Required. All members are required to have a telephone and to provide their current telephone number to the Office of the Chief of Police.

225 Department Personnel Directory. The Office of the Chief of Police shall maintain a current directory of all members of the Department. This directory shall contain the name, address, home telephone number, and assignment of each member.

225.01 Distribution. Distribution of member directory is limited to department managers. An additional copy will be maintained in the Public Safety Communication Center.

225.01.1 Under no circumstances are members authorized to make copies of the member directory beyond those described in this policy.

230 Records & Information Security.

230.01 Records and Information Security Officer. The Records Manager is the Department's Records Security Officer (RSO) with authority and responsibility for the following:

a. Provide training for all department members on pertinent statutes and regulations controlling access, use, and dissemination of criminal information.
b. Provide training for all department members on the operations of computerized information systems.
c. Conduct periodic audits to assure compliance with applicable statutes, regulations and computer network user agreements.
d. Maintain liaison with the CDOJ Audits and Record Security Unit and assist with their annual audit of OPD records.
e. Coordinate the monthly validation of CJIS and NCIC entries with concerned department units.
f. Monitor ARJIS, the Department's automated systems expenditures, and make exception reports or recommendations, as appropriate, to department management.

230.02 Policy Regarding OPD Information Files & Systems. Information contained in official OPD files and computer systems may be accessed only by persons authorized by law or court order to receive the information (Right to Know) and a specific lawful purpose for its use (Need to Know). Members shall comply and understand the following:

a. Members shall not disclose any information from confidential official files, including computer files, documents, records, reports and information held by the Department, except in the scope of their employment.
b. Any member who intentionally and without authorization accesses any computer system, except in the scope of their employment, may be guilty of a public offense (Penal Code Section 502(e)).
c. Department automated systems shall not be used for the dissemination of Criminal Offender Record Information (CORI) to any other agency or person for purposes of employment, licensing or certification.
d. PC §11140-11144 and §13301-13305 make it a misdemeanor to disclose state or local summary criminal history information to an unauthorized person.
e. CVC §1808.45 makes it a misdemeanor to disclose information of DMV record information to an unauthorized person.
f. Members shall consider their computer identification number and/or password to be confidential and not to be used by anyone else. The operator's computer ID numbers shall be used to sign-on before accessing official information contained in a department computer (if required by the system). The operator is responsible for all inquiries originated from the terminal while signed-on and until such time as there is positive acknowledgment of a sign-off.
g. All transactions performed on department computer systems are, or may be, logged and monitored.
h. Any violation of Department policy or state law covering computer systems may result in disciplinary action up to and including dismissal and/or criminal prosecution.

230.03 Records Unit. The Records Section is responsible for maintaining, disseminating, and purging records in support of police operations and in compliance with state and local laws. Fulfilling this responsibility requires limiting access in the file area and preventing removal of original reports.

230.03.1 Access. All members, other than those assigned to Records, are prohibited from entering the Records Section area except:
a. When reviewing a report in the area provided for this purpose. Records members will retrieve and re-file the report,
b. All managers and supervisors,
c. Professional Standards Investigator,
d. Public Information Officer,
e. Others when authorized by a Records Supervisor.

230.03.2 Reports. Original reports shall not be removed from Records without prior approval of a Records Manager, Supervisor, or the senior records clerk. Under normal circumstances, only photocopies of the original reports will be available.

232 Use of City Computers. The City of Oceanside provides computer terminals to assist members in accomplishing their assigned duties. The information retrievable from the computer terminals varies between the terminals and the authorities assigned to the user. Therefore, it is prudent to implement basic policies to provide guidance in the use of the computer system.

232.01 Access. No member shall access or attempt to access any City of Oceanside computer or computer files that he/she has not previously been authorized to access.

232.02 Security. No member shall leave any computer terminal in an unsecured manner. After accessing a computer, and prior to leaving the terminal, members shall shut off the computer, lock the computer, sign-off the computer, or in some other fashion secure the computer so no other person will be able to access the terminal with the previous user's password and authority.

232.03 Passwords. No member shall reveal his/her access password to any other member. Members are encouraged to change their passwords on a regular basis to help ensure the integrity of the password.

232.04 Altering of Computer Files. No member shall modify, alter, move, rename, or delete any computer file the member has not previously been authorized to modify, alter, move, rename, or delete. The mere fact a member has permission to access a file does not necessarily grant the member authority to modify, alter, move, rename, or delete a file.

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235 Radio Frequency Usage. This policy establishes the appropriate use of radio and mobile computer terminals (MCT).

235.01 Background. Radio transmission and mobile computer messages are public information. Statutory controls in this area are especially stringent and expose both the agency and the member to civil and criminal liability if abuse occurs.

235.02 Policy. Mobile computer terminal and radio transmissions shall be job related, professional in nature, and shall only be used to conduct official business. All transmissions shall conform to law and governmental administrative rules and regulations.

235.02.1 All members are reminded that radios and MCTs can be monitored by other members and all messages are subject to audit. Therefore, members will ensure any communications via radios and MCTs are conducted in a manner that is professional and which would not bring discredit upon them or the Department. No messages of a personal, sexual, ethnic, or derogatory nature will be sent. Messages that are confidential in nature (i.e. 830.2 involved) may be sent over the MCT.

237 Automated License Plate Recognition (ALPR) Usage. This policy establishes appropriate use of the Automated License Plate Recognition system.

237.01 Use of the ALPR System: Prior to use of the ALPR system, officers must complete the department approved operators course. Before placing the car in service, each shift, the assigned officer shall populate the on-board data base with up-dated information. The information in the data base is as timely and accurate as the information loaded into the system. When the system alerts to a match, the officer must visually verify the license plate on the vehicle to confirm it was read properly. If the system indicates the license plate is related to a wanted vehicle, the officer shall confirm the wanted status through CLETS. Once confirmed, the officer is authorized to take enforcement action as warranted. Officers shall notify the program administrator, or designee, of all arrests and/or recoveries for tracking purposes prior to the end of their shift. (Notification shall be completed by email.)

Because the ALPR cameras are mounted on the emergency light system of the vehicle, the car cannot be washed in a conventional car wash without proper preparation. Authorized operators will be trained to prepare the car for the car wash. Those not authorized and trained in the system's use shall not have the car washed. Failure to properly prepare the vehicle may result in damage to the system.

237.02 Input of License Plate and other authorized information into the ALPR System. The administrator of the ALPR program has authority over information in-put, and is responsible for auditing the system to insure compliance with department policies. Once trained, supervisor's will be authorized to in-put and remove information from the system. The supervisor authorizing entry shall insure a completed "ALPR System Data Entry Authorization" form is completed and forwarded to the administrator as soon as possible, but by no means later than the end of their shift. The supervisor authorizing the entry of information bears the burden of its removal. The authorizing supervisor shall review with the requesting member, no later than 30 days from the date of entry, and every 30 days thereafter, the continuing necessity of the information in the system. Information shall be purged promptly when no longer warranted.

237.03 Use of ALPR System Information: Use and access to information contained in the APLR data base is on a right to know, need to know basis. Volume I, Section 230.02 governs access and use to the information.

237.04 ALPR Administrator: The Support Operations Captain will determine who will be the program administrator. The program administrator will facilitate all relevant ALPR training.

250 Hazard Communication Program. The Hazard Communication Program (as required by OSHA) is to maintain the health and safety of department members in dealing with hazardous or potentially hazardous substances at the Oceanside Police Department.

250.01 The Support Operations Division Captain is responsible to develop the Hazard Communication Program to meet or exceed CAL/OSHA guidelines, and determine who will be the Department's Safety Officer. The Department Safety Officer will be responsible to implement the provisions of the program.

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255 Tobacco Regulations. Smoking &/or chewing tobacco is prohibited in city buildings, on any city grounds except designated locations, and within any city vehicle.

255.01 Use of Tobacco. Members, while on-duty, shall not smoke or chew tobacco when conducting an investigation or while addressing citizens in their official capacity.

255.02 Use of Tobacco during break times. Members may smoke or chew tobacco during designated break times and only in approved locations.

260 Use of Tape-Recording Devices. PC §632(g) prohibits the recording of confidential communications without the consent of all parties. Except as controlled by other applicable statutes, PC §630 exempts the recording of confidential communications without consent when part of a criminal investigation.

260.01 Surreptitious audio and/or video recordings of conversations of any member by another are strictly prohibited, except in cases of authorized criminal investigations. Those who violate this policy will subject themselves to disciplinary action and may be exposing themselves to civil and criminal liability.

260.02 Unauthorized Use. The monitoring or tape recording of a confidential communication between a person in police custody and his/her attorney, doctor, or religious adviser is prohibited.

260.02.1 The monitoring or tape recording of a confidential communication of a person in custody after "lulling" that person into believing his/her conversation will be private is prohibited.

260.03 Authorized Use. Police officers may use clandestine monitoring or tape recording of arrestees even if one or more arrestee has invoked his/her Miranda rights.

260.03.1 Police officers being interrogated in a department administrative investigation, conducted under the provisions of the Peace Officers Procedural Bill of Rights have the right to tape record the administrative interview.

260.03.2 Tape recording of training classes, seminars, meetings, etc., where exact recall of the subject under discussion is considered appropriate when announced to the participants is authorized.

260.03.3 When parties to a confidential communication consent or agree to tape recording the subject under discussion.

260.03.4 Special devices used in undercover type criminal investigations may be used with the approval of the Special Enforcement Section sergeant or lieutenant.

260.04 Personal Recorder. Members may use personal recording devices for citizen contacts or critical incidents in the field. All recordings shall be placed into evidence.

265 Assignments. The purpose of this policy is to establish a process for selection and removal from assignments within the ranks of the Oceanside Police Department.

265.01.1 Definitions. The previous distinction between Assignments as being specialized duties that do not require a member to be moved from one division to another and Transfers as being specialized duties that require a member to be moved from one division to another, is hereby discontinued. All specialized duties are considered Assignments, regardless of Division.

265.01.2 Policy. It is the policy of the Oceanside Police Department that all members, regardless of rank, be assigned to positions and duties within the department at the sole discretion of the Chief of Police. Removal from assignments shall also occur at the sole discretion of the Chief of Police.

265.01.3 Selection Procedure. Assignments of Police Officers and Police Sergeants shall occur in the following manner: The responsible Captain will cause a position announcement to be published seeking applications. The application period shall be no less than 14 days. The application period may be shortened if all eligible candidates are contacted beforehand. For positions in which there are five (5) or fewer applicants, the responsible Captain shall submit a memorandum to the Chief of Police, with a selection recommendation.

For positions in which there are six (6) or more applicants, the responsible Captain shall convene an interview panel. For Police Officers, the interview panel shall consist of one sergeant from each Division. The sergeant where the vacancy exists shall serve as the chairperson for the panel. For Police Sergeants, the interview panel shall consist of one lieutenant from each Division. The lieutenant where the vacancy exists shall serve as the chairperson for the panel. After panel interviews have been completed, the chairperson shall submit a memorandum to the Chief of Police, endorsed by the responsible Captain, with a selection recommendation.

With the exception of the chairperson, interview panel members shall be selected at random in cooperation with a representative of the Oceanside Police Officers Association. Assignments for all other positions, sworn and professional staff, including supervisors, managers, lieutenants and captains, shall be at the sole discretion of the Chief of Police.

266. Body Worn Camera Systems, Purpose and Scope. Body Worn Camera ("BWC") systems are a valuable tool for promoting transparency in law enforcement by recording citizen contacts from police officers. The Oceanside Police Department ("OPD"/"Department") employs BWC systems for the purpose of contemporaneously and objectively documenting information about the details of such contacts. Video footage produced by BWCs may be used as evidence in criminal investigations, civil litigation, internal or administrative investigations, evaluating police officer performance, reviewed administratively for officer compliance with department policies, used as a tool in law enforcement training, or utilized as a reference in incident documentation.

Officers shall utilize this device in accordance with the provisions in this policy and procedures to maximize the effectiveness of the audio/video documentation, to achieve operational objectives, and to ensure evidence integrity.

266.01 Policy. It is the policy of the Department that officers shall, to the extent practicable under the totality of circumstances, activate the BWC when such use is appropriate to the proper performance of his or her official duties, and where the recordings are consistent with this policy and applicable law. This policy does not govern the use of surreptitious recording devices used in undercover operations. Failure to follow this policy may result in disciplinary action up to and including termination.

266.02 Definitions:

a. **Body Worn Camera/BWC** – Video system that captures audio and video signals, capable of being worn on an officer's person that includes at minimum a camera, microphone, and recorder.
b. **Advisement** – Statement made by an officer that the BWC is in use to record a communication, conversation, or interaction with a citizen. This statement is made for the specific purpose of informing the citizen that the communication or conversation is being recorded.
c. **Activation Mode** – When the BWC is activated the camera is recording both video and audio. A 30-second buffered video (no audio) captured directly before the event will be saved and attached to the event in permanent memory. Subsequent pressing of the activation button turns the recordings on and off and creates separate media segments.

d. **Buffering/Standby-by Mode** – The BWC is on but has not been activated to record both sound and video. While in the buffering mode, the camera will continuously record only video in 30 second loops.

e. **Body Worn Camera Program Administrators** – OPD program administrators for the particular camera system with full access to user rights and sets user access and parameters.

f. **Recorded Media** - Audio-video signals recorded and digitally stored on a storage device or portable media.

g. **Docking Station** - A server with built-in docking stations physically installed at the police department. The docking station simultaneously recharges the device while uploading all digitally encrypted data. The docking station then transfers the data to the applicable system.

h. **Metadata –** Metadata is the labeling, "tagging" or "marking" of the video collected by case numbers, incident numbers, and other descriptors used to identify digital evidence. (e.g., Case number, date, incident type, statement type, victim/witness/suspect name, officer involved etc.)

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i. **Officer –** For purposes of this policy, the term "officer" is used to identify any sworn member of the Oceanside Police Department, regardless of rank, unless specifically identified otherwise.

266.03 BWC Procedure

266.03.1 Issuance and Use of BWC Equipment

a. Only authorized personnel shall use or be in possession of a BWC device.
b. All officers issued a BWC are required to wear and use their BWC while working in any uniformed assignment unless advised otherwise by supervisory personnel; including uniformed enforcement overtime and special events. Officers shall comply with the provisions of this Department procedure.
c. Officers issued BWCs must complete an agency approved training program to ensure proper use and operation. Additional training may be required to incorporate changes, updates, or other revisions with policy and equipment. Training will include:
    1. All practices and protocols covered by the BWC policy which will be distributed to all personnel during training.
    2. An overview of relevant state laws governing consent, evidence, privacy and public disclosure.
    3. Procedures for operating the equipment safely and effectively.
    4. Scenario-based exercises that replicate situations that officers may encounter in the field.
    5. Procedures for downloading and tagging recorded data.
    6. Procedures for accessing and reviewing recorded data; only for personnel authorized to access data.
    7. Procedures for preparing and presenting digital evidence for court.
    8. Procedures for documenting and reporting any malfunctioning device or supporting system
d. The BWC training manual will be used during the training of all personnel.
e. The BWC training manual will be available on the Department's J: Drive.
f. A refresher course on BWC usage and protocols will take place annually and may be done during Block Training, daily patrol briefings, or other settings as authorized by the Department Training Division.
g. No officer, department member, or city employee shall tamper with or dismantle any hardware or software component of any BWC device, including any ancillary equipment associated with the BWC system.
h. While the use of another department-issued recording device (audio recorder, video camera, surveillance cameras, etc.…) may be used in conjunction with the BWC under circumstances where it is deemed necessary, it shall not be used in place of the BWC.
i. Unauthorized use, duplication, or distribution of BWC files is strictly prohibited. Personnel shall not make copies of any BWC file for their personal use and are prohibited from using a recording device such as a phone camera or secondary video camera to record BWC files. Personnel are prohibited from allowing unauthorized persons to view BWC files.
j. All BWC equipment and all data, recorded media, images and audio from the BWC are the sole property of the Oceanside Police Department and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police or designee, except as otherwise provided herein. Any unauthorized release of a BWC file may result in discipline up to and including termination.
k. The BWC shall not be used to record non-work-related activities and shall not be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms or restrooms.
l. Under no circumstances shall any department member or city employee duplicate, copy, share, edit, alter, modify, erase, delete, or otherwise manipulate BWC files, other than when authorized in the course of their official duties. Pursuant to Penal Code Section 141, any officer who knowingly or intentionally and wrongfully alters video for use at a legal proceeding or trial is guilty of a felony.
m. Officers will use only the BWC system personally issued to them and approved by the Department for official police duties. The wearing of any other personal video recorder device for the same purpose or any other BWC issued to another department member is not authorized without the express written permission of the Chief of Police or designee.

266.03.2 Storage. When not in use, the BWC devices shall be stored in the designated docking station. Officers shall ensure the BWC is properly seated in the docking station to allow for proper downloading, charging and updating.

266.03.3 Pre-Shift Inspection.

a. Officers shall inspect their BWC devices daily to ensure there is no visual damage and the device is in working order.
b. Visual damage shall be immediately reported to the on-duty shift supervisor.
c. Inoperable equipment shall be tagged and turned into a designated BWC Program Administrator immediately.
d. When officers log into the CAD system each day, they will select "BWC" under capabilities which will automatically make a notation in the officer's automated daily log that he/she is utilizing the BWC during that shift.

266.03.4 End of Shift.

a. At a minimum, officers shall dock their issued BWC in the docking station for automated\ upload of BWC data files daily, at the end of their shift, to ensure storage capacity is not exceeded and/or to view uploaded audio/video. This does not prohibit officers from uploading video more frequently if needed or desired.
b. Officers in specialized uniformed assignments (Motors, Canine, and Traffic) with assigned take-home vehicles may take their camera home at the end of each shift as long as they ensure the camera is fully charged for their next shift, unless that officer was involved in an in-custody case, in which case the camera will be docked and video downloaded before the officer's end of shift. It is expected these officers may make enforcement stops to and from work and that these stops will be recorded.

266.03.5 Camera Position. Officers shall wear the BWC in a position that provides for the most effective recording angle for the field of view and shall not intentionally obscure the view of their BWC.

266.03.6 Explosive Device. Many portable recorders, including body-worn video cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, BWC devices should be turned completely off where an explosive device may be present.

266.03.7 Mandatory Recordings (Where/When to Record).

a. Privacy Concerns and Advisements.
    1. Private Citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties. When officers are lawfully present in a private residence (warrant or exigent circumstances) in the course of their official duties, there is no reasonable expectation of privacy. With that, officers are not required to give notice they are recording.
    2. However, if asked, officers shall advise citizens they are being recorded.
    3. Except as otherwise stated herein, officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of the citizen. Rather, they should rely on their training, experience and this policy to direct their use of the BWC.
    4. Consent Searches – When an officer's grounds for searching or otherwise being inside a residence is based solely on consent, officers shall both advise and obtain consent to record with a BWC as part of the consent to enter and/or search. (This does not apply to crimes in progress or other circumstances that would allow the officer to be lawfully present without a warrant.)
b. Enforcement Related Contacts. There are many situations in which to activate the body-worn camera. This policy is not intended to describe every possible circumstance.
    1. Unless it is unsafe, or impractical to do so, or mechanical issues impeding the use of the device are present, officers shall activate their BWCs for any investigative or enforcement activity. The device shall be turned on before making contact (victim/witness/suspect) with individuals where there is a reasonable suspicion the person(s) is involved in criminal activity or is involved in a violation of law, or a witness thereto, including but not limited to:
        a. Radio Calls
        b. Code 3 Responses, including inside the police vehicle

c. Arrests
d. Vehicle Pursuits
e. Vehicle Searches
f. Suspect Interviews
g. Field Interviews
h. Pedestrian Stops
i. Traffic Stops (to include, but not limited to traffic violations, stranded motorist assistance and all crime interdiction stops.)
j. Traffic Collisions
k. Citations
l. Consensual contacts where the officer has reason to believe the encounter could result in a prolonged detention, arrest, violence by the individual, or a use of force
m. Any other investigative or enforcement encounters (e.g., checks of known encampments, bar checks, etc.)
n. Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require activating the BWC.

2. Once activated, the BWC should remain on until the incident has concluded.
   a. For purposes of this section, conclusion of an incident is indicated by the officer's termination of activity or contact at the incident or has cleared the scene.
   b. A supervisor may also declare an incident over and direct all but the reporting officer to turn off their BWCs.
3. Once a BWC is activated, the entirety of the event/contact/conversation should be recorded without interruption. If an officer feels it is necessary to stop recording (*e.g.*, while speaking to another officer, or a confidential informant) within the constraints of this policy, he or she should verbally indicate his or her intent to stop the recording before stopping or muting the device, and upon reactivation, state that he or she has restarted the recording. If such interruption occurs, the officer shall also document the reason for the interruption in a report. This will help avoid accusations of editing the recording after the fact.
4. Officers may use reasonable judgment in determining when to temporarily deactivate the BWC prior to the conclusion of the incident, for example:
   a. When the purpose for activation is no longer present.
   b. An officer is assigned to an outer perimeter position for an extended period of time and has no verbal or visual contact with involved parties.

      Note: Keeping in mind that static situations may change rapidly, officers should recognize it may be necessary to re-activate their BWC unexpectedly (*e.g.* Officers assigned to an outer perimeter position with their BWCs turned off, and a suspect exits the residence to flee from police.)
   c. Recording may also cease if an officer is simply waiting for a tow truck to arrive or other similar situations.
5. Officers may also temporarily deactivate the BWC when speaking to a subject whether consensually, in custody, or detained, who has agreed to provide information about other ongoing criminal activity.
6. When recording interviews, officers shall ensure they record any admonishments prior to the start of an interview.
7. Officers shall make every reasonable attempt to identify all individuals who make any statement or use any verbal or non-verbal commentary related to the incident, where it was reasonably believed to be captured in the BWC recording.

   Failing to make a good faith attempt to identify such individuals could result in suppression of the video. The identification should minimally include: name, address, date of birth, driver's license number, gender, race, cell phone number and/or home telephone number.
8. BWCs shall be activated and record the entirety of all prisoner or passenger transports, except passengers present as part of the Ride-Along program, regardless of the gender of the prisoner or passenger.

9. In addition to the required conditions, officers should activate the system any time they feel its use would be appropriate and/or valuable to document an incident or where they feel the contact may result in any type of enforcement action. This may include pre-contact investigations documenting law enforcement efforts to research the history of a subject's location, mental health history, ownership of weapons, efforts to locate friends/family, etc., to resolve the immediate incident or call for service.
10. Officers are strongly encouraged to inform citizens they are being recorded in situations where doing so may de-escalate potential conflicts.
11. Except as otherwise provided herein, civilians shall not be allowed to review the recordings without the written approval of the Chief of Police or designee, which shall be maintained in evidence.
12. Officers working plain clothes assignments **are exempt** from this Policy.
13. Officers assigned to the Harbor and Beaches Unit shall not be required to activate the BWC while engaged in operations that require the wearing of dive or turnout gear.
14. Supervisors responding to a call administratively, *e.g.*, a use of force incident, may defer recording until initial contact is made with the involved party(ies). Thereafter, the entirety of the contact shall be recorded.

Searches

1. When searching a prisoner, and without sacrificing officer safety, it is advantageous to position the search so it may be captured on camera. This starts the chain of custody by allowing contraband, weapons, and other evidence found to be documented on the BWC recording.

2. Officers should activate their BWC during the execution of a search warrant, an arrest warrant, a Fourth Amendment waiver search, knock and talk, or a consent search in which the officer is looking for a suspect, evidence, or contraband.
3. Search warrants, high risk entries or similar events, involving SWAT or SES~~,~~ will not be recorded with a BWC.
4. During searches of commercial buildings or residential dwellings, when there is a strong indication of encountering a suspect, while keeping officer safety as the primary concern, officers should activate their BWCs prior to making entry into the structure. The recording of a suspect confrontation normally outweighs tactics potentially shown in the recording.

Victim and Witness Interviews

1. Except as otherwise provided, victim and witness interviews will be recorded with the BWC. The recording may be valuable evidence that contributes to or augments an investigation.
2. While evidence collection is important, the Department also recognizes it is important for officers to maintain credibility with people wanting to share information with law enforcement. If the victim or witness refuses to be videotaped, re-position the camera to face away from the individual, still capturing the audio.
3. Child abuse victims, or any age child that is a victim and has developmental delays, will not be recorded with a BWC. As a cooperating partner in the San Diego County Child Victim Witness Protocol, best practices include minimizing further trauma to child victims/witnesses through a cooperative multidisciplinary effort that limits the number of times a child is interviewed and to treat each child with dignity and respect.
4. Children shall be referred to the Child Abuse Program (CAP) for a forensic interview. As part of the protocol, best practice states *"a child who is under 14 or any age child who has developmental delays, [the recommendation is] no attempt should be made to interview the child in the field."* It is preferred the first responder determine if a crime has occurred by speaking to others, document the information, and avoid a field interview with the child.

Demonstrations. During demonstrations, officers should operate their BWCs in the buffering mode. If an officer(s) witnesses a crime occurring among the demonstrators and/or believes an arrest or use of force is likely, officers should immediately activate their BWCs to record the incident. Once the BWC is activated the entire event should be recorded without interruption.

266.03.8 Prohibited/Discretionary Recordings (When Not to Record).

a. BWCs shall not be used during Department administrative investigations.
b. BWCs shall not be used during briefings.
c. BWCs shall not be used to record public safety statements.
d. BWCs shall not be used during major crime briefings, homicide briefings, debriefings, homicide walk-throughs, or similar situations.
e. BWCs shall not be used during contact with confidential informants (CI's).
f. BWCs shall not be used while in a Command Post during a critical incident.
g. Officers may not record patients during medical or psychological evaluations by a clinician or similar professional, or during treatment, including PERT clinician interviews.
h. When recording in hospitals or other medical facilities, officers should attempt to avoid recording persons other than the suspect where privacy of other patients would be invaded or their private health information would be recorded. (HIPAA)
i. Officers should be aware that not recording an incident or encounter may require explanation in court, and their report should reflect both that no recording was made and the reasons why.

266.03.9 Documentation of Recorded Events. All recordings shall be documented in the appropriate manner, as follows:

a. "BWC" shall be recorded in the Evidence section of the incident report (e.g., Arrest, Crime, Officer Reports) and in the "Special Studies" section in RMS. Collision reports shall have "BWC" documented at the beginning of the narrative or in the Evidence Section of the narrative.
b. Field Interview Cards – "BWC" shall be noted at the beginning of the narrative.
c. Traffic Citations – "BWC" shall be recorded in the "Case Number" box or "Other Description" on the citation form.
d. Cover Officers - Unless writing their own report, cover officers shall notate a BWC recording in CAD.
e. Other Recordings – Non-evidentiary recordings, such as inadvertent recordings, recordings initiated for training, recording showing no criminal conduct or statements of evidentiary value, or recordings with no associated report, shall be documented in the "Comments" Section of the CAD generated call.
f. Supervisors reviewing and approving reports shall ensure officers have properly documented and recorded events.

266.03.10 Entering Metadata. Each recorded segment requires "tagging" or metadata to be entered, even if the segments are of the same event. Metadata consists of an identification field, retention category, and recording title. If a case number exists, the complete case number shall be entered into the identification field. Absent a case number, a CAD incident number, a citation number or field interview card number may be used. Officers shall select the retention category that most accurately fits the recording.

The retention categories include: Uncategorized, Field Interview, Misdemeanor, Felony, No Crime/Contact, Traffic, Traffic Collision, Sex Crimes, Professional Standards, Civilian Complaint, 5150/11-44, Potential Claim, Traffic Fatal, Homicide, Officer Involved Shooting, Training, and Accidental. Recording titles may vary but should include the case number, crime code, names of involved parties (suspect, witness etc.…), and location of the incident.

Officers are also encouraged to add "markers" to their BWC video identifying events of particular evidentiary value (*e.g.* 14:32:06 hours – suspect dropped knife and ran from scene). Viewing or adding metadata or markers will not alter the video recording as it is protected with multiple layers of encryption on the ARQvision BWC devices and at Digital Evidence Management ("DEM").

Officers have the option of entering metadata either from their workstation or, if they so elect, through the use of a Bluetooth (non-data) application that can be downloaded to a personal device. Use of a personal device is not required or encouraged, but is solely at the officers' discretion and for his/her convenience. Videos shall not be altered, including tagging or the entering of metadata, during off-duty hours.

267 Downloading/Storage Procedures. After verifying the required metadata has been added to all recorded events, officers shall place the BWC into a slot on the docking station and ensure it is properly seated at the end of their shift. This will allow the battery to recharge. The data will automatically be transferred from the BWC through the transfer system to DEM, depending on the camera. The data is considered entered into evidence at this point. Once the metadata has been entered, downloaded, and/or docked, the process is considered complete.

All officers are required to add metadata or "tag" at the conclusion of the event or as soon as possible. With supervisor approval, officers may hold over entering their metadata until the next day. Tagging of in-custody cases must be completed the same day. No metadata, tagging, or marking will be held over to the following work week.

Metadata tagging will be entered using one of the following means:

a. CAD/RMS (automatic integration)
b. Any Desktop Workstation
c. MDT via a USB or Bluetooth Connection, if available
d. Department Issued smart device
e. Personal smart phone / tablet

268 Retention of Digital Evidence. All recordings related to any criminal proceeding, claim, pending litigation, or an administrative investigation/personnel complaint, shall be preserved until that matter is resolved or pursuant to the City of Oceanside Retention Schedule, whichever period of time is greater.

Additionally, pursuant to Penal Code section 832.18(b)(5)(ii), all video that involves a use of force, arrest/custody situation, and officer involved shootings shall have a minimum two-year retention period. BWC files of evidentiary value shall be retained for a period of one year or until the investigation or, if applicable, prosecution has ended, whichever period of time is greater. BWC files documenting identifiable suspected crimes shall be retained for the same period as is required by law for other evidence that may be relevant for criminal prosecution as set forth in the Department's BWC Retention Policy or, if applicable, until prosecution has ended, whichever period is shorter.

269 Accessing Digital Evidence. All those given permissions associated with DEM may review the digital evidence as needed in the performance of their duties.

270 Reviewing BWC Digital Evidence. Officers make decisions based on the totality of the human senses. An officer's recollection of specific details may differ somewhat from what is captured on video. Reviewing footage helps officers recall the details of the incident more clearly, which can lead to more accurate documentation of events.

It is NOT the intent of the Oceanside Police Department to review digital evidence for the sole purpose of general performance review, for normal preparation of performance evaluations, or to discover policy violations. With regard to review of BWC digital evidence:

a. Officers shall not access or view a BWC recording unless it is for a legitimate law enforcement purpose.
b. Officers may review their own digital recordings when necessary to complete their reports, as it relates to their involvement in an incident, for the purposes of completing a criminal investigation and preparing official reports.
c. Detectives are responsible for reviewing, updating, and tracking digital evidence associated with their assigned cases.
d. For Officer Involved Shootings and other critical incidents involving investigations by detectives:
    1) Detectives shall review the BWC video prior to interviewing an officer involved in an officer involved shooting or who is the subject of a criminal investigation or other critical incident.
    2) After providing an initial public safety statement where applicable, the involved officer(s) shall be permitted to review his/her BWC video prior to providing a further statement or interview regarding the

incident. The officer's BWC video may be reviewed again prior to the giving of any supplemental statement.

e. Officers shall review digital evidence prior to providing testimony at criminal, civil and administrative hearings, trials, or depositions.
f. In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any department member.

271 Administrative Review of Digital Evidence. Apart from quarterly audits, digital evidence may be viewed for administrative purposes limited to the following:

a. any incident in which a member of the Department is injured or killed during the performance of their duties;
b. Any incident involving the use of force by a member of the Department, including canines, which results in complaint of pain, injury or death;
c. Any in-custody death;
d. Any police pursuit;
e. When any member of the Department discharges a firearm;
f. When any member of the Department not involved in training discharges any less than lethal weapon;
g. Traffic collisions involving department personnel;
h. Prior to the release of recordings in response to a proper legal request (*e.g.*, in response to a subpoena or other court order);
i. Prior to the release of recordings in response to Public Records Act requests;
j. In preparation for a civil deposition, or responding to an interrogatory, where the incident arises from the officer's official duties;
k. When preparing to testify in a criminal, civil, or administrative proceeding arising from the officer's official duties;
l. For investigations undertaken by the Department, to prove or disprove specific allegations of misconduct;
m. Civil litigation;
n. When officers are identified through the Department's Early Intervention Program;
o. When officers are still in a probationary period or are with a Field Training Officer;
p. To identify videos for training purposes and for instructional use;
q. In situations where there is a need to review digital evidence not covered by this policy, a lieutenant or higher must approve the request. Each situation will be evaluated on a case-by-case basis.

272 Discovery of Misconduct. Department members authorized to review BWC recordings should remain focused on the incident or incidents in question and review only those recordings relevant to their investigative scope. If a Department member sees conduct which he/she recognizes to be improper, the Department member must immediately notify a supervisor.

273 Releasing Copies of Digital Evidence. Digital video captured by a BWC shall be treated as evidence and investigative files, and handled pursuant to existing Department policies and procedures and countywide protocol.

274 Use of Digital Evidence for Training Purposes. With approval of the Watch Captain, officers and supervisors may review recordings of incidents in which they were involved when beneficial for the purpose of conducting a tactical debrief. However, any investigation relating to officer conduct during the particular incident shall be completed prior to such video debrief.

When an incident is recorded that may be of value as a training aid for a broad section of the Department, the recording officer or that officer's supervisor should send a memo, through their chain of command, to the Support Operations Captain, who will have the digital evidence reviewed to determine the value of the incident for training.

If the recording is deemed an appropriate training aid, the Captain shall obtain approval from the Department's legal advisor and the Chief of Police prior to introducing it into any training curriculum.

Any Department member depicted in a digital recording, by image, voice, or both, shall be notified prior to the intended use of the recording and have the option of being present and part of the discussion in releasing the recording for training purposes.

275 Supervisor Responsibilities

a. Sergeant's Responsibilities
   1. Supervisors may have the ability to immediately resolve civilian complaints by reviewing video captured by the BWC and allowing the complainant to view it. In those circumstances, where a complaint is resolved with no further action needed, supervisors shall change the category to "Civilian Complaint" to the video and make appropriate comments in the notes section of the BWC evidence management system. This will allow Professional Standards personnel to capture and track incidents that are resolved by utilization of the video system. Even if the complaint is not resolved, the supervisor shall add a notation to the BWC file that it was accessed and played for the complainant.
   2. If an officer is suspected of misconduct, the Project Coordinator shall place a lock on the video such that it cannot be viewed by the officer suspected of misconduct until such time as he is entitled to view all evidence of the internal affairs investigation against him or her pursuant to applicable law and policy.

276 Editing and Deleting Digital Evidence. Inevitably, recordings will occur in circumstances where recording is not appropriate. This may include an officer forgetting to stop recording when entering the bathroom, locker room, or dressing room, all places where there is a reasonable expectation of privacy. Other instances may include non-work related conversations between officers, with members of the community, daily briefings, court, jail or other similar instances.

In these situations, as soon as practical, the officer shall send an email request with sufficient information to locate the BWC recording to their immediate supervisor requesting the identified portions of the recordings be deleted. The supervisor will review the file, verify the information to be deleted does not contain work-related material or evidence, and then submit the request for deletion to the Watch Captain for final approval. If approved, the supervisor will then mark the file, the file will be sequestered, rendered un-viewable, and deleted in the normal course for non-evidentiary files. A notation shall be added to the recording explaining why the deletion was made. Under no circumstances will officers who captured an inadvertent recording delete or alter the recording themselves.

277 Equipment Repair, Replacement, and Maintenance

a. Officers shall immediately report any recognized problems with their BWC to their immediate supervisor.
b. Upon notification, the supervisor shall contact a BWC Administrator stating the problem of malfunction.
c. The BWC Administrator will report unresolved deficiencies to ARQvision.
d. The BWC Administrator will provide the serial number of the unit needing service or repair and identify the type of equipment at issue. A representative from the appropriate vendor will contact the BWC Administrator who generated the call for resolution.
e. This procedure will be followed for all BWC-related equipment and accessories.

278 BWC Program Administrator Responsibilities. The Program Administrators are designated by the Chief of Police and have oversight responsibilities of the BWC system. Program Administrators will include the Police Records Manager, OPD Information Technologies representative, Patrol Operations Captain or designee, Support Operations Captain or designee, and the Professional Standards Lieutenant/Sergeant. BWC Program Administrators are responsible for the following:

1. Operation and user administration of the system.
2. System evaluation.
3. Training.
4. Policy and procedure review and evaluation.
5. Coordination with IT regarding system related issues.
6. Ensure the security and integrity of BWC data.
7. Ensure BWC files of evidentiary value are retained per this policy.

8. Ensure BWC files are reviewed and released in accordance with federal, state, and local statutes and City of Oceanside/Oceanside Police Department retention policies.
9. The Police Records Manager is designated as the Custodian of Records for all BWC digital recording data files.

280 Testifying in Court Cases. If a member is subpoenaed or noticed to appear before a court, hearing board, investigation body, or other person authorized to take testimony, such member shall appear and shall testify as legally required.

280.01 Civil Actions. Members shall not volunteer to testify in civil actions arising out of their employment, but shall accept all subpoenas that are legally served. If the action may result in liability to the City or to the member as the result of an incident arising out of department employment, the member will immediately notify his or her supervisor. The supervisor shall forward the information to the Chief of Police so notification can be made to the City Attorney and Risk Management.

280.01.1 Members shall not enter into any financial understanding for appearances as a witness in a civil case. The only exceptions would be those outlined by other sections of these policies.

280.01.2 Members shall not serve civil process or assist in civil cases except as required by law unless approved for outside employment by the Chief of Police, or except when personally involved in the case. Members shall make no representation as to their status as members for purposes of engaging in such employment. If the member is serving civil process in a case where he or she is personally involved, the member will avoid any breaches of the peace.

280.02 Testifying for the Defendant. If the member is legally subpoenaed by the defense, the member shall appear and testify as directed. However, the member should first notify his or her supervisor and shall notify the prosecutor handling the case of the fact that the defense has subpoenaed the member.

285 Failure to Appear. It is the responsibility of all department members to attend all mandatory and required functions when so directed. If a member is absent from a required function without being excused, they will be subject to disciplinary procedures

285.01 Exceptions. Excused absences: whenever a member knows in advance that s/he cannot comply with a mandatory appearance, s/he will notify their immediate supervisor requesting to be excused and explaining the reasons for the request. The supervisor will determine whether or not the member can be excused.

285.02 Failures to Appear. If a member fails to attend a court appearance, required training class, or other mandatory type of attendance and is not excused, s/he will submit a memorandum to their immediate supervisor stating the reasons for the non-attendance. The supervisor will evaluate the reasons for the failure to appear and will either approve the member's actions or initiate disciplinary measures. The report will be forwarded through to the Division Captain.

286 Light-Duty Attendance at Training. When a member is classified as "Light Duty," s/he is required to attend all mandated Departmental training sessions. If the training is classroom or lecture-based, and does not require physical exertion, members will actively participate. In the event the training is physical, or "hands-on," in nature (i.e. Defensive Tactics, force option combative drills, Firearms, etc.), the light-duty members may still attend at the discretion of their supervisor, but will not actively participate in the class depending on their physical restrictions. If not in attendance, the member will return to their light-duty assignment.

286.01 Upon returning to full-duty status, members are responsible for ensuring that any training missed, or observed-only, while on light-duty status is completed in a timely manner. Supervisors of members returning to full-duty are required to schedule their subordinates to make-up all training missed or attended in an "observed only" capacity while on light-duty.

286.02 Firearms and Defensive Tactics Make-up Qualifications. In the event a member's light-duty or Injured on Duty status precludes them from qualifying in firearms or certifying in defensive tactics, they shall do so prior to being assigned to full field duty status.

286.03 Motor Officer Recertification. Upon a motor officer or sergeant's return from a period of extended leave or less than full duty status that is three months in length or greater, s/he shall complete a recertification process. The recertification shall include an evaluation by a Certified Motor Training Officer (CMTO) and the completion of the four (4) cone patterns required as part of the Basic POST Motor Officer Course. The length of time that a returning motor officer or sergeant is assigned to a CMTO for recertification shall be dependent upon their skillset and the discretion of the CMTO. Any recertification process requiring more than one work-week must have the approval of the Support Operations Lieutenant. At the conclusion of the recertification process, the CMTO shall complete and submit a memorandum to the Support Operations Lieutenant, indicating the subject officer or sergeant has been recertified. The memorandum shall be retained in the subject officer or sergeant's Divisional File.

290 Departmental Work Schedules. Generally, the workweek is from 0001 on Sunday to 2400 on the following Saturday. Members may take meal and work breaks as provided by City policy or MOU.

290.01 Work Schedules. Division Captains are responsible to set work schedules consistent with Federal and State law, City policy, and MOU that meet the operational objectives of individual units.

290.02 Recall of Members (Personnel Shortages and Emergencies). Members of the Department shall have regular duty hours assigned to them on their respective shifts or assignments. Special situations, events, emergencies, or shortages of personnel may necessitate changes in working hours and days off or may necessitate recall to duty at the discretion of the Division Captain or other supervisor.

290.02.1 In such cases, the supervisor should make reasonable efforts to obtain volunteers, if time allows. However, if this is not practical, he/she may order the necessary scheduling changes or recall to duty. The member shall be compensated for any overtime worked in these situations as per department policy.

300 COMMUNITY RELATIONS

301 Media Relations. Within established law, and without compromise for justice or infringement on individual rights, members will cooperate in meeting the needs of the media in providing public information.

301.01 Notification. The Department shall notify the media on a timely and impartial basis. This will not be made during such time or extent that the notice would compromise the integrity of any on-going criminal investigation or operation. In such cases media notification will be made as soon as practical.

301.02 Responsibility. The Department member, rank notwithstanding, most familiar with an investigation, crime, or incident is the ideal person to respond to media inquiries. While this is the ideal approach, it is not always practical. Instead, the immediate supervisor or preferably the Department's Public Information Officer (PIO) should handle the release of information after being briefed by the person most knowledgeable.

301.02.1 At no time will members intentionally mislead or misinform the media. Members will strive for consistency in releasing information to the media. Information that is normally released should not be withheld based solely on a decision relating to the personal prominence of those involved. Conversely, information generally not routinely distributed should not be put forth solely as a result of personal prominence.

301.03 Privacy. Our department serves the citizens individually as well as collectively. Consideration should be given to victim's requests for no publicity or no public disclosure of a crime to which they are a party.

301.03.1 Victims should be informed that Government Code Section 6254(f) requires information regarding complaints and criminal investigations be released to the public "unless such disclosure would endanger the safety of a witness or other person involved in the investigation, or unless disclosure would endanger the successful completion of an investigation."

301.03.2 Members should not guarantee any victim or reporting party that a reported case will not receive publicity.

301.04 Authority. The decision not to release information about a particular event, or the name of a victim or reporting party must be made by a supervisor. This decision will be made only after due consideration is given as to whether such release would endanger the victim, witness, or a successful investigation.

301.05 Press Releases. The PIO will coordinate press releases. Formal press releases are normally prepared for major incidents such as homicides, officer involved shootings, etc. In cases of major incidents, the PIO shall be called as soon as possible. If the PIO is unavailable the involved supervisor will prepare the press release. When formal press releases are prepared, every effort should be made to release the information to all media simultaneously. When members release information to the media, the member shall notify the PIO as soon as practical.

301.06 Official Statements. Statements of policy expressing official position of the Department, official responses to criticism of the Department, or statements pertaining to pending or on-going civil litigation involving the Department shall be made only by the Chief of Police or designated persons. Only the Chief of Police or designated persons shall make statements about internal investigations, disciplinary matters, and officer-involved shooting investigations.

301.07 Disaster, Crime Scenes, and Tactical Operations. The ranking department member present at a disaster or crime scene is responsible for providing relevant, timely, and accurate information to the media.

301.07.1 Disaster and accident scenes may be closed to the public pursuant to 409.5 PC; however, news media representatives are exempt from this restriction. Authorized media shall be permitted free access to the affected area after being advised of any existing danger. Department members shall not decline the rescue of news media personnel who are in danger, but they will not provide an escort into or out of dangerous areas. In general, authorized members of the news media are to be permitted free movement in the area as long as they do not hamper, deter, or interfere with the law enforcement or public safety functions.

301.07.2 Crime scenes may be closed to all unauthorized persons including the news media. Crime scenes that are located in areas of public access may be opened for media inspection after any search, preservation, and processing of evidence has been completed and the scene is secured. Reporters and/or photographers shall be kept sufficiently distant from a crime scene being searched or preserved to protect it from being disturbed, or evidence from being destroyed or contaminated. News media representatives have no right of access to private property greater than the general public and therefore are subject to any public access restrictions of the owner or person in charge of the property when a crime scene is located on private property.

301.07.3 The scene of a department tactical operation is the same as a crime scene except that authorized news media shall be permitted within the outer perimeter of the scene subject to any restrictions as set forth by the Incident Captain. The news media, including reporters and photographers, shall be allowed access to the best possible location as determined by the Incident Captain. The PIO or other person shall be assigned to keep the news media briefed.

301.07.4 Department members shall not jeopardize a tactical mission to accommodate the media, but every effort shall be made to keep them well informed of the progress of the operation.

301.08 Other Agencies. When the Department is involved with other agencies in incidents or matters of mutual responsibility and concern, Department members will cooperate and coordinate fully with those agencies in releasing public information. Generally, the agency of primary jurisdiction should make appropriate news releases citing assisting or secondary agencies. At any time other agencies assist this department in an operation or investigation, their assistance will be noted in any news release.

301.09 Press Pass Policy/Special Facility Access. During field incidents, as described in P.C. 409.5, it is the general policy that the Department will recognize and honor press passes issued by other law enforcement agencies to members of the news media. They should be permitted to cross police lines, provided that the public safety and order will not be jeopardized or investigations will not be hampered.

302 Release of Health Information to the Media and Public Under HIPAA. This policy outlines the release of patient information in accordance with the California Confidentiality of Medical Information Act and federal law pertaining to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

Under HIPPA and California Civil Code section 56.10 there is no authorization to provide confidential personal health information to members of the media or public without written consent from the patient. If a patient agrees they want medical information released, a consent form is available on the J drive or from the PIO.

The prohibition from disclosing medical information applies to members under the following situations.

a. Member as Medical Care Provider: A member is generally not a health care provider. However, a member may be a health care provider when the member administers health care prior to paramedic arrival or other circumstances where health care is given. Therefore, members must follow the same rules as those that apply to paramedics:
b. Member as a Recipient of Health Information: Members may receive personal health information when dispatched to a call, once at the scene when overhearing discussions with paramedics, or receiving information from paramedics in furtherance of an investigation. Members may also be privy to health information in other circumstances such as transport of an injured detainee or suspect to the hospital or obtaining a medical release prior to booking.

302.01 Information that may be Released under HIPAA. The Department shall only release the following information, if any at all, to the media or public when it concerns an injured individual: Gender, decade of the age of the patient, mechanism of injury and mode of transportation. Mechanism of injury means the instrument used to inflict the injury. I.e. "A male victim, in his 20s was stabbed and transported via air ambulance." A patient's medical status can be construed as medical information and therefore should not be included. I.e. "transported in critical condition." Furthermore, a patient's mechanism of injury could also be construed as relating to his/her mental or physical condition, or treatment if information relating to a specific area of the body is released. I.e. "Suspect received multiple stab wounds to head and chest." Therefore, members shall refrain from releasing such information to the media or public.

Questions from the media or public may be referred to the PIO.

303 Use of Social Media

303.01 This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission and is in compliance with City of Oceanside Administrative Directive 58 – Social Media Use Policy.

303.01.1 Social Media Definition - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

303.02 Social Media Usage. The Oceanside Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events. Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all. This policy shall pertain to official police Department social media accounts. This policy does not apply to the private use of social media by individual department members except that members are not authorized to make statements on behalf of the Department without approval from the Chief of Police.

303.03 Authorized Users. Only members authorized by the Chief of Police may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post to and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines shall be approved by the Chief of Police or designee prior to posting.

Requests to post information over department social media by members who are not authorized by this policy to do so may be made through the member's chain of command to the Chief of Police or designee.

This policy is not applicable to the use of social media in furtherance of criminal investigations, where the department member is working in an undercover/clandestine capacity and not making comments related to City and/or Department business.

303.04 Authorized Content. Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.
Examples of appropriate content include:

a. Announcements.
b. Tips and information related to crime prevention.

c. Investigative requests for information.
d. Requests that ask the community to engage in projects that are relevant to the department mission.
e. Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
f. Traffic information.
g. Press releases.
h. Recruitment of personnel.

303.04.1 Incident – Specific Use.

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), Police Department Managers, PIO, Dispatch Supervisors or other authorized designees will be responsible for the compilation of information to be released, subject to the approval of the Watch Captain or Incident Captain. Such messages are best facilitated via Nixle, utilizing the direct feed feature to Facebook and Twitter.

303.05 Prohibited Content. Content that is prohibited from posting includes, but is not limited to:
a. Content that is abusive, discriminatory, inflammatory or sexually explicit.
b. Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
c. Any information that could compromise an ongoing investigation.
d. Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Oceanside Police Department or its members.
e. Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
f. Any content posted for personal use.
g. Any content that has not been properly authorized by this policy.

Any member who becomes aware of content on the department's social media sites that he/she believes is unauthorized or inappropriate should promptly report such content to a Captain or the PIO, who will review it for content and determine whether to remove it from public view and/or investigate the cause of the entry.

303.05.1 Public Posting. Instances of profanity or content that is illegal, such as criminal threats, posted by members of the public shall be blocked and/or removed.

Notwithstanding Sections 303.5.1 and 303.5.2, the Chief of Police, Captains, Public Information Officer and Community Policing and Special Operations Lieutenant are the only department members authorized to post information and reply to comments from members of the public. All other members of the Department are prohibited from posting information and/or replies to members of the public unless specific authorization has been granted from the Chief of Police.

The Chief of Police, Captains, Public Information Officer and Special Operations Lieutenant are authorized to post the Department's official position on issues as well as make policy statements. All other members must have specific authorization from the Chief of Police.

303.06 Monitoring Content. The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, and the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

303.07 Requests From Outside Parties. The posting of information on behalf of outside parties to promote or advertise their interests and/or events is generally prohibited and must have authorization from the Chief of Police.

305 Ride-along Program. The Department encourages private citizens and members to ride-along with police officers and sit-along with dispatchers to keep informed of police operations, to allow officers and dispatchers to interact with citizens and other members in a positive manner, and to enhance public relations. The Department also

encourages relatives of members to ride-along, as well as officers and dispatchers who are processing for employment with this department. (Refer to Vol. II, Section 1305)

320 Citizen's Police Academy. The Department embodies the philosophy that the community and its police department must form a partnership to ensure better service delivery. This can best be brought about through open lines of communication, a proactive approach to policing issues, and a constantly evolving strategy to remain responsive to community needs. To that end, a Community Police Academy (CPA) has been established. (Refer to Vol. II, Section 1315)

325 Undocumented Foreign Nationals. It is the policy of the Oceanside Police Department that officers will not detain or arrest any individual solely because he/she is an undocumented foreign national. (Refer to Vol. III §733)

330 Military Relations. The Chief of Police will assign a lieutenant as the department's Military Liaison. The lieutenant will remain abreast of issues and protocols affecting interactions between the department and the military commands in San Diego County, and advise staff as appropriate.

330.01 The Military Liaison is tasked with enhancing the relationship with the local military police staff, military law enforcement agencies, and military units for the purpose of addressing issues of mutual interest.

400 DRESS CODE

401 Grooming Standards. The image our members present to the public can influence their confidence in the Police Department. A professional appearance, consistent with members' duty assignment, is a critical component of our professional image.

401.01 Hair. The intent of this policy is to obtain a neat, well-groomed appearance. It is realized that the hair texture of individuals varies. One individual may have hair of identical length as another, yet not present a well-groomed appearance due to the nature of his/her hair or because of the way it is styled. Because of this, the Department is not establishing a length requirement. However, the overall appearance must be within the general limits set forth in the Department Grooming Standards.

401.01.1 No unnatural hair color (green, blue, etc.) or outlandish style (Mohawk, shaved messages, etc.) will be allowed.

401.01.2 An officer's hair, including facial hair, regardless of style, may not at any time interfere with the proper wearing of any uniform headgear or equipment such as gas masks. Further, it must not, in any way, interfere with the officer's ability to render first aid operations, or any law enforcement function.

401.01.3 Wigs and hairpieces shall not be worn unless they conform to the standards for natural hair.

401.02 Male Members. Hairstyles shall not extend below the bottom of the external opening of the ear. Nor shall hair be so long as to touch the top of the collar when the head is held erect. Hair shall be neat, clean, and well groomed.

401.02.1 Sideburns. Sideburns shall not extend beyond a point even with the bottom of the ear lobe and shall extend in a clean-shaven, horizontal line. The flare (terminal portion of the sideburn) shall not exceed the width of the main portion of the sideburn by more than one fourth of the unflared width. The sideburn shall be trimmed and neat in appearance.

401.02.2 Mustaches. Mustaches shall not extend further than the smile crease line, and not more than 1/4" below the corner of the mouth. Mustaches are not to extend below the upper lip line and shall be neatly trimmed.

401.02.3 Beards. Beards and goatees are approved for non-uniformed members. The beards are to be neat, clean, evenly trimmed and are to present a well-groomed appearance.

401.02.4 Facial Hair. Other than a mustache and those authorized to have a beard, members shall have a clean-shaven appearance when reporting for duty, including court, training and any other on-duty status. A supervisor may authorize a member to be unshaven for a specific purpose or need.

401.03 Female Members. Female members in field deployable assignments shall arrange their hair so it does not interfere with vision or the proper wearing of the uniform headgear. Their hair shall not extend below the bottom edge of the shirt collar, shall be professional in appearance, and not be arranged in a ponytail hairstyle.

401.03.1 Female members are authorized to wear neutral colored hair barrettes, clasps, ties, or elasticized materials. Such items shall be of a conservative color, which does not detract from uniform appearance or interfere with uniform headgear or other safety equipment.

401.03.2 Non-uniformed female members shall maintain their hair to present a neat appearance consistent with the duty performed. Non-uniformed female members are authorized to wear hair barrettes, clasps, ties, or elasticized materials for the purpose of arranging their hair to present a neat appearance consistent with the type of duty performed.

401.03.3 Members in field deployable assignments wearing fingernail polish shall not use colors (green, blue, yellow, multi-color, etc.) or decals and ornamentation that would detract from a professional uniform appearance. Fingernails shall not extend more than 1/4 inch from the tip of the finger or interfere in any way with the performance of duties.

401.04 Tattoos, Piercing, Branding, and Scarification. Accountability for compliance rests with each member and department supervisors and managers.

a. Tattoo: the act or practice of marking the skin with indelible designs, forms, figures, art, etc. by making punctures in the skin and inserting pigment.
b. Scarification: the act of intentional cutting the skin for the purpose of creating a design, form, figure, or art.
c. Branding: the act of intentionally burning the skin for the purpose of creating a design, form, figure, or art.
d. Piercing: the act of creating a hole in any part of the body for the purpose of inserting any object, jewelry, or ornamentation.
e. Uniformed members: all members who might be required to wear a uniform. (Revised 07/20)
f. Non-unformed members: includes investigative, administrative, and all other non-uniformed members to include members of the professional staff in a non-uniformed assignment. (Revised 07/20)

401.04.1 Prohibited Tattoos.
The following are prohibited:
a. Tattoos, scarification, or brands on the head, face, neck, hands, or scalp;
Exceptions:

1. Small wedding band or monogram tattoos on the left-hand ring finger no wider than 1/2 the length of the distance between the webbing of the hand at the base of the finger and the bend of the first knuckle of the ring finger proceeding from the hand are permitted)
2. Permanent facial makeup that is designed to mimic the look of traditional cosmetics (*i.e*., hair, lip liner and eyeliner) so long as it is consistent with and does not substantially modify the officer's natural appearance is permitted.

b. The display of unauthorized tattoos, scarification, or brands as outlined in Volume I, Section 401.04.3.
c. The display of excessive tattoos, scarification, or brands as outlined in Volume I, Section 401.04.2.

401.04.2 Excessive tattoos, scarification, or brands. Any excessive tattoos, scarification, or brands worn by uniformed or non-uniformed professional members shall not be visible while on duty or representing the Department in any official capacity. They must be covered with current department-approved uniform items, including but not limited to, a long-sleeve shirt, jacket, sweater, turtleneck, mock turtleneck, or pants. Excessive tattoos on the arms may be covered with fabric arm sleeves of spandex type material that matches the color of the uniform worn, i.e. black with black uniforms and dark blue with blue uniforms. Arm sleeves must be worn on both arms even in cases where only one arm is covered in excessive tattoos. The following are considered to be Excessive tattoos, scarifications, or brands:

a. Any tattoos, scarification, body art or brands that exceed 30% of the exposed body part;
b. Any tattoos, scarifications, or brands above the collarbone, but below the neck, that are readily visible when wearing an open-collar shirt. (Added 10/04) (Revised 7/20)

401.04.3 Unauthorized tattoos, scarification, or brands. The display of any unauthorized tattoo, scarification, or brand (regardless of location) that is inappropriate, unprofessional, or offensive, prejudicial to good order, discipline or morale, or of such a nature to bring discredit upon the department by any member of the department while on-duty or

representing the department in any official capacity is prohibited. Examples of unauthorized tattoos, scarifications, or brands prohibited by this policy include but are not limited to:
a. Depictions of nudity or violence.
b. Sexually explicit, sexually suggestive, or vulgar art, words, phrases, or profane language.
c. Symbols or words indicative of discrimination based on any protected classification or that may otherwise call into question the officer's ability to deliver service based on fairness and equality.
d. Symbols likely to incite a strong reaction in the workplace, i.e. swastika, pentagrams, or similar symbols.
e. Initials, acronyms, or numbers that represent criminal or historically oppressive organizations, i.e. AB, KKK, BGF, MM, HA, 666, 81, or any street gang names, numbers, and/or symbols. (Added 10/04) (Revised 07/20)

401.04.4 Options. Any member who obtains a prohibited or unauthorized tattoo, scarification, or brand is in violation of this policy and shall be subject to discipline, up to and including termination. Upon notice from the Chief of Police or their representative, that member may be required to:
a. Remove any prohibited tattoo, scarification, or brand at their own expense;
b. Cover any excessive or unauthorized tattoo, scarification, or brand with a using current department-approved uniform item, or with department-approved business or casual attire, as appropriate and consistent with the member's assignment, and as described in this policy;
c. Cover the excessive or unauthorized tattoo, scarification, or brand with tattoo cover-up paint or make up, which shall be at the member's expense and such that the covering is resistant to temperature and moisture fluctuations so that a professional appearance can be maintained for the duration of a shift or other activity in which the member is representing the department. (Revised 7/20)

401.04.5 Piercing.
a. Female Uniformed Members (professional and sworn). While on-duty, may wear only one set of stud-type earrings with only one earring per ear. Earrings may only be worn in the earlobes. The earrings shall be plain and no more than ¼ inch in diameter. The piercing and wearing of associated jewelry in any other visible part of the body is prohibited.
b. Female Non-Uniformed Members. While on-duty, may wear two sets of earrings per ear. Earrings may only be worn in the earlobes. The earrings shall be no more than one inch in diameter and extend no further than one inch from the bottom of the ear. Earring styles and colors shall not be excessive or offensive.
c. Male Members. While on-duty, will not wear any visible type of jewelry designed for display through body piercing.
d. All Members. While on-duty, will not wear any visible type of jewelry, ornaments, or other objects designed for display through the act of body piercing, except as outlined in this policy. (Added 10/04, Revised 7/20)

401.04.6 Exceptions.
a. When deemed operationally necessary, police officers in undercover assignments may display tattoos, scarification, brands, or jewelry otherwise prohibited by this policy - with the prior approval of their Division Commander.
b. Jewelry, tattoos, scarification, or brands that are a required part of a recognized religious organization or practice. (Added 10/04)

401.04.7 Exemptions.
a. The Chief of Police may grant a one-time exemption for tattoos, scarifications, or brands that cannot be covered by a department-approved uniform or business attire already in existence on the date of implementation of this policy.
b. Members requesting this exemption must submit the request in writing to the Chief of Police with photographs documenting the tattoos, scarifications, or brands for which the exemption is requested. A decision will be rendered either granting or denying the exemption within ten working days. The final authority for granting any exemption rests with the Chief of Police (or designee.
c. No exemption will be granted for any tattoos, brands, or scarification considered inappropriate, unprofessional, or offensive as outlined in this policy. (Added 10/04)

401.04.8 Special Events and Assignments. Division Commanders retain the authority to further limit the display of tattoos, scarifications, brands, or piercings by officers in their division for a specific purpose, special event, or special assignment. For example, officers working special assignments requiring contact with juveniles are considered role models to youth. As such, the officers could be required to cover tattoos, scarifications, or brands during this assignment even if previously granted an exemption by the Chief of Police. (Added 10/04)

401.04.9 Final Authority. The final authority for deciding the appropriateness of any tattoo, scarification, brand, or jewelry rests with the Chief of Police (or designee). (Added 10/04)

401.05 Supervisor's Responsibilities. As opinions vary concerning grooming standards, the responsibility of determining whether the member meets acceptable department standards shall rest with department supervisors. The supervisors shall consider all of the above guidelines when making their decisions.

401.06 Deviations from Standards. Deviations from the established standards may be permitted by supervisors because of unique duty assignments such as undercover operations, surveillance, recruit academy, or regular contact with certain segments of the community. The Division Captain shall authorize deviations.

410 Possession of Personal Protective Equipment and Flashlight. The intent of the Department in issuing helmets, body armor, and flashlights to our officers is to maximize their safety during Patrol.

410.01 Application. Wearing the body armor at all times while on-duty is mandatory for all supervisors and officers engaged in uniformed field enforcement duties.

410.01.1 Non-uniformed officers will possess body armor while engaged in fieldwork. This includes supervisors and command staff.

410.02 Uniformed officers will additionally possess the issued flashlight (or its equivalent) and helmet; regardless of the shift they are assigned.

413 Uniform Policy. No member may wear the official police uniform unless authorized to do so. The approved uniform is described in Volume III Field Procedures, and shall be worn in the manner herein prescribed. The Chief of Police will approve any changes or modifications. (Refer to Vol. III, Section 1100.)

415 Non-Uniformed Members. This policy sets forth the required attire for normal business hours for male and female members. Supervisors may exempt members from this policy for special operations or circumstances.

415.01 Male Members.

415.01.1 Court/Business Meeting Attire. The following clothing is required for court appearances, professional, business, and community meetings:
a. Dress shirt.
b. Tie.
c. Dress pants.
d. Sport coat or sweater
e. Business suits.
f. Department issued police uniform (if applicable).
g. Appropriate corresponding footwear (no athletic shoes).

415.01.2 Casual Business Attire. The following clothing may be worn for daily business:
a. Casual business slacks.
b. Short or long sleeve shirts, including sweaters, which may consist of any of the following or similar: dress shirt, collared polo, button down, turtle necks or mock turtle necks, banded, or collar-less dress shirts (no T-shirts).
c. Ties optional.
d. Appropriate corresponding footwear (no athletic shoes or sandals).

415.01.3 Call Outs/Searches/Evidence Processing.
a. Casual shirt (refer to casual business attire).
b. Jeans or casual slacks.
c. Shoes may include any of the following or similar: athletic shoes, canvas type hiking boots, boots, loafers, lace up casual, and oxfords (no sandals).
d. Department issued General Investigations jackets (when applicable).
e. Hats optional.

415.02 Female Members.

415.02.1 Court/Business Meeting Attire. The following clothing is required for court appearances, professional, business, and community meetings:
a. Dresses
b. Coordinated blouse or sweater and skirt or slack.
c. Business suit with pant or skirt.
d. Sweater, jacket, or coat if applicable.
e. Department issued uniform (if applicable).
f. Appropriate corresponding footwear with nylons or coordinated socks (no athletic shoes).

415.02.2 Casual Business Attire. The following clothing may be worn for daily business.
a. Casual or business slacks, (no blue jeans or faded or frayed slacks of any type),
b. Short or long sleeve blouses, including sweaters, which may consist of any of the following or similar: dressy blouses, casual tops with or without collars, collared polo, turtle neck or mock turtle neck (no T-shirts or undershirts).
c. Appropriate corresponding footwear. Sandals (excluding shower shoes, flip-flops, flojoes, etc.) may be worn.

415.02.3 Call Outs/Searches/Evidence Processing.
a. Casual shirt (refer to casual business attire).
b. Jeans or casual slacks.
c. Shoes may include any of the following or similar; athletic shoes, canvas type hiking boots, boots, loafers, lace up casual, and oxfords (no sandals).
d. Department issued General Investigations jacket (when applicable).
e. Hats optional.

415.03 Inclement Weather Attire. This clothing may be worn as a protection from the elements of inclement weather, whether extreme heat (avoid sunburns, heat stroke or exhaustion) or cold (wind, rain, snow).
a. Casual Business Attire.
b. Rain coats.
c. Hats.
d. Casual jackets, waist length or longer which may include any of the following or similar: leather or suede, cotton, mixed blends, car coats or sweaters (no denim).
e. Appropriate corresponding footwear.

415.04 Clothing Which Is Not Acceptable. All clothing and footwear will be clean, pressed or polished (when applicable) and in good repair. Following are examples of items of clothing which are not acceptable: blue jeans or faded or frayed slacks, athletic shoes of extravagant color or style, exposed midriff, ball caps, sweat pants, sweat shirts without a collar (holiday sweatshirts are excluded), or jogging suits. Special duties or training may provide an exception.

500 POLICE OPERATIONS POLICIES

500.01 Critical Incident Notifications. All supervisors will be familiar with the Critical Incident Notification requirements. The field supervisor (or designee) is responsible for making the notifications in a timely manner. The Critical Incidents Notification document is located on the "J" drive in the Critical Incidents Notification folder.

501 Use of Physical Force

501.01 It is general policy of the Department that police officers and others acting under the authority of the Department are authorized to use only that degree of force which, based on the totality of the circumstances, ~~is~~ appears reasonably necessary to accomplish a legitimate and legal purpose. The use of any force is governed by the Department's policy and procedure as it relates to a specific force option. The use of deadly force is authorized only when exercised in accordance with the provisions of the Department Firearms and Shooting Policy. The use of the police baton is authorized only when exercised in accordance with the provisions of the Department Baton Policy.

501.02 Justification. The regulations contained in this policy, and the uses of force herein authorized, comprise the limitations established by the Chief of Police. Any officer who exceeds these limitations or fails to comply with these regulations may be subject to disciplinary action.

501.03 Applicability. The provisions of this policy and any other departmental regulation pertaining to the use of force, shall apply equally to all members of the Department regardless of rank or assignment. They shall also apply equally to any other person associated in any manner with the Department.

501.04 Authorization for the Use of Force. Within legal restraints and the limitations set forth in this policy, members are hereby authorized to use objectively reasonable force under the following circumstances:
a. To effect an arrest;
b. To overcome resistance to an arrest;
c. To prevent an escape

501.05 Use of Force Prohibited. The use of force is not authorized under the following circumstances:
a. The use of the arm-bar restraint, or any other hold that intentionally brings pressure against the trachea or windpipe of a person.
b. The use of the Carotid Restraint or any other technique that restricts oxygen or blood flow to the head or neck.
c. For purposes of punishment.
d. For purposes of obtaining a confession, admission, or similar statement or assistance.
e. Force that exceeds a level of intensity required to accomplish the purpose for which it is approved.
f. Force that continues beyond the point where resistance or aggressive action has been overcome, or where further force is not required to neutralize the subject.
g. Force used to accomplish a purpose beyond the authority of the involved member.
(Revised 7/20)

501.06 Type of Force Authorized for Use. Whenever officers are authorized to use force in the line of duty, the following types of force are approved:
a. Physical restraint of the person that forcibly restricts his/her freedom of movement.
b. The applications of a physical hold that inflict transitory pain when attempting to control a subject.
c. The use of chemical agent.
d. The weaponless striking of a person to control them to resist an attack or threat of physical violence upon the officer or another person.
e. The use of a baton, police canine, firearm, taser, handcuff, flexible baton ("bean bag") ammo, cord-cuff leg restraint, WRAP restraint system, or other resource or tool authorized by the Department for such use.

501.06.1 All force options will be administered in accordance with the manner and method taught by the Department's instructors.

501.08 Supervisory Responsibility. It is the responsibility of every supervisor and manager who becomes aware of an incident where force is used by a member of the Department to ensure that the force was within policy and is reported as prescribed by this policy.

501.09 Required Training in the Use of Force. It is the responsibility of the Department Training Coordinator to ensure the following minimum standards of training in the use of force are provided to the appropriate members of the Department:
a. Firearms training as prescribed by the Departmental Standards.
b. Baton training as prescribed in the Departmental Standards.
c. Canine training as prescribed by Departmental Standards.
d. Chemical agent training as prescribed by P.O.S.T. standards.
e. Defensive tactics training as prescribed by Departmental Standards.

501.09.1 Training Policy - Defensive Tactics. This policy is established to provide a level of training in defensive tactics that will enable the proper application and effective use of non-lethal force.

501.09.2 Accountability. At the conclusion of each training session, all officers who did not complete the prescribed training and were not excused will be identified on a memorandum to their respective Division Captain.

501.09.3 Certification. Officers must demonstrate proficiency in the techniques taught. Certification is mandatory and will be determined by "pass/fail," based upon the officer's knowledge and proficiency of the material instructed. Certification shall be at the discretion of the Senior Instructor administering the class.

502 Crisis Management and De-Escalation (Countywide Protocol). Law enforcement is guided by the overarching principle of reverence for human life in all investigative, enforcement, and other interactions between law enforcement and members of the community. San Diego County Law Enforcement Agencies are committed to providing peace officers with the training, equipment and resources necessary to encourage peaceful resolutions. Nothing in this guideline shall preclude the use of reasonable force, deadly or otherwise, by law enforcement officials in protecting themselves or others from death or serious injury.

502.1 Crisis Management Philosophy. Every situation law enforcement responds to is unique. Officers need to consider if the situation is criminal or crisis in nature and determine the appropriate response. When law enforcement is called upon to respond to a crisis or criminal acts, they will if reasonable under the circumstances, use tactics and techniques to persuade the individual to voluntarily comply or mitigate the need to use increased physical tactics to resolve the situation safely. Some situations require an immediate response, while other situations may allow peace officers the opportunity to communicate with the individual, refine tactical plans, and, if necessary, call for additional resources. When reasonable opportunity exists, officers should consider the concepts of *Pre-Engagement, Resources, De-Escalation and Disengagement.*

a. Pre-Engagement Considerations: Pre-Engagement considerations involve the process of gathering and assessing information prior to deploying the available personnel, tactics, equipment, and other appropriate and obtainable resources. Discretionary time, reactionary distance, communication, and barriers are key objectives to enhance the probability of a peaceful outcome. Self-regulation is a key component to the decision-making process.

b. Resources: Consider appropriate, available or obtainable resources that may assist in de-escalation, and to establish control of an incident. Resource considerations may include, but are not limited to, additional personnel, specially trained resources, and specialized equipment which may assist in resolving the incident.

c. De-Escalation: De-escalation is the use of strategies and/or techniques to gain voluntary compliance from an individual in order to gain or maintain control of an incident while reducing the need for physical coercion. These strategies and/or techniques are used to increase time and distance from the individual while attempting to establish effective communication.

d. Disengagement (Tactical Withdraw): Disengagement is a tactic designed to avoid potentially violent outcomes. Disengagement may be a viable option for individuals in crisis who pose no additional threats to others, or resistant offenders who may later be apprehended under safer conditions. Anytime peace officers intend to disengage from an incident, they should attempt to advise involved individuals of the withdrawal from the incident. Peace officers should attempt to ensure those involved have had the opportunity to establish a position of relative safety with respect to the incident, and they are aware that officers will no longer be present to protect the safety of the involved persons. Whenever disengagement/tactical withdraw is determined to be the most appropriate course of action, Officers should do the following:

(1) Provide the individual notice of your plan to disengage/withdraw from the situation,
(2) Provide a reasonable opportunity for the individual(s) to seek a safe location, and,
(3) Advise them that police protection will cease.

502.3 Special Relationship Considerations. A "special relationship" can create a legal duty to protect an individual. It is generally created between an individual and an agency when:
a. An aspect of dependency exists, where one party relies to some degree on an officer for protection, and
b. The officer has assumed control over the means of protection.

502.4 Debrief. Following any significant incident, supervisors are encouraged to debrief and evaluate the event within the context of this policy and its considerations. Debriefs should be informal in nature with an objective of individual and agency development. Each incident can serve to augment the capacities of peace officers with a focus/goal of protecting the lives and safety of all persons.

502.5 Training. The principles of this Philosophy and the crisis management considerations handout, will be included in the Department's annual training.

VOLUME I – POLICY

505 Use of Oleoresin Capsicum (OC). It is the purpose of this policy to describe the circumstances where OC may be used and to regulate its use. (Refer to Vol. III, Section 501 for procedure.)

505.01 The regulations contained in this policy, and the use of OC herein authorized, comprise the limitations established by DOJ and the Chief of Police. Any member who exceeds these limitations or fails to comply with these regulations may be subject to disciplinary action.

505.02 Type of Chemical Agent Authorized. OC shall be the only chemical agent herein authorized for carry and use by authorized members of this Department. Specific brands and hand-held applicators shall only be those authorized by DOJ and issued by this Department.

505.03 Authorized Use. OC will only be used when reasonably necessary and lawful.

505.03.1 OC will not be used on a person once he/she is secured and properly under control.

505.04 First Aid. First aid measures will be taken as soon as practical.

Section 510 Conducted Energy Weapon (Revised 8/20)

510.1 Purpose and Scope. This policy provides guidelines for the issuance and use of TASER® devices.

510.2 Policy. The TASER® device is intended to control a violent or potentially violent individual, under the circumstances authorized herein, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to suspects and officers.

510.3 Issuance and Carrying TASER® Devices. Upon completion of training, all sworn personnel shall be issued a TASER®. All sworn personnel working in the field and wearing a Department uniform, shall carry the TASER® on their person while on duty. All personnel assigned to an administrative position or a non-uniformed, detective position, shall carry, or have readily available, a TASER® while working in the field. Members assigned primarily to administrative duties are not required to carry a TASER® while engaged in routine business matters. However, they will carry a TASER® if they are assigned to work an enforcement-related function. Exceptions may be made by the employee's respective Division Commander.

For sworn personnel at the rank of Lieutenant or higher, carrying of the TASER® is optional.

While working in a uniformed capacity officers shall wear the device in an approved holster or vest carrier. When carried on the officer's duty belt, while in uniform officers shall carry the TASER® device on the opposite side of their duty weapon. A cross draw or weak hand draw is acceptable.

Officers who carry the TASER® on an outer vest, may carry it on their dominant side, only if it is mounted for a cross draw with the non-dominant hand. Officers who carry their TASER® on their non-dominant side, may draw from a cross draw or weak hand draw position.

(a) All TASER® devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
(b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER® device. When not carried on the officer's person, the officer shall have all additionally issued cartridges readily available.
(c) Officers shall be responsible for ensuring that their issued TASER® device is properly maintained and in good working order.
(d) Officers will not attempt to use or hold both a firearm and the TASER® device at the same time.

Officers shall only use the TASER® device and cartridges that have been issued by the Department. Members issued a TASER® are responsible for ensuring the date and time is updated on a monthly basis by plugging the battery into the dock.

510.4 Verbal and Visual Warnings. A verbal warning of the intended use of the TASER® device should

precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable 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 is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may use the arc switch to display the electrical arc or the laser in a further attempt to gain compliance prior to the application of the TASER® device. The aiming laser should never be intentionally directed into the eyes of another person 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.
510.5 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® device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options and is not 100% effective.

510.5.1 Application of the TASER® Device. The TASER® device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:
(a) The subject is violent or is physically resisting.
(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to possess the present potential or ability to harm officers, him/herself or others.

Flight alone from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER® device to apprehend an individual.

510.5.2 Special Deployment Considerations. The use of the TASER® device on certain individuals, listed below, should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:
(a) Individuals who are known to be pregnant.
(b) Elderly individuals or obvious juveniles.
(c) Individuals with obviously low body mass.
(d) Individuals who are handcuffed or otherwise restrained.
(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles, in or around body of water).

Because the application of the TASER® device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode shall be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other options or actions.

The TASER® device shall not be used to psychologically torment, elicit statements or to punish any individual.

510.5.3 Targeting Considerations. Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest, heart, and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER® device probes to a precise target area, officers shall monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

510.5.4 Multiple Applications of the TASER® Device. When Officers apply the TASER® device they should evaluate the situation before deploying a second set of darts or re-energizing the initial set of darts. Multiple applications of the TASER® device against a single individual should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER® device appears to be ineffective in gaining control of an individual, the officer should consider the following factors before additional applications of the TASER® device:
(a) Whether the probes are making proper contact.
(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(c) Whether verbal commands, other options or tactics may be more effective.
Officers should generally avoid intentionally applying more than one TASER® device at a time against a single subject.

510.5.5 Actions Following Deployments. Officers shall notify a supervisor of all TASER® device discharges.

510.5.6 Dangerous Animals. The TASER® device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

510.5.7 Off-Duty Considerations. Officers are not authorized to carry department TASER® devices while off-duty. Officers shall ensure that TASER® devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

510.5.8 Documentation. Officers shall document all TASER® device discharges, use as a drive/stun tool, use of the arc switch or laser for de-escalation in the related arrest/crime report. If the subject is not arrested (e.g. W&I 5150 case) the use of a TASER® shall be documented on an Officer's Report. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges will be reported to a supervisor as soon as possible and documented in the report.

510.5.9 Medical Treatment/Dart Removal. Absent extenuating circumstances, an officer should not attempt to remove TASER® darts that are embedded in a suspect's skin. Only appropriate medical personnel should remove these darts. Used TASER® device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER® device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories shall, as soon as practicable, be examined by paramedics or other qualified medical personnel:
(a) The person is suspected of being under the influence of controlled substances and/or alcohol.
(b) The person may be pregnant.
(c) The person reasonably appears to need medical attention.
(d) The TASER® device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
(e) The person requests medical treatment.

510.5.10 Supervisor Responsibilities. When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER® device may be used. A supervisor will respond to all incidents where the TASER® device was activated. Activated the arc switch or laser without subjecting an individual to electrical current does not require a supervisor response.

A supervisor will review each incident where a person has been exposed to an activation of the TASER® device. In addition, the supervisor is expected to:
(a) Obtain the basic facts from the members involved(s).

(b) Ensure that any injured parties are examined and treated by qualified medical professionals.
(c) Ensure photographs have been taken of any probe sites, areas involving visible injury or complaint of pain as well as overall photographs.
(d) Ensure all witnesses are identified and interviewed.
(e) Ensure evidence is preserved and collected.
(f) Review all reports.
(g) Abide by all other aspects of Volume I, Section 516 Use of Force Reporting.

510.5.11 Training. Personnel who are authorized to carry the TASER® device shall be permitted to do so only after successfully completing the initial department-approved training.

Proficiency training for personnel who have been issued TASER® devices shall occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Unit. All training and proficiency for TASER® devices will be documented in the officer's training file.

Command staff, supervisors and investigators should receive TASER® device training as appropriate for the investigations they conduct and review.

The TASER® Training Coordinator is responsible for ensuring that all members who carry TASER® devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER® devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Coordinator will ensure that all training includes:
(a) A review of this policy.
(b) A review of the Use of Force Policy.
(c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.
(d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest and groin.
(e) Handcuffing a subject during the application of the TASER® device and transitioning to other force options.
(f) De-escalation techniques.
(g) Restraint techniques that do not impair respiration following the application of the TASER® device.

515 Deadly Force.
a. Deadly force is any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
b. Non-deadly force is any use of force that does not create a substantial risk of causing death.

515.01 When a Police Officer May Use Deadly Force. When the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for the following reasons:
a. To defend against an imminent threat of death or serious bodily injury to the officer or another person;
b. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes the person will cause death or serious bodily injury to another unless immediately apprehended.
c. When feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the suspect is aware of those facts.
d. Officers shall not use deadly force against a person based on the danger that person poses to themselves, if the person does not pose an imminent threat of death or serious bodily injury to the officer or another person.

515.02 Warning Shots. Generally, warning shots are not to be fired.

Section 515.03 Shooting at Vehicles. Officers shall avoid placing themselves in the path of a moving

vehicle and/or shall move out of the path of an approaching vehicle unless doing so, under the totality of the circumstances, is not feasible.

Officers shall not discharge a firearm at a moving vehicle or the driver of a moving vehicle solely in an attempt to stop the vehicle as the incapacitation of a driver will result in an uncontrolled stop of the vehicle, potentially risking further injury to people along the way. If an occupant of a moving vehicle is exhibiting deadly behavior toward an officer or another person, such as by firing a weapon or using the vehicle in an effort to create a mass casualty event, deadly force may be directed at that person in order to stop the deadly behavior. (Revised 8/20)

515.04 An officer may use deadly force to end the misery of a seriously injured animal or to kill a dangerous animal that may pose a threat of serious bodily injury to the officer or another person.

515.05 Generally, the uses of deadly force described in this policy comprise the limitations established by the Chief of Police. Any officer who exceeds these limitations may be subject to disciplinary action unless the officer can adequately justify that the action taken was legal, safe, and reasonable. The burden of such justification shall be upon the officer.

516 Reporting the Use of Force. Any use or show of force by a member of this department shall be documented promptly, completely and accurately in an arrest, crime or officer's report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use or show 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.

516.1 Report Content. Documenting the use and/or show of force shall be done in a complete and thorough manner. Reports shall provide a clear and detailed description of the incident, efforts made to gain compliance, the behavior of the involved subject(s), all types of force used or attempted and reasons justifying their application. Reports shall include any attempts to de-escalate the situation (refer to Volume I, Section 502) or why attempts were not made and any warnings given or reasons for not doing so. Reports shall include the existence or lack of any injuries sustained by the subject(s), any complaints of pain from the subject(s), any medical attention provided or offered and refused, and, if applicable, reasons why medical attention was not provided. Reports shall include attempts to locate witnesses and any subsequent statements received. Reports shall include a description of any evidence collected, where it was collected from, and its relevance to the incident. For incidents requiring immediate notification to a supervisor (refer to Section 516.2), the report shall indicate the name of the supervisor. All use and/or show of force reports shall be completed prior to the end of shift unless an exception is authorized by a supervisor, in which case the report shall be completed by the end of the next work shift.

516.2 Notification to Supervisors. Supervisory notification shall be made while still on scene and as soon as practicable following the application of force in any of the following circumstances:

(a) Any use of force used to gain compliance from subjects who are, either actively or passively, resisting.
(b) The application caused a visible injury.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of a TASER®, including use of an arc or laser.
(f) Any application of a WRAP.
(g) The pointing of a firearm, or the display of same, in the direction of a subject for the purpose of gaining compliance.
(h) Discharge of a firearm.
(i) Any use of less lethal munitions and/or light and sound distraction devices.
(j) The individual subjected to the force was rendered unconscious.
(k) An individual was struck or kicked with a personal impact weapon.
(l) An individual was struck with baton or other object used as an impact weapon.
(m) An individual alleges any of the above has occurred.
(n) Use of a canine resulting in a contact.

(o) Vehicle pursuit.

516.3 Supervisor Responsibilities. Upon being notified of a use of force, a supervisor shall respond to the scene and conduct a Use of Force Investigation. If unable to respond to the scene, the supervisor shall delegate the following tasks to another supervisor or, if no other supervisor is available, to another officer. The supervisor shall ensure a complete and thorough investigation of the initiating event is conducted. The supervisor shall inquire about any injuries to officers and subjects and ensure medical attention is being provided as applicable. The supervisor shall ensure a canvass for witnesses is completed, to include receiving recorded statements, a canvass for evidence is completed, to include video from nearby locations, and photos of any injuries to officers and subjects or the lack of any injuries are taken of the subject(s). The supervisor shall attempt to obtain a recorded interview with the subject(s) of the use of force and minimally seek answers to the following questions:

(a) Did the subject know the officer(s) was a police officer(s), and, if so, how?
(b) Did the subject hear any directions given by the officer(s), and, if so, what?
(c) Did the subject comply with the officer's instructions, and, if not, why?
(d) Did the subject take any action(s) in defiance with the officer(s), and, if so, why?
(e) Did the subject physical resist and/or fight with the officer(s), and, if so, why?
(f) Is the subject injured, if so, where?
(g) Does the subject have any pre-existing injuries?

The interview should take place post Miranda admonition. In cases where it is not feasible to conduct a post Miranda admonition interview or when a subject invokes Miranda, the supervisor shall provide the following statement and attempt to ask the aforementioned questions:

"I am (provide rank and name), with the Oceanside Police Department. I am conducting a Use of Force Investigation and would like to speak with you about this incident. This is a recorded administrative inquiry regarding the force used against you. Are you willing to speak with me regarding this incident?"

The supervisor shall ensure the recorded interview is uploaded into evidence.

The supervisor is responsible for ensuring all members involved in the incident complete reports in accordance with Sections 516 and 516.1 above and make every effort to review all reports and BWC footage as part of his/her investigation. The supervisor shall complete a numbered report detailing their observations and actions. The report shall be included as part of the case file involving the initiating event. The supervisor shall also complete a BlueTeam® entry. In the event the supervisor believes excessive force may have been used or uncovers potential misconduct, he/she shall also complete an Administrative Memorandum to the Chief of Police for consideration of assignment by the Professional Standards Unit as an Internal Affairs Investigation.

In the event of an officer involved shooting, a use of force resulting in great bodily injury or death, or death resulting from police action, the supervisor shall initiate Policy and Procedure Manual, Volume III, Section 1060 Officer-Involved Shooting Investigation.

If a supervisor's initial on-scene review determines than any of the following uses of force did not result in injury or complaint of pain, the supervisor is not required to complete an on scene Use of Force Investigation. However, the supervisor shall still review all associated reports to ensure compliance with Section 516.1 above and complete a BlueTeam® entry.

(a) TASER® arc or laser
(b) The pointing of a firearm, or the display of same, in the direction of a subject for purposes of gaining compliance.
(c) Any application of a WRAP.
(d) Use of a canine resulting in no contact.
(e) Use of control hold or other pain compliance technique.

520 Firearms Policy. This policy and any other departmental regulation pertaining to firearms, shall apply equally to all members of the Oceanside Police Department regardless of rank or assignment.

VOLUME I – POLICY

520.01 Authority to Carry Backup Firearm While On-Duty. Members of the Police Department who are authorized to carry and utilize firearms while on-duty may carry a backup firearm in addition to their duty weapon under the following conditions:

a. When the backup weapon to be carried is of a type that has been certified by a Department armorer as safe, reliable, and capable of effective use.
b. The officer shall qualify with the backup each quarter in which the weapon is to be carried.
c. Backup weapons may be chambered in .380, .38, .357, 9mm, 40, and 45 only. No other calibers are authorized for backup weapons.
d. Training ammunition used for qualification with the backup firearm (.380, .38, 9mm, 40, and .45 caliber only) will be furnished by the Department.
e. Officers shall provide their own duty ammunition for their backup firearm regardless of caliber, make, or model.
~~a.~~ The backup firearm shall be carried holstered and concealed on the officer's person in an inconspicuous manner.

520.02 Authority to Carry and Use Concealed Firearms While Off-Duty. Members are authorized to carry and to utilize firearms while off-duty under the authority of their employment as peace officers under the following conditions:

a. The member is a peace officer, as designated under Penal Code Section 830 and currently qualified with the off-duty weapon to be carried as specified by the Firearms Training Program Coordinator.
b. The member has completed training in the legal aspects and departmental policies related to firearms.
c. The firearm carried complies with the limitations imposed by section 520.01 of this policy.
d. The member is currently qualified as specified by the Firearms Training Program Coordinator with the firearm to be carried.

520.02.1 Non-Sworn Authority to Carry Firearms. Members, who are not peace officers as prescribed in Penal Code Section 830.2, are authorized to carry a concealable firearm off-duty when they:

a. Have received written authorization from the Chief of Police to carry the firearm.
b. Have been issued a concealable weapon permit for that firearm, and have the valid permit on their person at the time the firearm is being carried.

520.03 Restrictions upon Carrying Firearms. Members authorized to carry firearms are restricted from such authorization under the following conditions:

a. While on disciplinary or investigative suspension.
b. While on extended leave without pay or other period of unpaid absence.
c. While under the influence of alcoholic beverages or drugs.
d. While in a condition resulting from the use of alcohol or medication, when the member's motor skills, reflexes, or judgment could be affected.
e. When ordered by the Chief of Police or other supervisor not to carry a firearm.
f. When not certified as qualified by the Firearms Training Program Coordinator.
g. When prohibited by law.
h. When on stress medical leave.

520.04 Authority to Draw and Display Firearms. As a general rule, officers are authorized to draw their duty weapon from its holster, or to display other firearms in public under the following conditions:

a. Hazardous Circumstances - when the circumstances indicate conditions that are hazardous to the officer's safety, or to the safety of others.
b. Felony Searches - to search for, apprehend, subdue, arrest, or maintain custody of a felony suspect who the officer has reason to believe is an imminent threat to the safety of the officer or others. Intentionally pointing a firearm at a suspect, even when the weapon is not fired, is an application of legal force.
c. Maintenance and Instruction - to handle such weapons for maintenance or instructional purposes, provided the weapons are empty of any ammunition.

520.04.1 Physical Contact. Generally, officers are prohibited from drawing a firearm while in physical contact with a suspect.

520.05 Privately Owned Firearms. The provisions of this policy do not apply to the off-duty use of privately-owned firearms when used for legal hunting, target shooting, or other lawful sport shooting.

520.06 Requirement to Carry Firearms. Police officers, as designated under PC 830, shall possess a firearm while on-duty and carry a firearm while in an enforcement, field, or investigative capacity.

520.06.1 Off-duty Possession of Firearms. Officers are not required to be armed while off-duty. If an officer chooses to carry a firearm off-duty, the officer must carry the Department's identification card and is encouraged to carry the Department's badge as well.

a. Officers who choose to carry firearms while off-duty will comply with qualification requirements specified by the Department.
b. Officers, when off-duty, or when on-duty and in civilian clothes, shall not wear or carry their firearms in such a manner as to be conspicuously exposed to view. This paragraph shall not apply to officers while they are inside the police facility.

520.07 Registration of Firearms. It is the responsibility of the Support Operations Division to record in departmental files the make, model, and serial number of all firearms owned or used by the department. In addition, a current file shall account for any firearm issued to a member for his or her personal or duty use. All concealable firearms owned by any member, or other person authorized by this policy to carry firearms, shall be registered with the Support Operations Division whenever they are to be carried on or off-duty. The private ownership or legal possession of rifles, shotguns, and handguns not carried on or off-duty need not be registered.

520.08 Functionality of Firearms. It is the responsibility of members authorized to carry firearms to ensure such firearms operate properly. To facilitate the proper functioning of firearms, the Department may inspect any weapon carried on or off duty. Weapons not functioning properly will not be authorized for use until repaired. The Department will facilitate the repair of weapons owned by the City.

520.08.1 Modifications. The following modifications to Department or personal pistol are permitted:

a. Night Sights
b. Magazine Release Extension
c. Slide Stop Extension
d. Frame Mounted Tactical Light
e. Replacement Grips, excluding laser grips

Any other modification must be authorized by the Firearms Program Coordinator prior to carrying the pistol.

520.08.2 Unauthorized Modifications. The following modifications are not permitted:

a. Lanyards
b. Laser Grips

520.09 Firearms Authorized for On-Duty Use. While on-duty, police officers shall carry only those firearms and ammunition that are issued and/or approved by the Department. The Department's issued primary duty firearm is the Glock model 17. The Firearms Program Coordinator shall publish a list of approved primary duty firearms and ammunition in the Department's Firearms Training and Administrative Procedures Manual. Officers who choose to carry an approved firearm other than the issued Glock-17 shall furnish their own gun.

520.09.1 Officers who deploy in an on-duty status with the Department-issued Glock-17 or any other approved primary duty firearm shall:

a. Carry at least three fully loaded magazines.
b. Use only those magazines approved by the Firearms Program Coordinator for field deployment.
c. Use a duty holster specifically designed for the chosen primary firearm.
d. Wear a belt-mounted magazine pouch designed to carry at least two fully loaded magazines.
e. Demonstrate safe and proficient weapon handling with the chosen primary firearm.
f. Use only Department-approved duty ammunition.
g. Prior to its initial field deployment, submit any personally owned primary firearm to the Firearms Program Coordinator for inspection and deployment certification.
h. Attend and complete quarterly firearms qualification and training with the chosen primary firearm.

520.09.2 An officer assigned to non-uniformed duty with the Special Enforcement Section (SES) may deploy with a primary firearm that is not on the list of approved primary duty firearms. The primary purpose of this section is to enhance the SES Detective's ability to effectively conceal the firearm on his or her person while on-duty. Any firearm used for this purpose shall meet the following deployment criteria:

a. The firearm is at least a .380 caliber.
b. The firearm holds at least five rounds.

c. The firearm is inspected and approved by the Firearms Program Coordinator.

520.09.3 Shotguns. Police Officers assigned to field duties will carry a department-approved shotgun.
a. The Department approved shotgun is the Remington Model 870.
b. Tactical forearm mounted lights are permitted.
c. Officers may deploy with an approved carbine or rifle (see 520.09.4) in lieu of a shotgun as long as they are currently qualified to do so.

520.09.4 9mm Carbines and Rifles. As an optional weapon, while on-duty, police officers may also deploy with the AR-15 style 5.56 or .223 caliber rifle or carbine. To deploy a patrol rifle or carbine, the officer must meet the following provisions:
a. Successfully complete a POST-approved patrol rifle training course.
b. Maintain the standards of proficiency established by the Firearms Program Coordinator.
a. The firearm shall be equipped with a zero-magnification electronic optical sight.
b. When not in use, the patrol rifle or carbine shall be stored cased in the trunk of the patrol vehicle or secured in the vehicle-mounted weapon rack in the driver's compartment.
c. Prior to the initial field deployment of any patrol rifle or carbine, the Firearms Training Program Coordinator or designee shall inspect and certify the weapon as safe and ready for field use.

The Firearms Program Coordinator or designee shall evaluate and approve any patrol rifle or carbine magazine prior to its use in the field.

520.09.5 Special Weapons & Tactics Members. SWAT members, while on-duty in any assignment may have available to deploy any weapons, tactical equipment, or ammunition authorized for use as a member of SWAT.

520.09.6 *Patrol* Rifle: 5.56mm. The AR-15 style 5.56mm rifle is the only rifle of this caliber and style authorized for duty use. Authorized users may supply their own 5.56mm patrol rifle for duty use. Privately owned 5.56mm patrol rifles must be used with departmentally approved ammunition. (Added 02/01, Revised 02/02, 06/04, 01/20)

520.09.7 Storage & Deployment. Authorized Patrol Rifle / Carbine Platform. The AR-15 rifle or carbine chambered in 5.56mm or .223 caliber is the only patrol rifle or carbine platform authorized by the Chief of Police for duty use. Officers authorized by the Chief of Police to procure their own AR-15 patrol rifle or carbine shall use Department-approved ammunition. (Added 2/01, Revised 02/02, 01/05, 01/20)

520.09.8 Authorized Users. Only officers who have completed the Oceanside Police Department POST Certified Short Barreled Rifle Course or equivalent and are currently qualified and authorized to deploy the patrol rifle. Authorized users who choose to carry their own 5.56mm patrol rifle must qualify with that particular weapon each quarter, and this training will be documented by the Firearms Training Unit. The Firearms Training Unit program coordinator or designee shall maintain current documentation and records with regard to authorized users. (Added 02/01, Revised 02/02, 01/20)

520.09.10 Ownership and Modification. Privately owned 5.56mm AR-15 style rifles must be consistent with departmental standards. It must be equipped with a red dot sight, a weapons light and sling consistent with department specifications. Privately owned weapons may be modified in a manner that does not affect the operation of the weapon. No other modifications other than those authorized by the Firearms Training Unit Program Coordinator or designee may be made. At no time will 80% lower receiver rifles, bullet button converted rifles, or rifles home built and/or assembled by uncertified personnel be used. Personally owned rifles shall be CA registered assault rifles in compliance with the current laws regarding ownership authorized in PC 30630. (Added 02/01, Revised 02/02, 07/02, 01/05. 01/20)

520.10 Ammunition. The only ammunition authorized for use is that which is issued or approved by the Department. Prior to use, the Firearms Training Program Coordinator or designee must approve any ammunition not issued by the Department.

520.10.1 Approved Ammunition. The Firearms Training Program Coordinator will publish a list of approved ammunition for duty and backup firearms in the Firearms Training and Administrative Procedures Manual. Officers are responsible for purchasing approved ammunition for their off-duty and backup firearms.

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520.11 Firearms Safety. Members authorized to carry firearms under authority of this policy are hereby charged with the responsibility to observe and practice the following safety regulations:

a. Every firearm shall be treated as a loaded firearm until the handler has personally proven otherwise.
b. Other than at specified locations, firearms shall not be dry-fired, cleaned, repaired, exhibited, loaded or unloaded in any place where a discharge could cause personal injury.
c. Firearms shall not be carelessly handled at any time.
d. Any department rifle, shotgun, special weapon, or unholstered handgun that is brought into a police facility shall first be unloaded.
e. Members shall not handle or use any firearm with which they have not qualified, except under the supervision of a department certified firearms instructor. This policy does not apply to firearms being processed as evidence.
f. Firearms stored or left unattended in the police facility shall be inaccessible to unauthorized persons.

Any discharge of a firearm resulting from failure to comply with the above regulations shall be considered an act of negligence and a violation of this policy.

520.12 Retention of Firearms upon Retirement. Police Officers who retire in good standing (other than mental disability) may purchase their duty weapon. The procedure is as follows:

a. The officer must notify the Firearms Training Program Coordinator of intent to retain the firearm 30 days prior to retirement.
b. The Firearms Training Program Coordinator will coordinate the transfer of the officer's duty weapon to reflect it has been transferred from department ownership to the officer's ownership.
c. The officer is responsible for all fees incurred, including and the paperwork required by law to transfer ownership of the firearm.
d. Once the Firearms Training Program Coordinator verifies the documentation has been completed, the firearm becomes the property of the officer.

523 Officer-Involved Shooting Investigation Policy.

523.01 Required Reporting of Firearms Discharge. Any member shall immediately report the discharge of their firearm to the on-duty Patrol Shift Supervisor under the following circumstances:

a. Any intentional discharge, except on a supervised range or training exercise.
b. Any unintentional discharge, except accidental discharges fired on a supervised range or training exercise that do not result in death, injury, or property damage. These exceptions need only be reported to the training supervisor on the scene.

523.02 Investigation of Officer Involved Shooting. All reported firearms discharges will be investigated as described in Volume III, §1060.

523.03 Referral of Investigation. The Chief of Police may refer the matter to the District Attorney for a legal opinion. Whenever a shooting investigation has been referred to the District Attorney, any administrative decision on the matter may be deferred until a response has been received from the District Attorney. If the matter is not referred, the Chief of Police will act as soon as reasonably possible after the completion of the investigation.

523.04 Shooting Review. Upon completion of the investigation of an officer-involved shooting, the Chief of Police will determine the appropriate administrative action.

523.05 Chief of Police Determination. The Chief of Police will make one of the following determinations regarding the officer's actions:

a. The discharge was authorized by the Department Firearms and Shooting Policy. In such an event, no further action may be required, and the matter may be closed,
b. The discharge was not consistent with the limitations of the Departmental Firearms and Shooting Policy, but the officer's actions were sufficiently justified as legal, safe, and necessary. In such an event, no further action may be required, and the matter may be closed, or
c. The discharge was not consistent with the limitations of the Departmental Firearms and Shooting Policy and the officer's actions could not be justified. In such an event, the Chief of Police will initiate administrative or disciplinary action.

523.06 Division Captain's Review. The Chief of Police may assign the review of both the administrative and criminal investigations to the involved member's Division Captain for purposes of administrative insight and the identification of applicable training points.
523.07 Training and Review Procedure. The Chief of Police may assign members of the department with specific expertise to review the shooting incident. This review is for the purpose of evaluating the possible need to modify practices of the department or training procedures.

523.08 Release of Officer's Name. The involved officer's name will not be released without the authorization of the Chief of Police.

525 Baton Policy. The police baton is an authorized weapon for on-duty use by certified officers when it is necessary to defend oneself from attack, subdue a resisting offender, maintain control over an arrestee, or to otherwise enable an officer to perform a lawful duty. The baton is a proper weapon in those situations where lethal force would be inappropriate.

525.01 Authorized Batons. The only batons authorized for use by officers of the Oceanside Police Department are:
a. Armament Systems and Procedures, Inc. (A.S.P.) black steel expandable baton.
b. Monadnock MP 26" Polycarbonate Straight Baton.
c. Dymondwood 26" or 29" length or other straight baton of similar construction, appearance, size, weight and performance from a reputable manufacturer.

No other type of baton is authorized for use without the express approval of the Chief of Police.

525.02 Members Authorized to Carry and Use Baton. No member, or other person associated with the Department in any manner, is authorized to carry or use the straight baton, or A.S.P. expandable baton unless that person has successfully completed the required training, or has been otherwise certified by the Training Section in its use. All police officers, regardless of rank or assignment, may carry the A.S.P. expandable baton in lieu of the straight baton or side-handle baton upon successful completion of a prescribed course of training.

525.03 Authorized Use. The purpose of the baton is to inflict controlled, transitory pain or discomfort to enable the officer to either resist an attack or to gain a physical advantage so that he or she can properly perform their duties. Therefore, Officers are authorized to use the baton under the following conditions:
a. To protect the officer or other person from attack.
b. To subdue a resisting offender; Active resistance alone does not allow the use of a baton strike. Only techniques taught for pain compliance would fall into this category. NO STRIKES.
c. To maintain control over an arrestee; Active resistance alone does not allow the use of a baton strike. Only techniques taught for pain compliance would fall into this category. NO STRIKES.
d. To gain compliance to the officer's lawful orders by persons refusing to obey; Active resistance alone does not allow the use of a baton strike. Only techniques taught for pain compliance would fall into this category. NO STRIKES.
e. In emergencies, as a tool to assist the officer to gain entry into a locked vehicle or building when lawful access if required.
f. Any other instance wherein its use is necessary to ensure the safety of the officer or other person; Active resistance alone does not allow the use of a baton strike. Only techniques taught for pain compliance would fall into this category. NO STRIKES.

525.03.1 Officers are authorized to use only the striking and restraint methods (Pain Compliance) as instructed by the Training Section. Intentional striking at a person's head, neck, heart, or spine is not authorized, unless it is a situation in which lethal force would be authorized.

525.03.2 Nothing in this policy authorizes an officer to use the baton beyond that which is reasonable to neutralize an aggressive action against the officer or to gain a physical advantage. Once this has been accomplished, further use of the baton is no longer appropriate.

525.04 Required Use. Unless the threat of unreasonable additional danger requires the officer to operate without it, uniformed officers, regardless of rank, assigned to field duties will carry an authorized baton when they exit the police vehicle. This includes meal periods in public places. The wearing of a baton in court is optional. Uniformed officers assigned primarily to administrative duties are not required to carry a baton while engaged in routine business

matters. However, they will carry a baton if they are assigned to work an enforcement-related function. Officers so authorized may carry/use the A.S.P. expandable baton in lieu of the straight baton as outlined above.

525.05 Emergency Medical Care. Appropriate first aid treatment for persons struck with a baton will be initiated by the officer at the earliest practical moment. This care will also be extended to professional medical care when deemed necessary, and in all cases where the person has been struck on the head, collarbone, chest (ribs and breastbone), abdominal area, or back.

525.06 Reporting. Anytime a baton is used in the field, the officer shall include the circumstances surrounding its use in the Arrest Report. In the event no arrest is made, the officer shall complete a numbered Officer's Report outlining the details of the incident in which the baton was utilized.

525.07 Care and Maintenance. Whether issued by the Department or supplied by the officer, it is the responsibility of the officer to keep and maintain the baton in good condition, and as near original condition as possible. No carved initials or markings are to be engraved upon department-owned batons, nor are any modifications to be made to any baton.

525.08 Training Management. The Department's Defensive Tactics/Baton Instructor staff are authorized to formulate and conduct all training in the use of the A.S.P. and straight stick batons, and to maintain proficiency in the use of the baton(s). Defensive Tactics/Baton Instructors are responsible for initial and on-going certification of officers in the carry and use of police batons, and will forward all documents relating to baton training to the Training Section.

525.08.1 All police officers will qualify with the baton as determined by Departmental Standards.

530 Use of Police Canine. The use of an Oceanside Canine by its handler in the line of duty may, depending on the circumstances, be considered as "use of force" and as such must not be greater than the force reasonable to lawfully and properly neutralize an unlawful assault or overcome resistance by a person being lawfully taken into custody.

There are varying degrees of force that may be justified depending on the dynamics of the situation. In each individual case, lawful and proper force is restricted to only that force objectively reasonable to control and terminate unlawful resistance, and to preclude any further attack against officers or other persons.

535 Operation of Police Vehicles. Members are responsible for the safe operation of police vehicles and obedience to all traffic laws.

535.01 Compliance with Traffic Laws. Under certain conditions, a police officer operating an emergency vehicle is exempted from numerous provisions of the California Vehicle Code. Police officers are required to familiarize themselves with the exemptions granted to the driver of an emergency vehicle.

535.01.1 Under no circumstances is a member relieved of his/her duty to drive with due regard for the safety of all persons using the highway.

535.02 Use of Seatbelts. Members, and other occupants of department vehicles, shall use the passenger restraint equipment. The passenger restraint equipment shall be fastened prior to the vehicle being set into motion. The member operating the vehicle is responsible to ensure this is followed.

535.02.1 Exceptions. The following exceptions apply:

a. When the threat of an immediate and identifiable danger outweighs the advantages of using the passenger restraint system.
b. When an occupant of the vehicle has a physically disabling or medical condition that would prevent proper use of the passenger restraint system.
c. When it is necessary to transport a prisoner who is restrained in such a manner as to prevent the proper use of the vehicle's passenger restraint system. Prisoners that are handcuffed shall be secured with the vehicle's passenger restraint system when they are transported.

535.03 Use of Emergency Lights and Siren. Police officers may use emergency lights and sirens under the following conditions:

a. Non-Emergency Conditions: Police officers may use emergency lights and siren under non-emergency conditions only:
   1. To effect traffic stops;
   2. To warn motorists of hazards, such as traffic accidents or dangerous conditions;
   3. Special events such as parades or escorting large vehicles. (Note: NO siren shall be used during an escort).
   4. Approved training.
b. Life-Threatening Conditions:
   1. Supervisors or Communications may authorize a "Code 3" response in any potentially life-threatening situation. Examples of these are heart attacks, person not breathing, etc. If OFD arrives on scene prior to OPD arriving on scene to a medical emergency, Dispatch may advise to reduce "Code 3." (Revised 05/04)
   2. In cases when a "Code 3" response has not been authorized, and the officer has facts that warrant such a response, the officer may initiate a Code 3 response based on the totality of the circumstances The officer will have to justify the "Code 3" response met the requirements set forth in CVC 21055.
   3. Supervisors are responsible for monitoring all "Code 3" responses. Supervisors may discontinue the Code 3 response at their discretion.
   4. "Code 3" is defined as operating an emergency vehicle with at least one red light to the front and the use of a siren.

535.04 Cover Calls. Certain calls are of an urgent nature, but are not an immediate emergency. Examples would be a pending disturbance or a cover call. In these cases, police officers will discontinue routine activities and respond to the scene as promptly as possible, obeying all traffic laws.

535.04.1 If the cover call escalates to the point that the officer at the scene is in immediate danger due to hostile crowds, a violent or armed suspect, or similar emergency situation, the officer may request "Code 3 Cover." A supervisor may also authorize a "Code 3" cover response.

535.05 Operation of Non-Emergency Vehicles. Vehicles not equipped with emergency lights and siren will not be used in violation of traffic laws.

536 Use of Emergency Exit, West of Police Facility. An emergency exit exists in the center divider of El Camino Real west of the police facility. The purpose of this is to allow quick access to southbound El Camino Real for police officers responding to an emergency. Police officers are authorized to use the exit only when responding "Code 3" to an incident. All other access to southbound El Camino Real shall be via regular, legal routes.

540 Vehicle Pursuit Policy. This pursuit policy is generally consistent with the San Diego Countywide Pursuit Protocol. The purpose of this protocol is to provide police officers specific guidelines for conducting vehicular pursuits with the highest consideration for public safety and in keeping with CVC § 17004.7(c). (Refer to Vol. III, §350 for Pursuit Procedures.)

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

540.02 General Guidelines.

a. A police vehicle pursuit exposes the public, officers, and fleeing violators to the potential risk of death, serious injury, or damage to personal property. Officers may be subject to administrative action for negligent emergency vehicle operation and the City may be found liable in civil actions. If the emergency vehicle operation rises to the level of criminal negligence, an officer may be subject to criminal prosecution.
b. When engaged in a pursuit, officers should continually weigh the seriousness of the violator's suspected crime against the potential for death or injury if the chase is continued. Frequently, discontinuance of a pursuit in the interest of public safety is appropriate.
c. Officers should not assume that all persons who flee from the police and refuse to yield are serious criminal suspects. Experience has shown that many pursuits involve non-violent crimes or traffic violations.
d. In a pursuit, the violator frequently refuses to give up and the officer feels an obligation to succeed in the pursuit. This psychological phenomenon can cloud one's judgment and may cause the officer to continue the chase

beyond the point where common sense, experience, and good judgment would require the pursuit to be discontinued.

e. Generally unmarked emergency vehicles equipped with red lights and siren will not become engaged in vehicle pursuits.

540.03 Legal Requirements.

a. A public entity is liable for death, injury, or damage proximately caused by negligent or wrongful act or omission in operation of a motor vehicle by an employee acting within the scope of employment. (17001 CVC)
b. A public entity is liable for death or injury to person or property to the same extent as a private person. (17002 CVC)
c. A public employee is not liable for civil damages resulting from the operation, in the line of duty, of an authorized emergency vehicle while responding to an emergency call or when in the immediate pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm or other emergency call. (17004 CVC)
d. A public agency is immune from liability for injury, death, or damage caused by the collision of a vehicle being operated by an actual or suspected law violator being pursued by peace officer(s) employed by a public entity if the agency adopts a written policy on vehicle pursuits that meets listed minimum standards. (17004.7(c) CVC)
e. The driver of an authorized emergency vehicle is exempt from the "rules of the road" provided that the red light and siren (defined as "yelp" or "wail" only) of the vehicle are activated. (21055 CVC)
f. The "rules of the road" exemption does not relieve the driver from the duty to drive with due regard for the safety of all persons using the highway, nor does it protect him/her from the consequences of an arbitrary exercise of the privileges granted in that section. (21056 CVC)
g. It is unlawful to drive on the wrong side of a divided roadway, including freeways (against oncoming traffic). Any willful violation of this section, which results in injury to or death of a person shall be punished by imprisonment in the state prison. Emergency vehicle operators may not be immune from prosecution if involved in a wrong way collision that results in injury or death. (21651(b) and 21651(c) CVC)
h. Upon the approach of an authorized emergency vehicle that is sounding a siren and has at least one lighted lamp exhibiting red light, the surrounding traffic shall yield to the emergency vehicle. (21806 CVC)

540.04 Countywide Pursuit Protocol Evaluation Committee. Participating agencies in the Countywide Pursuit Protocol will identify or select a representative from their agency to participate as a committee member to evaluate the protocol. An annual evaluation will take place no later than July 30th, or as needed. In addition to the annual review, the hosting agency for the following year will be identified. The head of any participating agency may request the evaluation committee to convene at any time after a pursuit to evaluate the protocol effectiveness.

545 Traffic Collision Reporting. Officers are charged with the responsibility of submitting complete, clear, and concise reports that lead to logical conclusions. Whenever possible, the report should also readily identify the responsible party or parties, along with the proximate cause of the collision.

545.01 Report Format. All reportable traffic collisions occurring within the City of Oceanside will be documented in accordance with the procedures and formats outlined in the California Highway Patrol "Collision Investigation Manual."

545.01.1 Exception. The only accepted deviations from the CHP "Collision Investigation Manual" are those described in the Field Procedures.

550 Responsibility to Care for Injured Parties. When members respond to incidents, accidents or crimes where parties are injured, their primary responsibility is to care for the injured.

550.01 Presumption of Death. Whenever there is doubt as to the presence of life or vital signs, that doubt is to be resolved in favor of life. Only in the most extreme cases of dismemberment, decomposition, or other obvious indication of death shall officers presume death. If there is doubt, provide the care and/or transport to a hospital.

555 Care of Evidence and Found Property. It is a violation of this policy for any member to retain possession of, secure or store any property or evidence except in such manner as provided by departmental policies or procedures. Evidence shall be collected, packaged, and preserved in accordance with this policy, Volume II Section 1400, and the

Evidence Manual. Found property shall be stored and disposed of in a manner consistent with Civil Code Section 2080 et seq.

555.01 Definitions:

a. Evidence: property that is intended or required to be used in court in department cases.
b. Evidence technician: department member assigned to receive, store, safeguard, and legally dispose of all found property and evidence coming into the possession of the Department. The Evidence Technician also maintains all records concerning such transactions.
c. Property: all property coming into the possession of the Department through various means.

555.02 Member Responsibility. Members are responsible for all property and evidence coming into their possession in the course of their duties. This includes vehicles and the property therein. Members may be liable civilly, and the city may incur liability for their acts for the loss of any such property or evidence due to carelessness or negligence.

555.02.1 Members who first seize, confiscate or otherwise take possession of evidence or property are responsible for the proper gathering, preservation, identifying, marking, and tagging of said properties until such time as the member deposits the property or evidence to the control of the Evidence Technician.

555.02.2 Members shall forthwith place in evidence any and all property and/or evidence that they may take charge of or receive in the course of their official duties or employment as police employees.

555.02.3 Members are required to place into evidence all narcotics and dangerous drugs that come into their possession regardless of the amount.

559 Law Enforcement Incident Command System (LEICS). (Replaces Volume III, Section 1040)

559.01 The Department should utilize the Law Enforcement Incident Command System (LEICS) in all routinely occurring incidents. LEICS will be used in multiple-agency/department responses to an incident.

559.02 The guidelines, structure and documentation required for a LEICS incident are found in the Law Enforcement Guide for Emergency Operations. This guide is published by the California Governor's Office of Emergency Services (OES).

560 Barricaded Suspect/Hostage Situations. The Patrol Division maintains a procedure to ensure all efforts are made to protect the life of hostages, citizens, officers, and suspects in barricaded suspect/hostage cases. (Refer: Vol. III, Section 1035)

565 Hate Crimes. Members will take a proactive role in the promoting of peace and tranquility in our community, ensuring that rights guaranteed by State laws and the U.S. Constitution are protected for all citizens regardless of their race, national origin, ethnicity, religion, gender, age, disability, or sexual orientation. When such rights are infringed upon by violence, intimidation, threats of violence or other harassment, this Department will use every necessary resource available to rapidly and decisively identify the perpetrators and bring them before the courts. All acts of hate or bias-related violence and/or threats will be viewed as serious, and given priority attention. Such acts may generate fear and concern among victims and the public and have the potential of recurring, thus escalating and possibly causing counter violence. (Refer to Vol. III, Section 703)

565.01 Policy. The Department will bring the investigative and enforcement elements into quick action following any and all reported or observed incidents of age, gender, racial, religious, ethnic/national origin, disability or sexual orientation hatred. Special emphasis will be placed on victim assistance and community cooperation to reduce victim/community trauma or fear. It must be remembered that actions taken by the Department in dealing with such incidents are visible signs of concern and commitment to the community on the part of Oceanside government and its police department.

565.02 The proper investigation of hate or bias-related incidents is the responsibility of all members. Each member must be sensitive to the feelings, needs, and fears of the victim as well as those that might be present in the community as a result of incidents of this nature.

570 Radar Usage. Only those officers who have a certificate of training from a P.O.S.T. approved radar operator's course shall be authorized to use radar for traffic enforcement. A copy of the P.O.S.T. certificate must be on file in the officer's Department training file to qualify as valid under this policy.

573 Specialized Surveillance Equipment. The department maintains high-tech surveillance equipment that is available to all members for special operations. This equipment, maintained by the Special Enforcement Section, includes covert cameras, night vision, a portable infrared device, covert audio equipment, and a covert surveillance vehicle. (Refer to: Volume IV Section 415).

575 On-The-Job Training. It is the policy of the Department to encourage and facilitate on-the-job training. On-the-job training may be formal or informal and include mentoring, shadow programs, new employee training, new assignment training, or temporary assignment training. The purpose of on-the- job training is to provide efficient service to the community through the development and improvement of job skills. On-the-job training is designed to share the richness of knowledge and skills present within the organization.

575.01 Definitions. Mentoring and shadow programs are informal training. Members desiring knowledge about various jobs and assignments in the organization, may, with the approval of the applicable supervisor, make informal arrangements with those members to meet to gain perspective and overview, to make observations, and to seek answers to specific questions. New member training, new assignment training, and temporary assignment training are formal on-the-job training programs. Examples of formal on-the-job training include the Field Training Officer Program, new Dispatcher Training Program, new Records Technician Training Program, new Investigators Training Program, and the Temporary Investigator Training Program.

575.02 Responsibility. Division Captains are responsible to develop procedures for accomplishing formal on-the-job training. The procedures will describe the program; the qualification, selection, and retention of trainers; the instructional objectives and the training syllabus; and the duration of training. In the case of the Field Training Officer Program, the training will meet or exceed P.O.S.T. standards. When members from one division and are temporarily assigned to another division for formal on-the-job training, both Division Captains will agree on the instructional objectives, the training plan, and the desired outcomes.

575.03 Temporary Assignments. Temporary assignments of a shorter nature between other work units can also provide an opportunity for training and education. Supervisors from all work units are encouraged to utilize a short-term temporary assignment when the need exists to educate a member in a specific field or train a member in a deficient area. As an example, if an officer was continually improperly packaging evidence, that officer could be assigned to the evidence custodian for training.

580 Megan's Law. The Department may release certain information to members of the public in those instances when an officer has a reasonable suspicion, based upon confirmed information, that a person or persons are at risk of becoming of victim of a sex offender. If the potential victim is likely to encounter said sex offender, and absent exigent circumstances, an immediate release of information is necessary for the protection of the potential victim, a sergeant or lieutenant may approve of the release of the information. (Volume III, Section 420) (Added 10/98)

580.1 The Investigations Division will review the status and verify the address of all persons listed as "high risk" once each calendar year.

100 CLERICAL

101 Use of Official Department Stationery. The Police Department is an official arm of City Government and as such, correspondence from the Oceanside Police Department should be used for official purposes only. All official police correspondence from this department shall be on official department stationery, unless otherwise approved by the Chief of Police.

101.01 Format. All correspondence on official department stationery will bear the name of the Chief of Police. Division Captains or other official designee may sign correspondence. (Revised 12/02)

101.02 Business Card Format. All department members are authorized to use official department business cards. The Chief of Police must approve any changes or modifications to the official department business card format. (Added 07/01)

101.02.1 Business Card Procedure. Each division will identify and train a member(s) of their staff to produce business cards. Requests for department business cards will be processed and completed at the division level. The Department will provide business card stock, however, members may upgrade to a higher quality at their own expense. (Added 07/01)

101.02.2 Business Card Use. Only the authorized and approved business card may be used when conducting official business of the Department. (Added 07/01)

105 Correspondence.

105.01 Testimonial / Recommendation Letters. Members shall not vouch for any person or give testimonials, affidavits, or letters of recommendation for any person, except that in preparing such letters and testimonials, members must state the letter is prepared on the basis of personal knowledge of the writer and should not be construed as an endorsement or recommendation by the Police Department.

105.02 Confidential Reports. Any member of the Department wishing to call attention to any matter of police business, neglect of duty, or misconduct may communicate through their supervisor or may make a confidential report in writing directly to the Chief of Police. (Revised 07/01)

105.03 Telephone Calls. Departmental telephones and faxes shall not be used for other than official police business. Private calls of a short duration are allowed.

105.04 Information Concerning Outside Civil Suits, Investigations, etc. Occasionally members of our department are contacted by outside agencies and organizations making investigation for a variety of reasons. Such contacts are made by Insurance Investigators and Claim Adjusters, Federal and State Investigators and various other groups. Their investigations may concern possible civil liability, alleged violations of rights, or other matters involving the City or the member as a respondent or witness.

105.04.1 Whenever a member is contacted by any such investigator, the member will make that fact known to the Department's City Attorney Liaison immediately. The contacted member will not make any statements until clearance is received from the Office of the Chief of Police. Such clearance may require contact with City Management and/or City Attorney.

105.04.2 When clearance is received, the Department's City Attorney Liaison will make appropriate arrangements to accommodate the investigator and bring him/her together with the member with whom the interview is sought. When circumstances require, or when the member desires, a representative of the staff will sit in on the interview.

105.05 Subpoena Duces Tecum for the Personnel Files of a Member. Normally a subpoena duces tecum for the personnel files of a member will be served upon the Chief of Police or a member of the Chief's staff. However, if any other member should receive such a subpoena, they shall immediately forward it to the Records Manager. Records staff will then forward the original to the Professional Standards Unit and send an electronic copy to City Attorney or District Attorney in time to prepare an appropriate response.

105.06 Department Mailboxes. Members shall check their department mailbox and department e-mail each regular workday. Exclusions include temporary periods of off-site assignments, such as: training, special details, or schools. During long-term off-site assignments, members may access their e-mail through an internet connection, and the division Captain may make special arrangements for checking mailboxes. (Added 2005)

110 Suggestions. The most important resource of the Department is its members. Ideas are critical to the success of any organization. All too often innovation is stifled because the organizational structure fails to provide an effective means of soliciting and evaluating member input and ideas. To submit ideas without justification is also a barrier to meaningful innovation.

110.01 Format for Submitting Suggestions. When a member submits a suggestion, the following questions should be addressed as appropriate:

a. What is the suggestion?
b. Why is the proposed change needed?
c. Are supporting documents/information attached?
d. How much will it cost to implement the suggestion?
e. How much money will be saved/generated by the proposed change?
f. Is the originator of the suggestion willing to work on its implementation?

110.02 Procedure. Suggestions may be submitted by memorandum to the Chief of Police through the chain of command or utilizing the Suggestion Box. After initial review by the Chief of Police or designee, the suggestion will be assigned to the appropriate member(s) of the Department should further action/research be necessary. The member submitting a formal suggestion will be advised concerning the status of the proposed suggestion and the reasons for adoption or dismissal. (Revised 07/01)

115 Standardization of Report Forms and Formats.

115.01 Procedure. No department-wide report form or format is authorized for use within the Department until approval is obtained from and published by the Investigations Division Captain or designee. This approval does not apply to report forms or formats used exclusively within a section or division, but only to those forms that would be used department-wide and passed across divisional lines. (Revised 03/00, 07/01)

115.01.1 Approval Process for Submitting Department-wide forms or formats. Any department member may submit a proposal to add new forms or formats and/or recommend changes or modifications to existing forms or formats. All proposed new forms or formats and/or modifications to existing forms or formats will be submitted to the member's chain of command. Proposals shall include a written justification. (Added 03/00, Revised 01/20)

115.01.2 The Division Captain, or his/her designee, shall review each proposal and initiate a 'Staff Review of Proposal'. Criteria for the acceptance of the proposal will be based on the results of the Staff Review, practicality of the proposal, and/or that the proposed form or format does not duplicate an existing form or format. If accepted, the proposed shall be authorized for use. If rejected, the proposal will be returned to the originator with a written explanation concerning the reason. (Revised 01/20)

115.02.1 An electronic master copy of approved forms shall be maintained on the Department's computer network.

120 Records and Information Services

120.01 Automated Systems Security Access and Employee Statement Forms. All members shall be required to read and sign the Automated Systems Security Access and Employee Statement Forms. Any other City of Oceanside employee, who in the course of their job duties come into contact with police department computer systems, will also be required to read and sign the Automated Systems Security Access Form and Employee Statement Form. (Revised 07/01)

120.02 Procedure Employee Statement Form.
All members shall print and sign your name on the Employee Statement Form including ID number and date on an annual basis.

a. All members shall carefully read and then sign and date the Employee Statement Form. Failure to sign the Employee Statement Form may result in denied access to department computer systems.

b. The original Employee Statement Form shall be forwarded to the Records Manager and is available for review upon request.

120.02.1 One copy of the original Automated Systems Security Access Form shall be forwarded to the Chief's Office for inclusion in the member's personnel file.

120.03 Automated Systems Security Access Form:

a. Each member of the department is granted allowable access to specific law enforcement databases based on classification and assignment.

b. Section 1 – Employee Information shall be completed by the Background Investigations Unit and given to the Field Operations Support Services Captain for authorization.

c. The form is given to the Records Manager who provides access to each of the databases.

120.03.1 One copy of the original Automated Systems Security Access Form shall be forwarded to the Chief's Office for inclusion in the member's personnel file.

130 Records Maintenance and Release

130.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

130.2 POLICY
The Oceanside Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

130.3 CUSTODIAN OF RECORDS RESPONSIBILITIES
The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:
(a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.
(b) Maintaining and updating the department records retention schedule including:
1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department division responsible for the original record.
(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
(e) Establishing rules regarding the processing of subpoenas for the production of records.
(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).
(g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.
(h) Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.
(i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.
(j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department’s website.

130.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

130.4.1 REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253). The processing of requests for any record is subject to the following (Government Code § 6253):

(a) The Department is not required to create records that do not exist.

(b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).

(c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).
2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

(e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

130.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Social Security numbers (Government Code § 6254.29).

(c) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).

1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.

2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

(e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident except as provided by Government Code § 6254.4.5.

(f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved, or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).

1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

(g) Local criminal history information including but not limited to arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney, or the courts pursuant to Penal Code § 1054.5.

(h) Certain types of reports involving but not limited to child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633), and juveniles (Welfare and Institutions Code § 827).

(i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants, or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).

(j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).

(k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies, and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).

(m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

(n) Records relating to the security of the department's electronic technology systems (Government Code § 6254.19).

(o) A record of a civilian complaint, or the investigations, findings, or dispositions of that complaint if the complaint is frivolous, as defined by Code of Civil Procedure § 128.5, or if the complaint is unfounded (Penal Code § 832.7 (b)(8)).

(p) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254).

(q) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

130.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information. Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts. All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

130.6.1 DISSEMINATION OF INFORMATION

Information and documents regarding official business shall be disseminated only to whom it is intended, in accordance with Department procedures and the law. Members will exercise due caution in maintaining and

protecting the safety and security of confidential documents. Members shall treat as confidential all matters relating to investigations, internal affairs, and personnel and not discuss them unless lawfully required in the performance of their duties.

130.7 RELEASED RECORDS TO BE MARKED
Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released. Each audio/video recording released should include the department name and to whom the record was released.

130.8 SEALED RECORD ORDERS
Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or
conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781). When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Manager shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

130.9 SECURITY BREACHES
The Records Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29). Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. For the purposes of this requirement, personal identifying information includes an individual's first name or first initial and last name in combination with any one or more of the following:
• Social Security number
• Driver license number or California identification card number
• Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
• Medical information
• Health insurance information
• A username or email address, in combination with a password or security question and answer that permits access to an online account
• Information or data collected by Automated License Plate Reader (ALPR) technology 130.9.1

130.9.1 FORM OF NOTICE
(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Oceanside Police Department.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.
7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

(b) The notice may also include information about what the Oceanside Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).
(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to

protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.

2. When the breach involves an email address that was furnished by the Oceanside Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

130.9.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.
2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
    (a) Email notice when the Department has an email address for the subject person.
    (b) Conspicuous posting of the notice on the department's webpage for a minimum of 30 days.
4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

(b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

130.10 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)). For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)). The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

130.10.1 DELAY OF RELEASE

Disclosure of critical incident recordings during active criminal or administrative investigations may be delayed as follows if disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source:

(a) Disclosure may be delayed up to 45 days from the date the Department knew or reasonably should have known about the incident.

(b) Delay of disclosure may continue after the initial 45 days and up to one year if the Department demonstrates that disclosure would substantially interfere with the investigation.

(c) Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).

130.10.2 NOTICE OF DELAY OF RELEASE

When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

(a) During the initial 45 days, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination that disclosure would substantially interfere with the investigation. The notice shall also include the estimated date for the disclosure.

(b) When delay is continued after the initial 45 days, the Custodian of Records shall promptly provide the requester with written notice of the specific basis for the determination that the interest in preventing interference with an active investigation outweighs the public interest in the disclosure, and the estimated date for the disclosure. The Custodian of Records should work with the Chief of Police in reassessing the decision to continue withholding a recording and notify the requester every 30 days. Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

130.10.3 REDACTION

If the Custodian of Records, in consultation with the Chief of Police or authorized designee, determines that specific portions of the recording may violate the reasonable expectation of privacy of a person depicted in the recording, the Department should use redaction technology to redact portions of recordings made available for release. The redaction should not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording, and the recording should not otherwise be edited or altered (Government Code § 6254(f)(4)). If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).

130.10.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE
If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):
(a) The person in the recording whose privacy is to be protected, or his/her authorized representative.
(b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
(c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected. If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination (Government Code § 6254(f)(4)). The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).

132 Procedures for Officer Notification System. The purpose of this procedure is to establish guidelines for the implementation and use of the Officers Notification System (ONS).

132.01 The Officers Notification System gives law enforcement agencies the capability to solicit requests for information about persons, vehicles, and/or locations. These requests are available on an on-line, region-wide basis to all member agencies of ARJIS. This provides an electronic avenue of exchange among detectives, investigators, field officers and communications.

132.02 Training. Individuals from each unit have been trained to act as instructors. Training will consist of an overview, followed by individual hands-on training. This training will follow the procedures outlined in the ONS data entry manual and ONS inquiry manual.

132.03 Special Conditions. The Officer Notification System has not been designed to act as a warrant system, therefore the following wording may not be used when making an entry; PC or PROBABLE CAUSE, ARREST OR WARRANT. Entries requesting information may use the following language; notify, detain or detention, or other appropriate language.

132.04 Investigations Division. Detectives and/or Investigators will have entry and inquiry capabilities. They will be responsible for entering and monitoring their entries requesting information concerning persons, vehicles or locations. They will also be responsible for the contents of their entries as well as purging the entries in a timely manner to keep the files current. Records Technicians will have access to inquiry in the Officer Notification System

132.04.1 Gang Investigators have entry and inquiry capabilities. They are responsible for entering and monitoring their entries requesting information concerning gang members. Gang file entries must meet the guidelines as set forth in the Special Enforcement Unit Gang Policy. Gang Investigators are responsible for the contents of their entries as well as purging the entries in a timely manner to keep the files current.

132.05 Patrol. Police Officers, Field Evidence Technicians, Community Service Officers and Dispatchers shall have access to inquiry capabilities to ONS. It is their responsibility to bring to the attention of a Detective any incident, person or location they feel warrants entry into the Officer Notification System. Accident Investigators will have the same security level as other investigators within the Department.

132.06 Security. The Records Section will be responsible for entering security code level designators for all ONS users. The security code level will be determined by the member's assignment.

135 Release of Report or Other Information.

135.01 Arrest Information. Government Code Section 6254(f) requires disclosure of the following information even when police reports are exempt from disclosure:
a. The full name, current address, and occupation of every person arrested by the agency.
b. The arrestee's physical description, including date of birth, gender, weight, color of eyes and hair.
c. Date and time of arrest.
d. Date and time of booking.
e. Location of arrest.
f. Factual circumstances surrounding the arrest.
g. Amount of bail set.
h. Time and manner of release or location where arrestee is held.
i. All charges the subject is being held on including warrants and probation/parole holds. (Revised 07/01)

135.01.1 Crime Reports & Requests for Assistance. The following information shall be disclosed:
a. Time, substance, and location of all crime reports or requests for assistance.
b. Time and nature of response thereto, including, to the extent that such information is recorded:
   1. Time, date and location of occurrence (excluding sex crime when location is the victim's address).
   2. Time and date of report.
   3. Name, age, and current address of victim. (Excluding sex crime victim's name and address.)
   4. The factual circumstances surrounding the crime or incident.
   5. General description of the injuries involved, property or weapons used. (Revised 07/01)

135.01.2 The Public Records Act requires disclosure of:
a. Name & address of persons involved in the incident.
b. Names and addresses of witnesses to incident.
c. Description of the property involved.
d. Date, time and location of the incident.
e. All diagrams.
f. Statements of all parties involved.
g. Statements of all witnesses (other than confidential information).

135.01.3 Such disclosure would <u>not</u> apply where the disclosure would endanger the safety of a witness, or other persons involved in the investigation. It also would not apply where it would endanger the successful completion of the investigation or a related investigation.

135.01.4 The Public Records Act requires its provisions <u>not</u> be deemed in any manner to affect the status of judicial records, rights of litigants, rights of parties to administrative proceedings under state laws relating to discovery, or rights of discovery in a criminal case.
NOTE: Requests for copies of cases still under investigation should be routed to a Supervisor in the Investigations Division, for approval to release. (Revised 07/01)

135.02 Via Telephone. Do not release any information to a private concern and/or individual except accident cases. Do not release information on anyone arrested.

135.02.1 Other authorized agencies (police, sheriff, FBI, etc.) may be given information by telephone, but first, positive identification must be established. If there is any doubt as to the validity of their identity, call back to their organization and verify their identity.

135.02.2 <u>Do not</u> release blood alcohol, urine, or breath analysis to anyone except District Attorney's Office.

135.03 Via Mail. Authorized agencies, persons, or representatives of persons may receive information when shown only the arrests for those individuals who are (18) years of age or older. If the individual is a juvenile and not referred to the Probation Department, indicate "no record" on the records check. If the individual has been referred to probation or taken to Juvenile Hall, place on the notation "Contact Juvenile Probation, San Diego" on the records check.

135.03.1 In reference to law enforcement records checks, if the applicant has been arrested, send a full copy of the report to the requesting agency.

135.03.2 Any concerned party, i.e. insurance companies, individuals involved, etc., may obtain copies of accident reports. If a party involved in the accident has been arrested and the report is given the same case number, provide only the accident portion of the case.

135.03.3 Crime reports (with the approval of an Investigations Division Supervisor and Records Supervisor) may be obtained by insurance companies, the victims of the crime, or authorized representatives. Also provide the portion of the crime report necessary to indicate the loss. If a follow-up indicates additional loss, it may also be provided. Indicate on the "Application for Release of Report" form which portion of the Crime Report was provided. (Revised 07/01)

135.03.4 Release of Crime Reports. Members of other law enforcement agencies (police, military police, sheriff, FBI, Coroner, etc.) may have complete copies of the report at NO COST if they have valid interest in the case and the report is not marked "CONFIDENTIAL". Information does not have to be blocked out of reports given to members of authorized agencies, as defined in the procedures of this section which defines authorized agencies. (Revised 12/02)

135.03.5 Release of Follow-Up Reports. Without the approval of a supervisor in Investigations, follow-up reports are never to be released (except that portion thereof that lists additional loss).

135.04 Via Counter. After identification, law enforcement agencies may see or have copies of cases at no charge.

135.04.1 Law firms or private lawyers must subpoena records to court to get reports which have names of persons involved in criminal activity, unless the attorney had been designated as the authorized representative.

135.05 Copies of Reports and Accident Scene Photographs. An application for Release of Accident/ Crime Report Information or Accident Scene Photographs shall be filled out by the person requesting the information or photographs. After the transaction has been completed, the Records member shall attach the completed form to the original report. Accident scene photograph requests shall be forwarded to Evidence for processing.

135.05.1 Accounting. A copy of the receipt and money shall be placed in the money drawer after recording the amount in the cash drawer ledger. (Revised 07/01)

135.05.2 Availability. Reports shall be available between 8 a.m. and 5 p.m. Monday through Friday. EXCEPTION: Persons who are unable to seek the report due to working hours or who are from out of town.

135.05.3 Accident Reports. Vehicle accident reports may be released to persons involved, their representative or agent and to persons having proper interest therein as per the requirements of CVC 20012 and CVC 16005. This includes written and signed statements, all pages of the report, diagrams, and the entire contents.

135.05.4 Release of Arrest Reports. Arrest reports shall not be released except to other authorized agencies, or unless subpoenaed into court.

135.05.5 Other miscellaneous reports may be released by an authorized person if the person has a valid interest therein (e.g. stolen bicycle reports, stolen auto reports, officer's reports of accidental injury or death, etc.).

140 Subpoenas and Legal Notices

140.01 Receipt of Subpoenas. All Subpoenas are received or served to Records for the department by:

a. Criminal subpoenas - The District Attorney's Office or City Attorney's Office may send subpoenas, via mail, email; electronically from the San Diego Court Data Services or messenger service.
b. Civil subpoenas are delivered to the Police Department for service by the San Diego Sheriff's Department; Attorney process server, designated server, or by mail.
(Revised 01/20)

140.02 Logging of Subpoenas. The Records Division will maintain a log of all subpoenas. Subpoenas will be logged by court date, name of the defendant, and name of the subpoenaed member.

140.03 Processing of Subpoenas. When subpoenas are received and logged by the Records Division, the subpoena will be forwarded to the members work unit for service. The unit supervisor receiving a subpoena will serve the member by completely filling out the proof of service portion of the subpoena. The supervisor will deliver a copy to the member and return the original signed subpoena to Records by placing the document in the mail slot marked, "SUBPOENAS".

On receipt of the served subpoena, Records personnel will enter the date served in the subpoena log. In the case of "Electronic Service", the service of the subpoena will be entered into the "DA 27" screen.

In the case of typewritten subpoenas, a copy will be stamped "Proof of Service" and returned to the agency or firm that issued it. The original will be filed in Patrol and held for 120 days.

140.04 Acceptance of Subpoenas. Electronic subpoenas will be retrieved daily from the "DA 37" screen by the Records Division. All other criminal or civil subpoenas requiring an appearance by a member will only be accepted by a Records Supervisor or Manager.

140.04.1 Subpoenas, once accepted, logged and distributed to Supervisors by the designated Records staff, subpoenas will be accepted by members any time they are served. In the event a member receives a subpoena for a time when they have a regularly scheduled vacation or are scheduled for a training school, the member must call the party who caused the subpoena to be issued and request to be excused. The member must go to court or other legal proceeding, unless excused by this party.

140.04.2 All subpoenas will be handled in compliance with Penal Code Section 1328.

140.05 Procedure if Subpoenas cannot be Served. If a supervisor cannot serve a subpoena for any reason, that reason will be noted on the subpoena and the subpoena returned to Records. Records staff will return the subpoena to the issuing authority with an explanation of why no service was made. In no event will a subpoena be returned less than 48 hours prior to the appearance date (PC 1328).

140.06 Cancellation or Modification of Service. Persons causing the issuance of subpoenas normally advise Records of cancellation of appearances. It is the responsibility of Records to notify those members who have been "called off". Notation will also be made in the automated log. (Revised 01/20)

140.07 Subpoenas for Personal Appearance of Officers in Civil Actions. Only the Records Manager or Supervisor will accept civil subpoenas for service, or deposit of witness fees for appearances by department members in civil trials.

140.07.1 Persons desiring to deliver civil subpoenas for service will be instructed to contact the Records Manager or Records Supervisor. Records staff will accept the subpoena(s) and checks in the amount of $275.00 per member, payable to “City of Oceanside." The Records staff will deposit the fees, provide a copy of the receipt to the subject serving the subpoena, and designate Record staff to complete the service process for the subpoena. (Revised 01/20)

140.08 Subpoenas Duces Tecum. Subpoenas duces tecum are demands for reports, recordings, files, records or other materials. Subpoena duces tecum for personnel information and business records will only be accepted by the Records Manager or Supervisor. If anyone attempts to serve this type of subpoena on another member, that member is to immediately contact one of the persons authorized to accept them. If subpoena service is attempted at night or during the weekend for these records, advise the server to return during regular working hours.

140.08.1 Subpoena duces tecum seeking information in criminal cases may be efforts by defense counsel to circumvent the discovery process through the District Attorney's Office. PC 1054.5(b) requires an informal request to opposing counsel before a party may seek a court order for the information.

140.08.2 Whenever a subpoena duces tecum is received in a criminal case, the City Attorney’s Office should be notified as well as the District Attorney’s Office within 48 hours of receipt.

140.09 Acceptance Time Limit for Subpoena. A subpoena should not be accepted unless there is sufficient compliance time. Time periods are measured from the date of service and are as follows:
a. Criminal Action (e.g., People vs. Smith) - five (5) working days.

b. Civil Action (e.g., Brown vs. Smith) - ten (10) working days.

140.09.1 The subpoena should be reviewed by the Records Manager or Records Supervisor to determine whether there is legally sufficient time for compliance. The Records Manager or Records Supervisor should reject any subpoena which fails to comply with the minimum time requirements referenced above unless the subpoena is accompanied by a separate court order providing for a shortened compliance period. (Revised 12/02, 01/20)

140.09.2 Logging of Records Subpoenaed. All subpoenas accepted by Records staff should be immediately time-stamped and logged on the Department's Records Subpoena-Intake Log. After logging the subpoena, Records staff is required to start the response process.

140.09.3 Assignment for Compliance - Records Subpoenaed. The Records Supervisor should review the subpoena and fill out the Department's Records Subpoena-Compliance Log. After determining the due date, the Records Supervisor shall review the subpoena to identify the records being sought and make compliance assignments as necessary to retrieve these records. The Department's Records Subpoena Assignment Sheet is provided for this purpose. Each person receiving an assignment shall be instructed that compliance is necessary as soon as possible and no event later than the due date.

140.09.4 Compliance - Records Subpoenaed. The Records Supervisor is responsible for ensuring all requested records and materials are copied or otherwise made available no later than the due date. If the records are unavailable, the Records Supervisor is responsible for verifying that a thorough and complete records search has been conducted and there is a good and proper reason for their unavailability. After copies of all available records are returned to the Records Supervisor, they shall complete and sign a Declaration of Custodian of Records.

140.09.5 If the subpoena is issued in connection with a civil action, certain costs are recoverable. Supervisory costs are not recoverable, i.e., reviewing reports per 6254(f) of the Government Code. The compliance officer shall calculate these costs as follows:

a. Regular Copying: 10 cents per page
b. Oversize Copying: 20 cents per page (Documents larger than 8" x 14")
c. Clerical Costs: $24.00 per hour (locating & making records available)
d. Photographs/CD: $40.00 processing fee for each media type
e. CD's: $12.00 each media type.

Costs shall be itemized and totaled on the compliance form. (Revised 01/20)

140.09.6 The compliance form, the Declaration of Custodian of Records, and copies of any and all records furnished in compliance with the subpoena shall be forwarded to the appropriate court or other designated location in compliance with Evidence Code Section 1560 and 1561. A copy of the Declaration of Custodian of Records shall be attached to a copy of the subpoena and retained for two (2) years in the subpoena duces tecum compliance file.

140.09.7 The Records Supervisor shall note the compliance date on the Department's Subpoena-Compliance Log.

140.10 Legal Notice. A copy of all legal notices (other than regular court subpoenas and criminal complaints) shall be sent to the City Attorney's Office as soon as they are received. These notices, such as subpoena duces tecum, court orders, liens, civil suits, etc. often require prompt response that may not be apparent on the face of the document. Failing to promptly respond to a legal notice may result in the loss of legal rights both to the City and to a member. A copy of all such legal notices will be forwarded immediately to the City Attorney's Office. (Revised 01/20)

145 Rejection of Cases by Prosecutors. This procedure is designed to establish a system in which all Department cases rejected by a Prosecutor are forwarded to the supervisor of the member who worked the case so that a decision can be made to close the case, have additional work completed so that the case can be resubmitted, and/or use the material for instruction and training of the member.

145.01 Routing. Whenever a Department case is rejected by a prosecuting official, the Prosecutor's Complaint Request Evaluation (CRE) is returned to the Division of the arresting officer. The Senior Officer Specialist assigned to that Division or other staff assigned by the Division Captain, will process the CRE for that Division. (Revised 01/20)

145.01.1 Rejected Case Routing Forms. The Senior Office Specialist in the Division the CRE is returned will scan and attach the CRE into the case file in RMS. The Division Senior Office Specialist will distribute the CRE to the supervisor of the member named on the CRE. (Revised 01/20)

145.02 Supervisor's Decision. The supervisor who receives the rejection will talk to the member and decide to close the case if no further action is warranted, assign the case to the member for additional work and re-submission, and/or use the case for training or instruction. The Department Legal Advisor may be consulted if appropriate.

If no further action is warranted, the member named on the CRE will create a follow up report in the Records Management System updating the law enforcement arrest disposition from arrest to the applicable release disposition i.e. PC 849.5 No Charges Filed – Adult only.

145.02.1 145.02.1 The supervisor will ensure the appropriate report to address the CRE is completed and approved in RMS. (Revised 01/20)

145.03 Records Functions. If there is a follow-up report, the Records Section will process the case, forwarding a copy of the report and CRE to the District Attorney's office via the daily court run. (Revised 12/02, 01/20)

145.04 Re-Submission of Cases. The officer assigned to the case may resubmit the case to the prosecuting attorney to discuss the facts with him/her. The Rejected Case Routing Form must indicate this and must be returned to the Patrol Senior Office Specialist.

150 Application of the Written Review of Policy and Procedure Manual. (Refer to Vol. I, Section 205)

150.01 Training and Testing. Unit supervisors will train their personnel on the Policies and Procedures, to include but not limited to the below listed topics (150.02). This training should occur on a regular basis.

150.02 Policy Subject Matter. At a minimum, the following areas to be reviewed on a rotating basis are:
a. Sexual Harassment Policy
b. Professional Conduct
c. Arrests
d. Use of Force
e. Deadly Force
f. Driving and Pursuit Policy

155 Briefing Book. A briefing book will be maintained to collect and disseminate timely, accurate, and relevant information to members at briefings. The ~~log~~ book will be kept in the Briefing Room. The Briefing Book will be divided into four sections: General Information, PC Forms, Officer Safety and Missing Persons. (Revised 07/01, 01/20)

155.01 Probable Cause for Arrest Form. When an officer develops sufficient information through the preliminary investigation of a crime to arrest the suspect, if the suspect can be located, the officer may issue - with the shift supervisor's approval - a wanted person's B.O.L. This B.O.L. will state that there is probable cause to arrest the suspect. (Revised 07/01) A copy of the signed PC Form will be placed in the Briefing Book. The original will be submitted with the crime report. (Revised 01/20)

155.01.1 When an officer issues a statement of probable cause to arrest, he/she MUST complete his/her report before going home at the end of his/her shift. Prior to making a field arrest, the officer will verify P.C. to arrest is still valid.

155.02 Missing Persons. This section of the Briefing Book will contain a copy of the face sheet of all missing person's reports. Bulletins from other agencies may be included herein as well. Records members are responsible for placing a two-sided copy in the Briefing Book and removing copies in cases where the person has been located. This will be done as part of the processing of the case. (Revised 07/01, 01/20)

155.03 Purging. Patrol will purge all entries that are over two weeks old unless it is necessary that the information be retained for a longer period. Write "Retain for Another (Two Weeks)" and initial the comment. Any forms with incomplete information will be removed immediately.

156 Shift Supervisor's Log. The Shift Supervisor's Log will be used to share and update all members on important field incidents occurring during his/her shift. Field supervisors will provide general information on a particular incident, provide brief suspect information, or recap a shift's activity. The log is not to be used to establish probable cause to arrest; is informational only; is subject to public disclosure; and may be reviewed by all members.

157 Supervisory Approval of Probable Cause forms and Booking Slips. All Probable Cause forms and Booking Slips will be approved by a supervisor prior to an arrestee's booking into jail.

160 Service Survey. The Department intends to provide the highest level of service possible. This procedure identifies a citizen's survey that will be used.

160.01 Reports. Each month, each division will provide the name/ID of members who have had citizen contacts within the previous month to the Patrol Support Senior Office Specialist.

160.02 Survey Letter. A letter will be prepared to the citizen utilizing the listed survey questions. Along with the survey will be a self-addressed, stamped envelope returning the surveys to the Patrol Senior Office Specialist. If emails are available, they should be utilized in lieu of hard copies. (Revised 01/20)

160.03 Replies. Upon receipt, the Patrol Support Senior Office Specialist will enter replies into a computer program to tally the responses received, and the original survey letter/email will be ~~is~~ forwarded to the respective Division Captain for review.

160.04 Review. Each month the Patrol Support Senior Office Specialist will generate a report from the tallied responses for the respective Division Captain and Chief's review.

165 Public Information Folder and Press Affiliate Log. The following procedure is regarding the availability of the Public Information available for the news media and public. (Revised 12/19)

165.01 A log of all crime incidents such as arrest contacts, criminal incidents, and officer's reports, are to be available in accordance with the limitations of public records act and City Attorney guidelines. (Revised 12/19)

165.01.1 The Public Information Folder and Press Affiliate Log is to be made available upon request at the Records counter of the Police Department, and will be available for inspection 24 hours a day. (Revised 12/19)

165.01.2 Availability Time. Incident information shall remain available for a minimum of 30 days from the date the log is placed in the folder. (Revised 12/19)

165.01.3 As provided in Government Code 6254(f) and Volume II Section 135, all reports are to be made available to the public. (Revised 07/01)

165.02 Fees. No fee may be charged except reasonable duplication fees set by the City Council.

165.03 Each report shall be available in full, with certain exceptions, such as the names of minors.

165.04 Maintenance. It is the responsibility of Records to maintain the Public Information Folder and Press Affiliate Log.

175 Drug Drop-Off Program

The Prescription Drug Drop-off Program provides a safe disposal location for citizens to properly dispose of unwanted prescription medications. This program provides an environmentally safe alternative to disposing of medications in the landfill or sewer systems, which may later negatively affect the environment. Additionally, this program encourages citizens to remove unwanted medications from their homes, thereby reducing access to addictive medications for accidental or intentional misuse by children in the home or acquisition by criminals.

175.01 Drop Box Installation and Public Drop-off Procedures (Revised 12/19)

The Police Department will provide a steel mailbox style collection box in which Oceanside residents may deposit prescriptions medications. The following procedures will be adhered to regarding the installation of the collection boxes and disposal of medications/drugs from the boxes:

A. Collection boxes shall be clearly marked for this purpose.
B. Collection boxes shall be securely mounted to prohibit removal of the box.
C. Collection boxes shall be locked to prohibit retrieval of medications from within the box without a key.
D. Citizens may anonymously release their unused medications/drugs to an evidence and Property Technician for placement into the collection box.
E. Medications in containers or prescription bottles shall be removed from their containers and placed into zip loc bags. Zip loc bags will be provided by the Department.
F. Any containers of liquid medication must be completely sealed.
G. Syringes and inhalers are not accepted.
H. Any containers of liquid medication must be completely sealed.
I. This program is not intended for the collection of over-the-counter medications, supplements and vitamins.

175.02 Retrieval and Disposal of Medications/Drugs (Revised 12/19)

An Evidence and Property Technician shall be responsible for collection of the deposited medications.

A. The Evidence and Property Technician will obtain the Drug Drop box key from the Evidence and Property Supervisor.
B. A second Evidence and Property employee shall accompany the Evidence and Property Technician and retrieve the medications from the Drug Drop box.
C. The collected medications will be inspected for any hazards or non-medications (i.e.: syringes, trash, etc.).
D. The Evidence and Property Technician place the contents of the Drug Drop box into boxes and will obtain a gross weight for each box.
E. The Evidence and Property Technicians shall seal and sign the container.
F. A case number will be assigned to the collected medications and Evidence and Property staff will complete a Found Narcotics report in NetRMS. The case number will be used for all collections made until the next drug disposal.
G. Other station staff shall not have access to the contents of the collection boxes.
H. The Evidence and Property staff will collect the deposited drugs on a frequency deemed necessary based on the usage.
I. The item description on the evidence list shall include a general description of the contents, and provide a weight of the contents.
J. The Evidence and Property staff will destroy the collected medications by incineration using existing drug destruction procedures. The collected medications, in boxed and sealed containers, may be released to the DEA during a prescription drug disposal event using existing release procedures.

200 DEPARTMENT PROPERTY.

201 Police Badges and ID Cards. All members and volunteers will be issued a department ID card at the time of employment. All ID cards and badges are the property of the Department and will be returned to the Department when employment is terminated.

201.01 The following members will be issued a police department badge: Police Officers, Reserve Police Officers, uniformed Community Service Officers, Senior Volunteers, Field Evidence Technicians, and Chaplains. (Revised 12/19)

201.02 Additional Badges. Police officers and reserve officers may purchase a flat badge. Permission to purchase or possess an additional badge is solely at the discretion of the Chief of Police. The Chief may authorize officers assigned to the Investigations Division to have the word “Detective” included on their flat badges in a manner authorized by the Department. At the conclusion of an employee’s Investigative assignment, the badge(s) will either be returned to the Chief’s Office or “EOS” + Date will be engraved on the back of the badge. If the employee leaves

the Department or retires, “retired” + Date will be engraved on the back. If the employee is terminated, the badge will be returned to the Department. (Revised 02/04, 12/19)

201.02.1 Retired police officers may be issued an identification card identifying them as retired police officers. A master list of all persons authorized to purchase an additional badge will be maintained in the Chief's Office. Police Officers serving half or more of their career with the department as a Detective, or Investigations Division Supervisor, or who serve in their final assignment as a Detective or Detective Supervisor (minimum of 4 years) may request their retirement badge reflect their position as a Detective or Detective supervisor upon retirement. (Detective, Detective Sergeant, Detective Lieutenant or Detective Captain) As noted in section 201.02 (Additional Badges) the word “retired” will be added to and included on the badge. (Revised 02/04)

201.02.2 Other members with five (5) or more years of service with the Oceanside Police Department, upon retirement, may request from the Chief of Police that their badge be encased in Lucite or placed in a shadow box. The member’s “EOS date” will be required to be engraved on the back of the badge.

201.02.3 Investigations Division Badges. Sworn members assigned to the Investigations Division will be issued an Investigations Division badge. The badges will be returned to the Investigations Division Captain upon separation from the Division. Members may request authorization from the Chief of Police to purchase a duplicate badge for display, if all of the following criteria are met: (1) The member successfully completes four years of service with the Division, or is promoted. (2) Separation and/or re-assignment from the division occurred for non-disciplinary reasons. (3) The display badge is encased in Lucite or a shadow box. (Added 02/04)

201.02.4 Badges/Uniform wear. The standard issue badge is the only badge authorized for wear in uniform. (Added 02/04, Revised 12/19)

201.02.5 9/11 Memorial Police Badge. Sworn members that have purchased the 9/11 memorial badge at their own expense may wear this badge on duty during the month of September, with the authorization of the Chief of Police or their designee.

201.02.8 SVPP Retirement. In appreciate for their years of service to the department and community, SVPP members with five or more years of service, will be presented their SVPP badge encased in Lucite upon their honorable retirement from SVPP service. (Added 02/2007)

201.03. Retired members who misuse badges or ID cards will be prohibited from carrying the badge or ID card. The badge and ID Card will be returned to the Department upon notification to the former employee. (Revised 12/19)

205 Assignment of Lockers. Lockers are City property. The Department has adopted the following locker assignment procedure. (Revised 7/99)

205.01 Full size lockers are assigned to all members. The Support Operations Division Captain (or designee) will maintain a list of all members assigned lockers and keep the list current. Members assigned to the Investigations Division will be assigned lockers in the Investigations building. (Revised 7/99)

205.02 Responsibility. Members are responsible to maintain their locker properly. No markings, pictures, stickers, etc. will be affixed to the outside of the locker. Nothing will be permanently affixed to the inside of the locker. All personal and department issued equipment will be maintained inside each member’s assigned locker. No items will be stored on top of or outside of the lockers. (Revised 7/99)

205.03 The locker will not be transferred without the approval of the Support Operations Captain.

210 Care of Equipment and Property. Members are responsible for the proper care of department property and equipment. Failure to prevent the loss or damage of department property may subject the responsible member to reimbursement and/or disciplinary action.

210.01 Duty to Report Damaged, Lost, or Stolen Property. Members will immediately report the loss, damage or theft of department property to their supervisor. Lost, damaged, or stolen property shall be documented on a dot report in RMS. Defects or hazardous conditions in any department equipment or property shall also be included in the report. The supervisor shall ensure all relevant facts are detailed in the report and that photographs and/or other

evidence is collected, documented and booked. The supervisor shall complete a Blue Team incident that is to be routed through his/her chain of command. (Revised 3/16)

210.02 Surrender of Department Property. Members are required to surrender all department property in their possession upon separation from service, or upon demand of a supervisor. Additionally, members are required to surrender all departmental issued unit-specific specialized equipment upon rotation from specialized assignment or duty. Failure to return non-expendable items may result in discipline, and the member being required to reimburse the Department for the fair market value of the property.

210.02.1 When a member exhibits indication of, or claims psychological, mental, or emotional impairment in the performance of his/her duties, the member shall surrender to the Division Captain any badge, (including personally owned badge) and Department-issued firearm. The member shall surrender such items at the time the claim of psychological, mental, or emotional impairment is made.

210.02.2 Throughout the duration of the impairment or the claim, the member shall not be exempt from the provisions of PC 12025 or PC 12031. If the officer surrenders a badge he/she has purchased, the Department shall reimburse the member the cost of the badge at the time of separation from employment, or return it to the member upon return to duty.

210.03 Use of Equipment and Property. The use or permitting the use of, taking, borrowing, or loaning any city property or equipment for private use is a violation of procedure. No police equipment or supplies shall be removed from the department for private use.

210.04 Care of Office Areas and Desks. Members are responsible for all items displayed on or around their work areas. All personal photos, posters and other items will be displayed in a neat, professional manner. Members are tasked with taking responsibility for maintaining a professional appearance in their work areas. (Added 7/99)

210.05 Review Board. It is the responsibility of the Department Review Board to review all incidents of damaged, lost or stolen property and make a determination whether the incident was or was not preventable. If found to be preventable, the member's Division Captain will be responsible for taking appropriate action.

210.06 Composition of the Board. The Department Review Board shall be composed of the Support Operations Division Captain (or designee), the Patrol Division Captain (or designated lieutenant), and the Investigations Division Captain (or designated lieutenant). The subject member's Division Captain will serve as the chairperson of the Board. It is the responsibility of the Review Board chairperson to convene the board when required, conduct meetings, participate in the findings of the Board, and sign reports on behalf of its members.

210.07 Classification. After consideration of the facts, the Department Review Board shall classify the incident as non-preventable or preventable. In the event more information is needed in order to classify an incident, the Division Captain may request the matter be assigned as an Administrative Investigation.

a. Non-preventable: The incident of lost or damaged property was the result of events beyond the control of the member or the Department.
b. Preventable: It is reasonable to expect that the incident of lost or damaged property could have been prevented by:
    1. the actions of the member involved;
    2. better equipment maintenance;
    3. better safety policies or procedures, or;
    4. other organizational or member actions.

    (Revised 3/16)

210.08 Findings and Recommendations. Subsequent to a finding of preventable, the member's Division Captain, based on the information submitted, may make a recommendation to the Chief of Police which may include any or all of the following:

a. Re-training, when called for;
b. Modification of Department policies or procedures;
c. Disciplinary action against a member found to be in violation of established departmental safety or other policies or procedures;
d. Any other safety recommendation warranted by his/her review.

(Revised 3/16)

215 Care of Department Firearms and Safety Equipment. Maintenance of department weapons and safety equipment is an absolute must to ensure safety and reliability. This task shall not be assigned to anyone not possessing specific responsibility and accountability.

215.01 Responsibilities of Individual Members. Items that cannot be repaired by the individual (such as handguns and handcuffs) shall be turned into the armorer, with a report describing the malfunction. A replacement shall be issued during the repair period.

300 EMPLOYMENT AND ADVANCEMENT

301 Performance Appraisal System. The Performance Appraisal System Manual will guide the preparation of the member appraisal.

301.01 Supervisor Responsibilities. All supervisors are responsible for the prompt preparation of evaluations. In units having more than one supervisor such as patrol watches, the supervisors may use a rating team approach to evaluate members. They are responsible for rating the member in the areas outlined in the Performance Appraisal System (PAS) workbook for the Department. They will point out strong and weak work performance, set objectives and make general comments on the member's progress.
Supervisors will question members and document if they are having any problems with other persons at work. They will discuss the evaluation with the member per the PAS workbook and then sign the form and forward it through the appropriate chain of command.

301.01.1 Meeting Frequency. Supervisors will meet with their members quarterly to review performance and progress towards achieving objectives. These meetings shall be documented in the member's Divisional File. The dates of the meetings shall be listed in the annual performance appraisal. (Added 12/02)

301.02 Member Responsibilities. Members are required to discuss their appraisal with their supervisors and sign the form indicating that they have done so. The member will complete the "Self-Appraisal" PAS Form B. If he or she disagrees with the ratings, a written statement or rebuttal may be attached with facts supporting his or her position. Rebuttals must be submitted to the first line supervisor within 30 days of receipt of the evaluation.

301.03 Review. Supervisors shall forward the evaluation form to the appropriate Division Captain, via mid-manager, for review. The Division Captain will review the evaluation and ascertain its fairness, accuracy, consistency, correctness of procedure and adherence to a common standard. If the Division Captain notes discrepancies or disagrees in some manner with the report, he/she shall discuss the matter with the raters and resolve the differences, or he/she may attach written comments as desired. The Division Captain shall discuss the evaluations with the member if so requested, sign it and forward it to the Department's Payroll Senior Office Specialist for processing. The Payroll Senior Office Specialist will forward it to the Chief of Police. The Chief of Police will review the evaluation, discuss it with the member if so requested, add comments if appropriate and sign the form. (Revised 07/09)

301.04 When Evaluation Reports are Prepared. A memorandum from the Department's Payroll Office will be disseminated each month listing all members who are to be rated by their respective supervisors the following month. The supervisors must prepare the evaluation reports and submit them to the Chief's Office by the date indicated on the memorandum. (Revised 07/09)

301.04.1 Permanent members are evaluated annually on their applicable anniversary date. Evaluations may be delayed if there is a pending personnel matter involving the affected member. (Revised 12/02)

301.04.2 Sworn probationary members are evaluated at six months, nine months, and twelve months. They are evaluated annually thereafter.

301.04.3 Professional support staff probationary members will be evaluated at three months and at six months. They will be evaluated annually thereafter.

301.04.4 Promoted members will be evaluated three months after they are promoted and six months after promotion date. They will be evaluated annually thereafter.

301.05 Supplemental Performance Evaluation Reports. Supervisors may make supplemental performance evaluation reports in addition to the regular performance evaluations. These reports may be used to show improvement over a previous poor evaluation or to show areas where a member has fallen below standards. The areas where improvement is needed will be documented and a performance improvement plan prepared.

301.05.1 When a member is reassigned to another unit or shift, his/her supervisor will prepare an evaluation within 30 days of the movement (this does not include normal rotation times). A copy of the evaluation will be given to the Division Captain of the unit receiving the member.

301.06 Retention of Service Ratings. All probationary evaluation reports shall be filed and retained in the member's personnel file until the member has completed probation. The cumulative body of such reports is to be used in the decision to accept or reject a member's probation. If probation is rejected and the member terminated, the probationary evaluation reports will be retained with the inactive personnel file. The retention period shall be five years.

315 Duty Status for Ill or Injured Members. This provides a fair system where members who are ill or who are injured, on or off duty, can be evaluated and:

a. Returned to full duty status
b. Returned to limited duty status, or
c. Assigned to IOD or sick leave status.

315.01 Off-Duty Illnesses and Injuries. Members who are unable to work due to off-duty illnesses or injuries shall telephone the department and request leave. The member receiving the request shall complete the "Request for Leave" form and immediately forward the report to the member's supervisor, who will approve the request, if appropriate. The supervisor will retain a copy of the report for divisional purposes. All rules on sick leave shall apply as set forth in the member's MOU.

315.02 Injuries On-Duty. When a member is injured on duty, he or she shall document the injury on an "Employee's Report of Work Injury" (IOD) form. The member's supervisor shall investigate the injury and document it on a "Supervisor's Accident Investigation" report. If the member is taken directly from work to a doctor or hospital, the supervisor should accompany the member, if feasible, and obtain as much information as possible on the diagnosis and prognosis. Risk Management shall be notified immediately. These reports shall be forwarded to their Division Captain within 24 hours of occurrence.

315.03 IOD leave is not automatically granted when the member files an "Employee's Report of Work Injury." IOD time must be approved by Employee Benefits, Personnel Department. This may take some time, especially if the injury claimed is not obvious and if it cannot be readily identified as job connected.

315.03.1 The member shall request the type of leave desired on the "Request for Leave" form. If it is necessary to change the type of leave to be used, it is the member's responsibility to notify the Department's Payroll Senior Office Specialist of the change desired.

315.03.2 Members are responsible to document the time they spend on leave status on their payroll time sheets and sign the sheets. Employee's accumulated leave time is available on paycheck stubs. A member who indicates a certain leave status and does not have the time, may be placed in a non-paid status for that unavailable time. Only the member and/or their supervisor can indicate the type of leave to be taken. All un-paid leave time must be approved by the Chief of Police. (Revised 01/20)

315.03.3 Members must submit a copy of all doctor's slips or reports indicating a change in their medical assignments or extensions of leave to their supervisor. These will be forwarded to Risk Management and the Division Captain.

315.04 Monitoring Leave Cases. It is the responsibility of the Division Captain to monitor the status of members who are off-duty due to illnesses or injuries or who are working in a temporary special duty status. S/he will coordinate with Risk Management to confirm the required reports have been received from the member and supervisor, and that the member obtains the required doctor's slips stating the times the member will be off-duty or on limited duty.

315.05 Return to Duty. Before a member returns to duty, s/he must provide their supervisor with a physician's certificate. In the case of injuries requiring treatment by a doctor, the physician's certificate must include a statement as to whether the member is released for full or limited duty. If it is for temporary special duty assignment, the doctor must list the specific physical restrictions. This affidavit or certificate will be forwarded to Risk Management and their Division Captain.

315.06 Temporary Special Duty Assignment. Members may request a temporary special duty assignment from their Division Captain. If a job is available, in the interest of the Department, and within their work restrictions, the Division Captain may assign the member to a temporary special duty assignment. The Division Captain may also temporarily assign the member to another division or other City Department where a temporary special duty assignment is available.

315.06.1 Workweek for Limited Duty Police Officers Unless otherwise specifically directed by the Division Captain, the workweek for limited duty police officers will be eight-hour shifts, Monday-Friday. The respective lieutenant will determine specific hours of assignment. (Added 01/00, Revised 01/20)

316 Deaths and Serious Injuries. When a member is killed, dies, or is seriously injured, either on or off duty, the following procedures will apply: (For the purpose of this procedure, a serious injury is an injury which could result in death or disability.)

316.01 The Chief of Police and the member's Division Captain will be notified immediately by the member's supervisor if the injury could result in death or disability to a member.

316.02 The member's supervisor or a designated supervisor will go to the scene to investigate the incident if it occurs in the City of Oceanside. If the incident occurs outside of the city, the supervisor may go to the scene if it is reasonably close, or may gather the information by telephone from the agency in whose jurisdiction the incident occurred.

316.03 On-Duty Incident. If the incident occurred on-duty, the supervisor will prepare a Supervisor's Accident Investigation Report. The day of the incident, the supervisor will also fill out the Employee's Report of Work Injury Form if the member is unable to do so. (revised 01/20)

316.04 The supervisor preparing a Supervisor's Accident Report will call Risk Management and give the following information: Name of injured member, Brief description of the injury or injuries, Date and time of the injury or injuries, Medical facility treating the injured member(s), and whether time off will result.

316.04.1 If Risk Management staff is unavailable, the information will be left on the voice mail (435-3847).

316.05 Off-Duty Incident. If the incident occurred off-duty, the supervisor will prepare an Incident Report. The supervisor will attach all supporting documents and reports as appropriate and immediately forward the reports to the Division Captain.

316.06 Family Notification. The member's supervisor will immediately notify the member's family unless the Chief of Police or Division Captain elects to make the notification, or directs that another supervisor make it. The supervisor making the notification to the family will assist them as necessary. Such assistance may include taking the family to a hospital, getting someone to care for children, calling a chaplain, etc.

316.07 Reimbursement from Arrestee. If an injury was caused by an arrestee or if property is damaged by an arrestee, restitution requests will be made to the Court via the court process. (Revised 01/20)

320 Outside Employment. To avoid conflicts of interest and ensure members are available to carry out their department duties, any member who desires to engage in outside business or employment is required to obtain written permission from the Chief of Police before engaging in outside business or employment.

320.01 Procedure. Any member desiring to engage in any business or outside employment (including U.S. Military Reserves) shall complete an "Outside Employment Request" form. The form shall contain the name, address and telephone number of the prospective employer, the title of the job, and the nature of the duties. It shall also contain the days and hours of the work schedule. (Revised 10/01). This form shall be submitted annually.

320.02 Review. The member's supervisors will review the application and recommend its approval or denial to the Chief of Police. A member must have all mandated permits for outside employment prior to approval.

320.03 Prohibitions. A member's outside employment activity, work request, or enterprise may be prohibited if it:

a. Involves the use for private gain or advantage of his/her department time, facilities, equipment and supplies; or badge, uniform, prestige, influence of the Department or position within the Department.

b. Involves receipt or acceptance by the member of any money or other consideration from anyone other than the Department for the performance of an act which the member, if not performing such act, would be required or expected to render in the regular course or hours of his/her normal duties.

c. Involves the performance of an act in other than his/her capacity as a member which act may later be subject directly or indirectly to the control, inspection, review audit, or enforcement; of any other members of the Department.

d. Involves the time demands as would render performance of a member less efficient.

e. Would in any way bring the Department in disrepute.

f. Creates a conflict of interest for the member, the Department, or the City. (Added 12/02)

320.04 Working Hours. Members who have written permission from the Chief of Police to engage in outside employment may work up to 20 hours per week on their part-time jobs. Members shall not work more than four hours on part-time jobs on any police workday. These hourly restrictions shall not apply if the member is on authorized leave. (Not to include administrative paid or unpaid leave). A schedule shall be provided to the member's supervisor on a monthly basis. (Revised 01/20)

320.05 Notice of Prohibited Activities and Appeals. Any member determined to be engaged in any of the above-prohibited activities shall be notified of the violation of this procedure in writing by his/her immediate supervisor.

320.05.1 This notice will specify the nature of the prohibited activities and will specify a reasonable time for correction of any violations. Any disagreement as to the nature of prohibited activities may be appealed to the Chief of Police in writing within five (5) working days of the supervisor's determination.

320.05.2 Violations of this procedure may result in disciplinary action being taken, up to and including termination.

320.06 Schedule Changes. To maintain efficient operations and avoid disrupting police activities, the Department cannot approve changes of watch, days off, or working hours to facilitate outside employment.

320.07 Revocation of Work Permits. The Chief of Police may revoke work permits if the member's work performance falls below standards, or if the member violates any of the provisions of this procedure.

325 Qualifications for Police Officer Step F. This procedure establishes requirements for advancement to Police Officer Step F and set minimum qualifications for applying for such pay step. (Revised 11-00)

330 Recruiting. Recruiting Team members are individuals who possess high energy, are mission driven, problem solvers, innovative, possess strong verbal communication skills, and possess the ability to "sell" the organization. Committee members are expected to present a professional appearance in uniform or business attire. Team members must be champions of the organization, its vision, mission, and values. Members are selected via the Chief of Police. (Added 02/01, Revised 01/20)

340 Awards and Commendations. This procedure specifies award classifications and criteria for submitting award nominations. Provisions for recognizing department members, allied public service agencies, and citizens who perform acts worthy of recognition are contained within.

340.01 Position Statement

a. The Department shall foster and maintain a program for extending official recognition to members who perform acts of meritorious service or accomplish outstanding achievements.
b. The Department shall officially recognize exceptional performance by any member, group of members, or department unit that enhances the department's efficiency and/or furthers the department's mission.
c. The Department may provide official recognition to private citizens who perform meritorious acts of aide to a fellow citizen or to the department under circumstances, which are within the scope of the department's responsibility.
d. To ensure the greatest benefit of this awards procedure, it is imperative that all levels of command and supervision understand its importance and application. Promptness and accuracy of initiating nominations for significant performances are the two essential elements in this awards procedure.
e. All members of this Department are encouraged to make nominations under this procedure.

340.02 Awards and Recognition Board. A Board selected annually by the Chief of Police shall evaluate and determine the appropriateness of awarding medals. The Board's finding will be forwarded to the Chief of Police for final approval. Commendations shall be submitted through the nominee's chain of command for approval.

340.02.1 Board Composition. The Awards and Recognition Board will meet as necessary and will be comprised of the following members: Captain of the Support Operations Division (Chairperson), 1 Lieutenant, 1 Sergeant, 1 Professional Member, 1 Police Officer, and 1 Optional member (labor representative of a nominee).

340.03 Department Awards. There are two categories of awards authorized by the Department for its members. These consist of: Medals (reviewed by the Board) and Commendation (reviewed by a Unit Manager).

340.03.1 Department Medals.
a. Medal of Valor (§340.05)
b. Medal of Honor (§340.06)
c. Courageous Service (§340.07) *(Added 10/13)*
d. Purple Heart (§340.08)
e. Lifesaving Medal (§340.09)
f. Distinguished Service Medal (§340.10)
g. Medal of Merit (§340.11) (Revised 03/06)

340.03.2 Department Commendations.
a. Certificate of Commendation (§340.11)
b. Letter of Commendation (§340.12)
c. Supervisor's Commendation (§340.13)
d. Challenge Coin (§340.14) (Revised 03/06)

340.04 Community Member Awards. There are two categories of awards authorized by the Department for community members. These consist of: Awards (reviewed by the Board) and Commendations (reviewed by a Unit Manager).

340.04.1 Community Award
a. Distinguished Community Service Award (§340.17)

340.04.2 Community Commendations.
a. Civilian Commendation (§340.18)
b. Certificate of Appreciation (§340.19)
c. Letter of Appreciation (§340.20)

340.05 Medal of Valor. The Medal of Valor is the department's highest award and may be awarded to members who distinguish themselves by an act of heroism, performed at the risk of grave personal injury or death. Such acts must be warranted given the circumstances the member is presented. It may also be awarded to a law enforcement officer of another agency who, while assisting a member of this department, performs acts of courage in the same manner. The Medal of Valor may also be awarded posthumously to persons killed in the line of duty.

340.05.1 Each recommendation for the Medal of Valor is based upon the following:
a. Acts of bravery, heroism or other action above and beyond the normal demand of police service.

b. Where risk of life is with full and unquestionable knowledge of the danger involved.
c. Where the objective is of sufficient importance to justify the risk.
d. Where such act was not necessitated by the use of poor judgment or procedures on the part of the person performing the act. (Added 09/04)

340.05.2 The Medal of Valor will consist of a gold medal incorporating the State seal suspended from a red, white and blue ribbon with the words "Medal of Valor, Oceanside Police Department." A separate red, white, and blue bar with the initial "V" will be awarded and may be worn on the member's class A or B uniform.

340.06 Medal of Honor. The Medal of Honor may be awarded to members who distinguish themselves by an act of bravery or heroism above and beyond the normal demands of duty, but to a lesser degree than required for a Medal of Valor. It may also be awarded to a law enforcement officer of another agency who, while assisting a member of this department, performs acts of courage in the same manner. The Medal of Honor may be awarded posthumously to persons killed in the line of duty.

340.06.1 Each recommendation for the Medal of Honor is based upon the following:
a. Acts of bravery, heroism or other action above and beyond the normal demand of police service.
b. Where conspicuous and imminent danger is present.
c. Where the objective is of sufficient importance to justify the risk.
d. Where such act was not necessitated by the use of poor judgment or procedures on the part of the person performing the act.

340.06.2 The Medal of Honor will consist of a gold medal, centered with a City seal, surrounded by white enamel inlay, and entitled in blue print: "Medal of Honor" and "Oceanside Police." A separate gold and white bar with the letter "H" will be awarded and may be worn on the class A or B uniform.

340.07 Courageous Service Medal. The Courageous Service Medal may be awarded to Department members who perform courageously during severe violent encounters. The violent encounter must contain circumstances that could result in loss of life or serious injury to either the officer or a member of the public.

340.07.1 Each recommendation for the Courageous Service Medal is based upon the following:
a. Act(s) of courage which lead to bringing the violent encounter to an end
b. Where loss of life or serious injury is a possibility due to the violent encounter
c. Where the objective is of sufficient importance to justify the risk
d. The act(s) are not necessitated due to poor judgment or procedures on the part of the person performing the act

The Courageous Service Medal will consist of a gold medal, centered with an Oceanside Police badge and entitled in red print: "Courageous Service." A separate solid red bar will be awarded and may be worn on the class A or B uniform.

340.08 Purple Heart. The Purple Heart may be awarded to Department members who, while acting in an official capacity, are seriously wounded or killed as the result of a hostile or life-threatening encounter. This medal may also be awarded to another law enforcement member who, while assisting a member of this department, is seriously wounded or killed.

340.08.1 The Purple Heart medal will consist of a two-tone gold and purple heart medal incorporating the State seal affixed with the words "Oceanside Police Department," and suspended from a purple, white, and purple ribbon. A separate purple, white, and purple bar will be awarded and may be worn on the member's class A or B uniform.

340.09 Life Saving Medal. The Life Saving Medal may be awarded to Department members who distinguish themselves by performing an extraordinary act that saves human life, that otherwise would have resulted in death. Such acts shall be evaluated in the context of normal duty requirements. This medal may also be awarded to a member of another law enforcement agency who, while assisting a member of this Department, performs a similar life saving act.

340.09.1 The Life Saving Medal will consist of a gold medal cross incorporating the State seal affixed with the words "Oceanside Police Department" suspended from a blue, white, and blue ribbon. A separate blue, gold, and white bar will be awarded, and may be worn on the member's class A or B uniform.

340.10 Distinguished Service Medal. The Distinguished Service Medal may be awarded to Department members for exceptional achievement in assigned duties with loyalty and dedication over a prolonged period of time. This award is not intended to be a longevity award. Rather, the recognition of sustained excellence in the performance of one's duties. This medal may also be awarded to a member of an allied law enforcement agency who has provided services that have benefited this Department in a similar manner.

340.10.1 The Distinguished Service Medal will consist of a circular gold medal incorporating the San Luis Rey Mission and City seal affixed with the words "Police Distinguished Service Medal" and suspended from a blue, gold, and blue ribbon. A separate blue, gold, and blue bar will be awarded and may be worn on the member's class A or B uniform.

340.11 Medal of Merit. The Medal of Merit may be awarded to Department members who perform superior accomplishments that result in significant contributions to the efficient operation of the Department. Such accomplishments could involve technology advances, improved service delivery or cost saving measures. This may be based upon a single act or exceptional personal effort.

340.11.1 The Medal of Merit will consist of a silver circular medal incorporating the State seal affixed with the words "Oceanside Police Department, Merit" suspended from a blue, white, and green ribbon. A separate white and green bar will be awarded and may be worn on the member's class A or B uniform.

340.12 Certificate of Commendation. A Certificate of Commendation may be awarded to Department members who perform outstanding acts of service that assist the Department in achieving its mission and objectives. Such acts shall be evaluated on the basis of being above and beyond normal job responsibilities, and shall symbolize perseverance and dedication to duty.

340.12.1 The Certificate of Commendation shall consist of a citation outlining the achievements, accompanied by a gold embossed certificate entitled "Certificate of Commendation" signed by the Chief of Police.

340.13 Letter of Commendation. A Letter of Commendation may be awarded to Department members who demonstrate exceptional job performance that furthers the Department's mission and vision.

340.13.1 A Letter of Commendation shall consist of a letter outlining the achievements signed by the Chief of Police.

340.14 Supervisor's Commendations. Any department supervisor may commend a member for performance worthy of special recognition, alertness, or other outstanding aptitude. A Supervisor's Commendation will be typed in a memorandum style and presented to the member. A copy will be forwarded to the Chief of Police and will be placed in the member's personnel file.

340.15 Challenge Coin Recognition Program. The Challenge Coin is two-sided. One side bears the image *of* the police badge and the words "Oceanside Police Department" shoulder patch and the words "in recognition of outstanding service". The coin is designed to recognize outstanding, meritorious performance by members of the Oceanside Police Department. (Added 08/00) (Revised 5/2012).

340.15.1 Scope. This program shall apply to all regularly employed members of the Department. The challenge coin represents a concept that promotes pride, honor, and professionalism. Members should view its possession as a tangible reminder of the challenges that arise from, and are overcome by, the values of honor, courage, and commitment represented by the coin. While coins should not be awarded indiscriminately, there is no limit to the number of coins a member may earn. (Added 08/00) (Revised 09/04) (Revised 03/2006)

340.15.2 Award. Any member may recommend to any supervisor that another member merits receipt of a coin. Challenge coins shall be retained by the Chief of Police. Supervisors desiring to award a coin are to request one via their chain of command from the Chief's Office. (Added 08/00) (Revised 03/2006)

340.16 Commendations from Private Citizens and Organizations. Letters from private citizens commending the conduct of a member will be forwarded to the Chief of Police. A copy of the letter will be placed in the member's personnel file and a copy will be delivered to the member's Division Captain who will see that it is presented to the member. (Revised 09/04) (Revised 03/2006)

340.16.1 If a citizen verbally commends a member, the person to whom the commendation is reported should prepare a memorandum detailing the circumstances of the commendation and the name of the member being commended. This memorandum will then be forwarded to the Chief of Police. A copy of the memorandum will be placed in the member's personnel file and a copy will be delivered to the member's Division Captain who will see that it is delivered to the member. (Revised 09/04) (Revised 03/2006)

340.16.2 The Chief's Administrative Secretary will cause an entry to be made in the Commendation Log to document the receipt of the commendation. This log will establish a credible formal record of commendations made by citizens for the noteworthy excellent behavior of individuals and the Department generally. (Revised 09/04) (Revised 03/2006)

340.17 Awards from Community Organizations. Occasionally private or civic organizations will establish programs to honor law enforcement personnel. Usually a letter containing the organization's criteria is sent to the Department. These letters will be forwarded to the Chief of Police. If it is decided to participate in the program, a copy of the letter establishing the criteria will be forwarded to all supervisors for recommendations or nominations. The management staff and the Chief of Police will review the nominations. They will select the member who will receive the award. (Revised 09/04) (Revised 03/2006)

340.18 Distinguished Community Service Award. The Distinguished Community Service Award may be awarded to citizens who distinguish themselves by an act of heroism, performed at the risk of grave personal injury or death while aiding a member of this department, another law enforcement agency member, or other community member. Such acts must be warranted given the circumstances the community member is presented. (Added 09/04) (Revised 03/2006)

340.18.1 The Distinguished Community Service Award shall consist of a citation outlining the achievements and a plaque incorporating the State seal and the words “Oceanside Police Department, Distinguished Community Service Award”. (Added 09/04) (Revised 03/2006)

340.19 Civilian Commendation. A Civilian Commendation may be awarded to citizens who perform commendable acts, services, or contributions, which exemplify the Department’s mission and objectives. (Added 09/04) (Revised 03/2006)

340.19.1 A Civilian Commendation will consist of a citation outlining the citizen’s achievements and a gold embossed certificate entitled “Civilian Commendation” signed by the Chief of Police. (Added 09/04) (Revised 03/2006)

340.20 Certificate of Appreciation. A Certificate of Appreciation may be awarded to citizens for actions that represent a valuable service to the department in achieving its mission and objectives. (Added 09/04) (Revised 03/2006)

340.20.1 A Certificate of Appreciation will consist of citation outlining the citizen contributions and a gold embossed certificate entitled “Certificate of Appreciation” signed by the Chief of Police. (Added 09/04) (Revised 03/2006)

340.21 Letter of Appreciation. A Letter of Appreciation may be awarded to citizens who have contributed a noteworthy gesture to the department. (Added 09/04) (Revised 03/2006)

340.21.1 A Letter of Appreciation will consist of a letter outlining the contributions to the police department and signed by a Division Captain or the Chief of Police. (Added 09/04) (Revised 03/2006)

345 Auto Theft Award Program. This award recognizes officers who made superior efforts in combating auto theft.

345.01 Procedure. This award is open to all police officers. Awards will be presented during the month of January for self-initiated arrests and recoveries made in the previous calendar year. The auto theft award will be a small rectangular pin inscribed with "10851". When worn, it will be in conformance to the uniform policy. The pins are awarded for two levels of performance.

345.01.1 Blue "10851" Award Pin: Police officers who, during the 12 month period, meet any of the following criteria, shall receive the Blue Award Pin: (1) make six separate “rolling stolen” in-custody arrests, or (2) recover a total of twelve stolen vehicles, of which a minimum of three must be “rolling stolen”, or (3) develop information which results in the identification of a theft ring, subsequent arrest of two or more suspects, and recovery of at least ten vehicles.

345.01.2 Gold “Master 10851” Award Pin: Police officers who meet the above criteria for the Blue "10851" Award Pin five times are eligible for the “Master 10851” Pin, and should receive this pin in lieu of the fifth Blue Pin.

345.02 Selection. In the first week of January, the Traffic Services Sergeant will determine the police officers who qualify for the 10851 award. This will be accomplished by a report generated through the Statistical Analysis Unit.

345.02.1 The Traffic Services Sergeant will notify the CHP, Border Division Office, "10851" Coordinator, and provide a list of qualified police officers. The CHP will supply the award pins and certificates.

345.02.2 The Traffic Services Sergeant will present this information to the Support Operations Division Captain and arrange a ceremony for presentation to the involved police officers. The Traffic Services Sergeant will distribute a memorandum, announcing to the Department the list of awardees.

347 Officer Tony Zeppetella Memorial Award. This award recognizes the patrol officer who displays superior efforts in removing illegal firearms from the community. (Added 08/2006)

347.01 Procedure. This award is open to all patrol officers. The award will be presented during the month of January to the officer who has recovered the most illegal firearms during the previous calendar year. The award will consist of one plaque presented to the recipient and a second perpetual plaque which will be displayed in the police station bearing the names of the annual recipients of the award. (Added 08/2006)

347.02 Selection. In the first week of January, the Patrol Support Sergeant will identify the patrol officer who confiscated the greatest number of illegal firearms in the previous calendar year. This will be accomplished by a report generated through the Statistical Analysis Unit. (Added 08/2006)

348 Officer Daniel Bessant Memorial Community Policing Award. This annual award recognizes the Department member(s) displaying superior Community Oriented Policing and Problem-Solving efforts in the community. (Added 05/2010)

348.01 Procedure. This award is open to all full-time, paid, sworn or professional staff Department members. The award will be presented during the Department’s annual Employee Recognition ceremony and honors the member or team who demonstrated outstanding collaboration and partnership with the community by proactively solving criminal problems and/or quality of life issues through the use of organizational strategies and problem-solving models during the previous calendar year. The award will consist of a plaque presented to the recipient(s) and a second perpetual plaque which will be displayed in the police station bearing the names of the annual recipients of the award. (Added 05/2010)

348.02 Selection. Each January the Support Operations Division Captain, or his/her designee, shall call for nominations Department-wide. Nominations shall be reviewed by the Chief of Police (or his/her designee) and members of the Bessant family. The Chief of Police makes the final selection of the member (or team) receiving the award. (Added 05/2010)

350 DUI Award Program. This award recognizes those police officers who made superior efforts in the enforcement of DUI violations.

350.01 Procedure. This award is open to all police officers. The awards will be announced and presented during the month of January for arrests made in the previous calendar year. Police officers qualifying for this award will receive. The pins will be circular, 1/2 inch in diameter, featuring the international roadway symbol for a prohibited act. In the center of the circle will be the initials "DUI" (amended 11/1/2010).

350.01.2 Gold "DUI" pin, which will be awarded to police officers that have made arrests for at least (25) violations of 23152/23153 in the previous year. Officers with 100 or more arrests are invited to attend the Office of Traffic Safety OTS/MADD Awards luncheon (amended 11/1/2010).

350.02 Selection. In the first week of January, the Traffic Services Sergeant will determine which police officers qualify for the DUI Award. This will be accomplished by a report generated through the Statistical Analysis Unit.

350.03 The Traffic Services Sergeant will notify the local district office and provide a list of the qualified police officers for the DUI Award. MADD will supply certificates and pins for the officers (amended 11/1/2010).

350.04 The Traffic Services Sergeant will then present this information to the Support Operations Division Captain and will arrange a ceremony for presentation to the involved police officers. The Traffic Services Sergeant will distribute a memorandum, announcing to the Department the list of awardees.

355 Member Recognition Program. The Department recognizes outstanding service by its members. This recognition is shown in several ways; (1) by choosing one Member of the Quarter from each division, (2) by choosing one Team of the Quarter, (3) by choosing one Senior Volunteer Patrol Program (SVPP) member of the Quarter, (4) by choosing one Department Volunteer of the Quarter and (5) annual awards to be given to recognize a sworn member of the year, a professional member of the year, an SVPP member of the year, a Department Volunteer of the year, and an Explorer of the Year. (Revised 01/99) (Revised 01/01) (Revised 03/18)

355.01 Scope. This recognition program shall apply to all regularly employed and volunteer members of the Department. One member from each Division may be selected as the Member of the Quarter, one member from SVPP, and one Department Volunteer, totaling five quarterly member awards. One team may be selected per quarter. A team is defined as two or more members working together, within a division or across division lines and may include persons outside the Oceanside Police Department. One SVPP member may be selected There is no obligation for a division to nominate a member or for selection of a Member of the Quarter or Team of the Quarter if the criteria are not met. (Revised 01/99) (Revised 01/01) (Revised 03/18)

355.02 Nominations. Requests for nominations shall be made via email and by the assigned Senior Office Specialist. Nominations shall be submitted to the assigned Senior Office Specialist by the deadline listed in the email. (Revised 03/18)

355.03 Selection Procedure. Nominations from each division will be forwarded to the respective Division Captain for the “Member of the Quarter” award. Nominations for the team awards will be forwarded to the Chief of Police for the “Team of the Quarter” award. All awards will be decided and announced at the Member of the Quarter ceremony (January, April, July, and October). (Revised 01/99) (Revised 01/01) (Revised 03/18)

355.04 Selection Traits. The criteria for member/team nominations shall be based upon an exceptional or extraordinary effort and outstanding example based on merit, heroism, valor, or actions supporting the Mission Statement or Core Values. The traits of an exceptional member include, but are not limited to: adaptability, dependability, attendance, loyalty, bravery, courage, judgment, attitude, effort, conduct, honesty, initiative, cooperation, ingenuity, integrity, courtesy, dedication, and department contribution. (Revised 01/99) (Revised 01/01)

355.05 Selection. Of all the nominations submitted to the Division Captains and the Chief of Police, they will select their respective Member/Team of the Quarter based on the most significant contribution to the department. (Revised 01/99) (Revised 01/01)

355.06 Recognition and Awards. During a recognition program, the Division Captain and Chief of Police will award the member/team selected:

a. An award pen or key chain.
b. A reserved parking space with a sign indicating "Reserved". There will be three parking spaces, one for each division, none for the team.
c. A certificate of recognition and a letter from the Chief of Police. The member/team photograph will be taken and placed in the "Member of the Quarter" or “Team of the Quarter” frames in the lobby of the station within 5 days of their selection.

(Revised 03/18)

355.07 Employee of the Year. The program chairperson shall submit to the Chief of Police the names of the members awarded Member of the Quarter. (Revised 01/99)(Revised 01/01) (Revised 03/18)

355.08 Selection. Of the members of the quarter, the Chief of Police shall choose one sworn officer, one professional member, one SVPP member, one Department Volunteer, and one Explorer as Member(s) of the Year (Revised 01/99) (Revised 01/01) (Revised 03/18)

355.09 Recognition and Awards. The Chief of Police will present the Members of the Year with recognition awards. The Members of the Year shall be awarded:
a. A certificate of recognition and personal letter from the Chief of Police.
b. A personalized "Member of the Year" memento.
(Revised 01/04)

The member's photographs will be made and placed in the Member of the Year frames in the lobby. Member of the Year photographs will be replaced annually upon the selection of the new Member of the Year. (Revised 01/99) (Revised 01/01)

370 Retirement Awards. Members want to provide for the consistent recognition of other members who retire from the law enforcement profession.

370.01 Eligibility. Any volunteer, in good standing, with five (5) years of municipal law enforcement service, or any paid member, in good standing, with a minimum of ten (10) years of municipal law enforcement service is eligible. (Revised 11/16) (Revised 03/18)

370.01.1 The determination of whether a member is in good standing at the time of their retirement is based on the sole discretion of the Chief of Police. (Revised 03/18)

370.02 Ceremony. Each eligible member may be offered a retirement ceremony similar to the swearing in ceremony. At the discretion of the Department it may be in conjunction with another event or program. (Revised 03/18)

370.02.1 Awards. Eligible members may receive the following:
a. Sworn members with a minimum of ten (10) years of law enforcement service, to include medical retirements, may receive a letter of appreciation highlighting their career, Department certificate, plaque commemorating their years of service and requested and obtained official proclamations.

b. Sworn members with a minimum of twenty (20) years of law enforcement service may receive a letter of appreciation highlighting their career, Department certificate, statue commemorating their years of service and requested and obtained official proclamations.

c. Non-sworn & professional staff members with a minimum of ten (10) years of service with the Oceanside Police Department may receive a letter of appreciation highlighting their career, Department certificate, and plaque commemorating their years of service.

d. Non-sworn & professional staff members with a minimum of twenty (20) years of service with the Oceanside Police Department may receive a letter of appreciation highlighting their career, Department certificate, and plaque commemorating their longevity of service, which exceeds the style and quality of a ten (10) year plaque.
(Revised 03/18)

e. Volunteer members with a minimum of five (5) years of service with the Oceanside Police Department may receive a letter of appreciation highlighting their career, Department certificate, and plaque commemorating their years of service.
(Revised 11/16) (Revised 03/18)

370.03 Medical Retirements.
a. Any sworn member, in good standing, with a minimum of ten (10) years of law enforcement experience may be provided in addition to a retired identification card, a letter of appreciation highlighting their career, Department certificate, plaque, and requested and obtained official proclamations. (Revised 03/18)

b. Any sworn member, in good standing, with a minimum of twenty (20) years of law enforcement service may be provided in addition to a retired identification card, a letter of appreciation highlighting their career, Department certificate, statue commemorating their years of service and requested and obtained official proclamations.
(Revised 11/16) (Revised 03/18)

370.03.1 The determination of whether a member is in good standing at the time of their retirement is based on the sole discretion of the Chief of Police. (Revised 03/18)

400 Personnel Complaints, Administrative Investigations and Discipline
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Oceanside Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

401 Personnel Complaints
Personnel complaints include any allegation of misconduct or improper conduct or 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.

401.01 Sources of Complaints

401.01.1 Civilian-Originated Complaints. Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

401.01.2 Internally-Originated Complaints. If a member files a complaint against another member, the Chief of Police determines how the matter will be resolved. If it is a personal matter, mediation may be considered before the investigative process.

401.01.03 Request for Direction. All memorandums requesting direction will be reviewed by the Chief of Police to determine the course of action.

401.01.4 Tort Claims and Lawsuits

401.01.5 Anonymous Complaints. Anonymous and third-party complaints shall be documented and forwarded to the Chief of Police for review. S/he will make the final determination whether or not to have them investigated.

401.01.6 Juvenile Complaints. Complaints generated by minors (under 18 y/o) will be accepted, however the minor should be encouraged to seek consultation from an adult prior to submitting the complaint. If the juvenile complainant is not accompanied by a parent/legal guardian at the time of making the complaint, then the supervisor receiving the complaint will notify the juvenile's parent(s) as soon as possible.

401.01.07 Miscellaneous. Nothing in this procedure prevents the Chief of Police from ordering an investigation of suspected misconduct in cases where a complainant has failed to sign a complaint form or in cases where the complainant has become uncooperative. In such cases, the Chief of Police will evaluate the severity of the allegation, the credibility of the complainant, any corroboration that exists, along with any evidence that is present.

401.01.8 Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

401.02 Availability of Complaint Forms. Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and shall be accessible through the Department website. Forms may also be available on-line at the City's web page.

401.03 Acceptance of Complaints
Members shall make every effort to facilitate and assist a citizen in the filing of a personnel complaint. Where practicable and as necessary, translators should be provided for a citizen to complete a personnel complaint form. Department members shall courteously accept completed citizen complaints, which shall promptly be forwarded to the Watch Captain, Division Manager or his/her designee or as appropriate, the Professional Standards Unit.

Although complaints are preferred to be filed on-line, a complaint may also be filed orally, either in person or by telephone. Such oral complainants will be immediately referred to the Watch Captain, Division Manager or his/her designee. If neither is available to take the oral complaint, the receiving member shall obtain a brief summary of the nature of the complaint and contact information sufficient for the Watch Captain, Division Manager or his/her designee

to contact the complainant. If appropriate, after receiving an oral complaint, the Watch Captain, Division Manager or his/her designee shall complete and submit a memorandum requesting direction to the Chief of Police via the chain of command.

If photographs or physical evidence need to be obtained, the complainants should be encouraged to file their complaints in person.

Per Penal Code § 832.7(b), the complainant shall be provided with a copy of his/her statement at the time it is filed with the Department. If the complaint was received orally, or via the Department's website, the Professional Standards Unit will prepare a synopsis of the complaint within the Letter of Receipt. (Revised 01/20)

401.04 Watch Captain, Division Manager or his/her Designee's Responsibilities. A Watch Captain, Division Manager or his/her designee who becomes aware of alleged misconduct, shall take all necessary and reasonable steps to prevent foreseeable aggravation of the situation. The responsibilities of the Watch Captain, Division Manager or his/her designee include, but are not limited to the following:

a) Ensure upon receiving a complaint, a complaint form is completed and signed by the complainant and signed by the member receiving the complaint.

b) Make reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

c) When appropriate, ensure immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

d) If presented in person, ensure the complainant is provided a copy of their written complaint.

e) Ascertain if the complaint can be resolved via clarification or corrective counseling to the Department member in question. Check the appropriate box on page two of the complaint form, briefly note how the complaint was resolved and return it to the Professional Standards Lieutenant.

f) If (e) does not apply, check the box next to "Referred to Professional Standards Unit" and return it to the Professional Standards Lieutenant.

g) 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 an issue, the Watch Captain or his/her designee shall orally report the matter to the member's Division Captain or the Chief of Police, who will initiate appropriate action.

h) When the allegations indicate a crime may have been committed, the member's Division Captain will be notified immediately.

401.04.1 Arrest of Member. When a member is arrested, the Chief of Police will be notified via the member's Division Captain or his/her designee.

4**01.04.2** The Division Captain or his/her designee shall proceed to the place of confinement and advise the member that s/he is placed on paid administrative leave effective immediately, pending an administrative investigation. The member shall be relieved of all department property in their immediate possession and such property shall be delivered to the Chief of Police, or his/her designee. Steps will be taken to obtain the Department's badge, identification card, and issued weapon from the member if it is not in their immediate possession.

401.04.3 If a criminal action is filed against a member, the Chief of Police may order the administrative investigation suspended pending disposition of the action.

402. Administrative Investigation. After review of the initial complaint, the Chief of Police will determine if an administrative investigation is warranted and/or give the Professional Standards Unit staff further direction. Every investigation of 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).

402.01 Tolling Exceptions. In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

402.02 Complainant Disposition Notification. Professional Standards staff shall ensure the complainant is provided written notification of the disposition within 30 days of the final disposition of the complaint [Penal Code § 832.7(e)].

402.03 Additional Misconduct Disclosed. 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.

402.04 Administrative Investigation Report Format. (Revised 01/20)

Summary: A brief description as to the state the nature and circumstances of the complaint.

Civilian Involved Parties: Complainant's full name, address, telephone number, business name, business address and telephone number.

Employee Involved Parties: Full name, rank, assignment, days and hours assigned to work.

Investigation: Report should be written in the first person. The details and events of the investigation are included in this section.

402.05 Complaint Dispositions. Each personnel complaint shall be classified with one of the following dispositions:

a. *Unfounded:* When the investigation discloses the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

i. A frivolous complaint is a complaint against a police officer which has a finding of other than SUSTAINED or NOT SUSTAINED, and where there is evidence that the complaint was totally and completely without merit or brought for the sole purpose of harassing the police officer.

ii. Once approved by the Chief of Police as being frivolous, no such complaint may be referred to, noted or numerically/statistically counted in any evaluation or in any general personnel file listed under the officer's name, such as a Divisional File.

b. *Exonerated:* When the investigation discloses the alleged act occurred, but the act was justified, lawful and/or proper.

c. *Sustained:* When the investigation discloses sufficient evidence to establish the act occurred, and it constituted misconduct.

d. *Not Sustained:* When the investigation discloses there is insufficient evidence to sustain the complaint or fully exonerate the member.

e. *Suspended:* When the complaining party and/or witnesses fail to cooperate, and this prohibits the Department from arriving at the facts.

f. *Other:* This classification is used for those instances when an allegation is factually correct but a "sustained" violation is not justified. Such as when a member makes a good faith mistake and the remedy is additional training.

403 Post-Administrative Investigation Procedure. Upon completion of an administrative investigation, the investigative report should be forwarded to the Chief of Police through the chain of command. All items of evidence shall accompany the report.

403.01 Division Captain Responsibilities. Upon receipt of any completed personnel investigation, the Division Captain of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials. The Division Captain 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 Captain may return the entire investigation to the assigned investigator for further investigation or action.

As part of the review process, the Division Captain of the involved member will evaluate each case for the evidence of presence of viable criminal misconduct. When appropriate and necessary, the Division Captain of the involved member will refer such criminal matters to the appropriate investigative unit.

403.02 Notice of Intent to Discipline. After the Chief of Police has reviewed the administrative investigation report and is satisfied it is complete, the Division Captain, or his/her designee will author a Notice of Intent memorandum to the member. The member will sign and date the investigation report, regardless of disposition. If multiple members are accused, individual members may not review the Conclusions and Recommendations related to other members.

403.03 Chief of Police 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 Captain 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. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a pre-disciplinary procedural due process hearing (Skelly). The Chief of Police, or his/her designee will provide the member a written notice of the charges, proposed action and reasons for the proposed action. A written notice shall be provided to the member within one year from the date of discovery of the misconduct (Government Code § 3304(d)), and shall be signed by the member and a witness.
The Chief of Police, or his/her designee shall also provide the member 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 five working days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police, or his/her designee shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the member has been issued the written decision, the discipline shall become effective.

403.03.1 Pre-Discipline Employee Response (Skelly Hearing). 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. This shall occur after the member has 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 further investigation could be conducted, or the employee may offer additional information or mitigating factors for the Chief of Police to consider.

1. In the event that 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.

2. 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.

404 Resignations/Retirements Prior to Discipline. In the event a member 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.

405 Post-Discipline Appeal Rights.

405.01 Non-Probationary Employees. Non-probationary members have the right to appeal a suspension without pay, punitive re-assignment, demotion, reduction in pay or step, or termination from employment. The member has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against a member covered by the Police Officer's Bill of Rights ("POBR"), the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5. During any administrative appeal, evidence that an officer has been placed on a Brady list or is otherwise subject to Brady restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such Brady evidence shall be limited to determining the appropriateness of the penalty (Gov. Code § 3305.5).

405.02 At-Will, Probationary and Other Members. At-Will, probationary members and those members other than non-probationary members 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 and do not have any right to appeal. However, any probationary member subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Gov. Code § 3303; Government Code § 3304).
At-Will or probationary members and those other than non-probationary members 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. They 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.

406 Administrative Assignments. Prior to or during the investigation of alleged misconduct, a member may be placed on Administrative Assignment, given Paid Administrative Leave, or unpaid Administrative Leave under circumstances consistent with legal precedent.

406.01 Paid Administrative Leave. When an on-duty supervisor deems it necessary to place a member on Paid Administrative Leave to maintain the safety of the community, or the reputation, morale, and harmony of the department, they may do so. Paid Administrative Leave shall consist of an order to report to the member's home and remain there during their normal shift. The member shall receive their normal pay while on this leave, pending direction by the Chief of Police. The supervisor will prepare a report detailing the facts of the matter.

406.2 Chief of Police. Members are sometimes involved in serious incidents requiring extensive, but expeditious investigation before their degree of culpability can be determined. The Chief of Police may be confronted with a situation where s/he does not yet have sufficient evidence to relieve the member from duty or suspend him/her, but the preliminary information indicates the City could be subjected to serious liability if the member is permitted to continue their regular duty. In such cases, the member may be placed on Administrative Assignment or Paid Administrative Leave at a location and time specified by the Chief of Police. The investigation should be conducted as expeditiously as circumstances permit. When sufficient facts are developed, the Chief of Police can then direct the proper disposition. The member's pay shall continue while he/she is in this status.

407 Maintenance of Files. All personnel complaints shall be maintained in the care of the Chief of Police, or his/her designee for a minimum of five years. In situations where the potential for litigation exists, the reports may be retained longer at the discretion of the City Attorney.

410 Grievance Procedure. A grievance is an alleged violation of a specific clause of the current Memorandum of Understanding. Matters for which another method of review is provided by the current MOU, Resolution, Ordinance, or State Law, shall be excluded from this procedure. Grievances shall be governed by The Memorandum of Understanding.

415 Application of the Sexual Harassment Policy. (Refer to Vol. I, Section 125 for Policy.)

415.01 Any sexual harassment complaint shall be promptly and thoroughly investigated by the Chief of Police or his/her designee. The investigation shall:
a. Evaluate the totality of the circumstances pertaining to the harassment.
b. Identify all involved persons including witnesses.
c. Identify all behavior between the complainant and the alleged harasser material to the investigation.
d. Determine if the sexual conduct was "unwelcome."
e. Evaluate the evidence of harassment while identifying and analyzing corroborative evidence.
f. Determine, where necessary, whether a workplace is sexually "hostile." In this regard, to violate this policy conduct must be sufficiently hostile or severe to create a sexually "hostile" work environment.

415.02 The following factors should also be included in the investigation:
a. Whether the conduct was verbal, physical or both.
b. How frequently the conduct was repeated.
c. Whether the conduct was hostile and patently offensive.
d. Whether the alleged harasser was a co-worker or a supervisor.
e. Whether the harassment was directed at more than one member.

415.03 When applicable, all protections of Government Code §3300 et seq. (Peace Officers' Procedural Bill of Rights) shall be observed when conducting investigations.

415.04 Disciplinary action, counseling, or other appropriate measures shall be swiftly taken against any member determined to be in violation of this policy. Such disciplinary measures may include actions up to an including termination.

415.05 Reporting Complaints of Sexual Harassment.
a. Any member who feels that he/she has been the victim of sexual harassment should contact his/her supervisor, or the Chief of Police within thirty (30) calendar days of the incident or action affecting the member, or within thirty (30) days from the date the member recognized existing harassment.
b. Similarly, where members do not feel comfortable reporting the conduct pursuant to the above section, they may seek out a representative of their choice to report their complaint.
c. Likewise, complaints regarding harassment may be directed to the Personnel Department pursuant to guidelines established by the City's sexual harassment policy. They may also be directed to the Department of Fair Employment and Housing.
d. The Chief or his/her designee will recommend appropriate action, training or disciplinary actions where sexual harassment is found to exist.
e. There shall be no retaliation against any complainant or witness under this procedure. Retaliation against any person complaining under this procedure will result in disciplinary measures.
f. In compliance with EEOC guidelines, a summary of findings shall be provided to any victim under this procedure upon completion of the Department's investigation. Periodic investigation status updates may also be provided to victims in necessary cases.

435 Potential Claim Incidents. Department members are the first responders to critical incidents that involve potential City liability. This procedure outlines the member response to such events. (Revised 12/03)

435.01 Definition. A potential claim incident involves any of the following:
a. Any complaint of pain or injury which requires medical attention or first aid as a result of an act or omission by any City employee.
b. Substantial damage to private property as a result of an act or omission by any City employee.
c. Any incident where a citizen indicates or suggests an intention to file a claim or suit against the City.
d. Any incident where the likelihood of such a claim or suit can reasonably be anticipated.

435.02 Notification. Any member, who becomes aware of a Potential Claim Incident, will advise the on-duty Patrol Shift Supervisor.

435.03 Responsibility. A police supervisor, or his/her designee shall:
a. Respond, to the scene of a Potential Claim Incident and ensure that all related crime, arrest, and/or officer's report(s) are thoroughly completed and that any necessary evidence collection is conducted.

b. Ensure recorded interviews of all parties are conducted.
c. Be responsible for reviewing and approving/rejecting all reports related to the incident.
d. Submit a copy of the complete case to his/her respective Division Captain, via the chain of command, with a notation that the matter was a Potential Claim Incident.

All original reports shall be submitted to the Records Section for processing and storage. Upon completing his/her review, the Division Captain shall forward the report to the City Attorney's Office, via the Professional Standards Office.

435.04 On-Scene Assistance. The responding supervisor is tasked with evaluating the incident for on-scene assistance by the City Attorney and the Risk Manager. If this level of assistance is needed, the supervisor will brief the Patrol Division Captain or the Chief of Police who have 24-hour access to the City Attorney and the Risk Manager. If the investigating supervisor believes liability exists, and the matter does not warrant immediate attention, the supervisor shall make arrangements to meet with a representative from the City Attorney's Office to convey his/her opinions regarding the event.

435.05 Applicability. The Potential Claim Incident review process is not an appropriate avenue for addressing possible member misconduct, including criminal acts, or traffic collisions involving members. If a supervisor discovers evidence of potential misconduct or a criminal act, the matter must be investigated in accordance with Volume II, Section 400. Traffic collisions involving members shall be investigated in accordance with Volume III, Section 810.

435.06 Involvement with other City Departments. If the incident involves another City department, a supervisor from that department will be notified immediately. If this occurs after business hours, this notification may be made via the emergency contact list in Communications.

435.06.1 The police supervisor will provide police department resources to the involved outside supervisor in the form of photographs and evidence collection, however, the responsibility for supervision, interviewing, evaluation and final documentation lies with the outside supervisor (traffic collisions excluded).

435.07 Post Claim Procedure. If a claim is received over an incident involving the Department, the following procedure will be applied.

a. The City Clerk's Office will forward a copy of the claim to the Professional Standards Unit.
b. The Professional Standards Unit or designee from the respective Division will review the claim and forward a copy of all related documents, CAD incident reports and dispatch/telephone recordings to the Risk Manager. All recordings should be saved pending disposition of the claim.

500 PAYROLL AND LEAVE

501 Time Sheets. Timesheets are maintained on the Departments "J" drive for all members. For purposes of payroll, the City provides two kinds of Employee Time Entry Record (time sheet). One type is for hourly members (eligible for overtime) and the other is for salaried members (not eligible for overtime). All time sheet entries and signatures are to be made in ink. (Revised 07/09)

501.01 Hourly Members. Hourly members are required to complete both sides of their time sheets. It is the responsibility of the member to enter time worked and time taken on the front of the time sheet. Time worked or taken may be regular or overtime hours, special pay, or holiday taken, etc. Hourly members will also document the actual hours worked each regular workday. Hourly members are responsible for completing and signing their time sheets. Members will document the date, number of hours and reason for overtime. (Revised 9/98)

501.01.1 Members may not take time off unless they have sufficient hours banked with the City to support the request. (Revised 9/98)

501.02 Salaried Members. Salaried members are responsible for completing, signing, and submitting their time sheet if a full days work or more is taken off.

501.03 Supervisor's Responsibility. Supervisors will provide instruction to members on the proper method for completing the time sheet. If supervisors have questions on properly completing the time sheet, they may consult with the Department payroll Senior Office Specialist. Supervisors are responsible for the accuracy and completeness

of the information entered on the time sheet. It is essential that supervisors ensure the accuracy of time sheets before they are submitted.

501.03.1 All time sheets are to bear the signature of the approving supervisor, and the date before they are submitted to the payroll Senior Office Specialist for processing. Time sheets without approving signatures will be referred to the Division Captain before processing.

501.04 Payroll Adjustments. Whenever the Division senior office specialist discovers inaccuracies on the time sheet, the approving supervisor will be the first point of contact. The Division senior office specialist is authorized to change or correct time sheets. Unit Supervisors will be made aware of adjustments to time sheets after they are processed. (Revised 01/20)

501.05 Entering Overtime. The hours of overtime worked must also be entered on payroll time sheets in the space provided for such information. Members will list the defendant's name, case number and/or citation number for each payroll time sheet entry relating to a court appearance in a criminal matter or traffic case. Members are to indicate whether overtime is to be compensatory time or paid. Overtime, which is not approved on the reverse of the time sheet, will not be paid to the member. Members are to have supervisor's initial approval of overtime when it is earned.

501.05.1 Overtime must be entered in hours and tenths of hours as noted below:

Number of minutes	Tenths of hours
6	.1
12	.2
18	.3
24	.4
30	.5
36	.6
42	.7
48	.8
54	.9

501.05.3 Overtime Account Numbers. When a member is working overtime outside his/her home Division, that member is responsible to place the appropriate account number for that assignment on the front side of the time sheet. Supervisors are responsible to ensure the appropriate account number is on the timesheet before approving the overtime. If the proper overtime account is not listed or cannot be determined, the member will contact the Section Lieutenant who will identify the correct account.

501.05.4 Authorization of Overtime. Overtime must be authorized beforehand by a department supervisor. Authorization should be made by the member's immediate supervisor; however, when necessary, may be made by any supervisor on duty.

501.05.5 Verification of Overtime. All overtime must be claimed at the time it is worked. Upon completion of the work, the member's supervisor must verify the overtime. If that supervisor is not available, verification shall be obtained from an on-duty supervisor.

501.05.6 Court Call-off. When a member receives a subpoena that indicates a recording should be called to check for cancellation, he/she is advised to make such a call. Any member claiming overtime for a court appearance in which the case was canceled, and the member failed to call and ascertain the case status, may be subject to disciplinary measures.

501.05.7 Court Overtime. Court overtime will be verified with the member's subpoena. Members attending court will have the subpoena time stamped on the back when they arrive at court and when the business for which they were subpoenaed is completed. Additionally, members will fill out the stamp on the back of the subpoena indicating if they testified and the name of the District Attorney who handled their case. The supervisor who approves a member's overtime will collect the member's subpoena, sign it on the back in the space provided and route the document back to the Patrol Support Office.

Officers receiving phone calls or text messages on their days off regarding court, will not be eligible for overtime unless the total correspondence exceeds six (6) minutes; See Vol II, Section 501.05.1. (Revised 01/20)

501.05.8 Telephone Stand-by. Members who agree to be placed on telephone standby must provide the party who issued the subpoena with an on-duty and off-duty phone number or pager number to facilitate their being called to court. Overtime compensation is not authorized for telephone standby.

501.05.9 Overtime – Travel to and from Schools. Overtime pay is not authorized for members who attend schools in an off-duty status. No travel pay is authorized for trainees who are attending the police academy. (Revised 7/98)

501.05.9.1 With prior approval from a Division Captain, travel to and from a training site may be done in one of the following ways:

a. The member may drive to the station and pick up a department vehicle to travel to the training site. The time it takes a member to travel from the station to a training site is considered "time worked" and any travel time in excess of a member's normal workday will be compensated at the member's overtime rate of pay. (Added 7/98)
b. The member may be provided with a department vehicle, when available, to travel directly from his/her residence to a training site. The department vehicle would alleviate the use of a member's privately-owned vehicle (POV) and eliminate the need for the member to come to the station to pick up a vehicle. The member will not receive overtime compensation for travel while utilizing a department vehicle to travel directly from his/her residence to the training site and back. (Added 7/98)
c. With prior supervisor approval, the member may utilize his/her POV to travel to and from a training site. The member would be entitled to mileage reimbursement for the use of his/her POV for travel to a training site outside the North County area, based upon the number of miles a member travels from the Oceanside Police Department to the training site and back. North County encompasses the area from the north San Diego County line, south to the City of Del Mar, and east to Rancho Bernardo. Mileage reimbursement is paid at the rate established by the member's respective MOU. Members are not entitled to mileage reimbursement for travel sites within the North County area. (Added 7/98)
d. Whenever a member is scheduled to attend a training school, the member's work schedule will be arranged so that the time spent attending the school constitutes that member's normal workday.
e. Attendance at a school in an overtime status will not be approved except by the member's respective Division Captain. In the event a training course is scheduled to run in excess of the member's normal work day then the member shall note that fact on the training request and must obtain written approval for such overtime prior to actual attendance. (Revised 01/20)

501.05.10 Overtime Limitations. Overtime is not authorized for commuting to and from regular duty stations, including but not limited to:

a. The Oceanside Police Department.
b. The Regional Academy.
c. Detached duty stations, such as the NTF office
d. Training classes except as specifically authorized by M.O.U.
e. Meetings in the North County area.
f. Court in the North County area.

501.05.11 Guidelines for Supervisors. Supervisors must use discretion in authorizing or not authorizing overtime in order to minimize expenses. In general, overtime may be authorized if it is necessary to get the job done immediately. However, if it is possible, the supervisor should consider other means to accomplish the task. These include using other on duty members, revising schedules, or delaying a task that can be accomplished on the next workday. Supervisors should especially limit overtime in the following cases:

a. Writing of reports that are required to be submitted prior to the end of the workday.
b. Training, meetings, public presentations, special enforcement programs and special events.
c. Duty callbacks, except when needed to maintain minimum staffing levels.
d. Callout of detectives.
e. Callout of traffic investigators.
f. Working past the end of shifts.
g. Lengthy court cases (reschedule, if possible).

510 Requests for Leave. All requests for leave will be documented on the proper "Request For Leave" form and submitted according to the following guidelines:

510.01 Regular Leave. Regular leave is defined as:

a. Vacation Leave
b. Holiday Leave
c. Compensatory Time
d. Jury Duty
e. Military Leave
f. Unpaid Leave of Absence

All members requesting regular leave will fill out the "Request for Leave" form in advance, and submit it to their regular supervisor(s) for approval.

510.02 Vacations. Management reserves the right to determine the mission of each Division, set standards of service, maintain the efficiency of operations, determine the methods, means and personnel by which Divisional operations are conducted and to insure adequacy of personnel to accomplish its mission. Scheduling of a member's vacation leave, or other requests for paid leave not in conflict with City Personnel policies, shall be at the discretion of Divisional supervisors.

510.02.1 Procedure. Each section will maintain a master vacation roster. Vacation selection will be based on seniority on the Department. Initial selection of vacations will be for two weeks or less. It is the responsibility of members to submit a request for vacation leave to their appropriate supervisor for approval. They should also actively monitor their accrual of vacation hours throughout the calendar year.

510.02.2 Investigations Division. Each section of the Investigations Division may allow up to three members to be off on vacation leave at the same time. Exceptions to this procedure will be at the discretion of the section Lieutenant.

510.02.3 Patrol Division. Each work unit of the Patrol Division shall set up their vacation schedules on the bases of seniority.

510.02.4 Support Operations Division. Each work unit in the Support Operations Division shall set up their vacation schedules on the bases of seniority.

510.03 Military Leave. Military Leave is defined and explained in Sections 395.02, 395.05,395.1, 395.3 and 395.8 of the California Military and Veterans Code. It is the intent of the department to comply with all sections of this code, and to extend to members those rights and privileges enumerated under the Code.

Specifically, Section 395.02 provides for members to receive salary for the first 30 calendar days while engaged in the performance of ordered military duty. Generally speaking, “weekend drills” constitute temporary military leave of absence and will not be compensated under the 30-day rule pursuant to court cases interpreting the above provisions of the California Military and Veterans Code.

510.04 Emergency Leave. Emergency leave is defined as: I.O.D., personal illness or injury, or family emergency.

510.04.1 If the member is at work and needs to leave due to illness, injury or family emergency, the member will fill out the request form and have it approved by a supervisor. The supervisor may fill out the form if the member is unable to do so.

510.04.2 If not on-duty, the member will call his/her supervisor and request the leave at least one hour prior to the beginning of shift. If the member's supervisor is not working, any member may complete the "Request for Leave" form, but will forward it immediately to their supervisor who will ensure it is forwarded to the member's supervisor.

510.04.3 Distribution. The member's supervisor will forward the original "Request for Leave” form to Payroll and retain a copy for scheduling purposes.

510.04.4 Follow-Up by Member's Supervisor. The member's supervisor may contact the member in person or by telephone to make inquiries into the nature or duration of the leave. It is the duty of the member to provide the information to the supervisor.

510.05 Unauthorized Absences. Any absence not approved by a supervisor will be considered an unauthorized absence and may result in no pay for the absence and/or disciplinary action.

510.06 Unpaid Leave of Absence. Benefited members who request a leave of absence without pay must have that request approved. If for periods of five days or less it must be approved by the Chief of Police. Any durations longer than five days must be approved by the City Manager.

510.06.1 Members will complete the "Request for Leave" form and submit it to their supervisor. Supervisors may fill out the form for the member if the member is unable to do so.

510.06.2 Approval. The member's Division Captain, Chief of Police, and City Manager must approve unpaid leave of absence requests in excess of five days, prior to such leave being deemed authorized. (Revised 07/01)

515 Family and Medical Leave.

515.01 Procedure Statement. In accordance with the Family and Medical Leave Act (FMLA), the City of Oceanside shall grant job-protected unpaid family and medical leave to eligible employees for up to 12 weeks during a 12-month period. Contact the Human Resources Department for specific details.

600 POLICE FACILITIES

601 Station Security. This procedure will maintain security, yet allow reasonable access to station by people having a legitimate reason to be there.

601.01 External Doors. Any member who props open an external door is responsible to monitor the door unit it is closed. (Revised 7/99, 11-00)

601.01.1 The Support Operations Division Captain will arrange for any changes to the codes on door locks. Members are prohibited from giving their card passes or keys to anyone other than an OPD member. (Revised 7/99)

601.02 Access to the Building. Any person desiring to enter the interior area of any police building shall display an approved pass or other identification.

a. Persons wearing the appropriate city uniform or who display a member badge, identification card, Facility Access Pass, or law enforcement identification are authorized freedom of movement within the facility within the limitations set forth.
b. Persons wearing a Visitor's Pass shall be escorted or accompanied by an OPD member while within the interior area of the facility.

601.02.1 Members of the public and persons not currently and actively employed by the Department may be granted access to the interior of the building if such access is consistent with the Department's need for security and effective operation. Access needs to be through the front lobby at all times. (Revised 7/99)

601.02.2 No such person granted access to the interior area shall be permitted to interfere with the normal operations of the Department nor permitted to unreasonably disrupt any member in the execution of his/her duties.
601.02.3 All on-duty supervisors shall take reasonable and appropriate actions to prevent any person from interfering with the Department's operations or unreasonably disrupting the work of any member.

601.03 Requirement to Show Identification.

601.03.1 Oceanside Police Members. All Oceanside Police members must wear their authorized uniform, or must wear their Oceanside Police Department badge, issued ID card, or name tag on the outside of their civilian clothing.

601.03.2 Sworn Officers of other Police Agencies.

a. Must wear a recognized law enforcement uniform, or
b. Must wear their department badge or ID card displayed on the outside of their civilian clothing.

601.03.3 Oceanside City Employees. All City employees must wear an authorized city uniform, or must wear an OPD visitor pass or City ID card displayed on the outside of their civilian clothing.

601.03.4 Training Class / School Attendees / Special Meetings. Any member responsible for conducting a training class or special meeting will coordinate with the front desk to ensure attending persons display approved identification while in the Police facility.

601.03.5 All Others (Including Visitors, Repair Persons, Vendors, Etc.). The front desk member will issue a Visitor Pass, fill out the Visitor Log, and contact the person the visitor wishes to see. The visitor will then be the responsibility of the person contacted. Visitors will be met at the lobby and escorted by the responsible member while inside the interior area of the facility. Upon completion of the visit, the responsible member shall retrieve the pass from the visitor and dispose of the pass when the visitor leaves the facility. (Revised 7/99)

601.04 Visitor Passes. Visitor Passes will be kept at the front desk and will be issued by the front desk members during regular lobby hours. After hour, visitors must be approved by a supervisor. If a member provides a visitor with a Visitor Pass when the lobby is closed, the member issuing the Visitor Pass must follow these procedures. The employee issuing a visitor pass shall ensure the visitor log, which is kept at the Front Desk, is completed with the following information:

a. Name of visitor
b. Address or agency of visitor
c. Identification (type and ID number)
d. Purpose of visit
e. Date and time in
f. Name of issuing member.

(Revised 7/99, 01/20)

601.05 Weapons or Suspicious Packages. If a member observes a weapon or suspicious package on a person desiring access to the facility, such member will immediately bring the matter to the attention of a police officer. It will be the responsibility of the police officer to inquire and to conduct a legal search, if necessary, to prevent weapons or other dangerous items from being brought into the building. Nothing in this procedure shall prevent a law enforcement official from bringing a firearm s/he is authorized to carry into the building.

601.06 Access to Evidence Room. Except as specifically authorized by the Investigations Division Captain, only those assigned to the Evidence and Property Unit are allowed access to areas where supplies and evidence are stored.

601.07 Responsibility of Enforcement. It is the duty of all members to see this procedure is strictly enforced. Violations of security will be reported immediately to a supervisor, who will see that appropriate actions are taken to ensure compliance.

602 Police Facility Meeting/Conference Rooms

602.01 Generally. The Department has available for the use of its members, meeting and conference rooms that may be used for work-related meetings and training classes. There are limited opportunities for other City of Oceanside departments to utilize the meeting rooms.

602.02 Reserving a Conference Room. Members wishing to use a room must make reservations for the use of the room via the City's intranet.

602.03 Limitation on use of conference rooms. Members may use a meeting room as needed. Due to the nature of police operations and the need to maintain facility security, the conference rooms of the Department are not available for use by the public. The use of the rooms by other City Departments is generally limited to normal business hours.

602.04 City Departments after-hours use. The department realizes there will be times other City Departments need to use a conference room after normal business hours. The Support Operations Division Captain will review and either approve or disapprove all requests for after-hours use.

602.05 Station Security. To ensure security and provide access to the police facility, a police member with general card key access is required to be present during all meetings and training sessions. For after-hours usage by other

City Departments, the costs associated with having a police member present during the meeting will be borne by the City Department using the meeting/conference room.

602.06 Exceptions. Nothing is this procedure is designed to prohibit another law enforcement agency from using the conference rooms on an emergency basis in response to a police incident. (Added 08/03)

603. Lockdown Security Procedure (Added 09/12). The lockdown procedure is intended to keep unarmed professional staff safe and prevent them from inadvertently interfering with the actions of sworn officers in their response to the emergency situation. The lockdown procedure can be initiated by any member when an immediate threat exists. An angry but otherwise non-violent citizen at the front counter would not be an example of an immediate threat, however, someone with a weapon and/or attempting to breach into any secured area would be. When an emergency situation or potential threat to employees exists at the station, the following procedure shall be initiated.

603.01. Dispatch will be notified of the need for a lockdown via the radio, telephone, or direct communication.

603.02. Dispatch will make an announcement over the public address system similar to: "Lockdown. Repeat, we are in lockdown." The lockdown announcement should be followed with directions for sworn staff such as: "Any officers in the building report to the front desk ASAP" and the nature of the incident broadcast on the radio.

603.03. Once initiated, all professional staff members will go into the nearest office, lock the door and await further instruction.

603.04. When the watch Captain advises that the situation is now secure, dispatch will announce over the public address system: "The lockdown has been lifted. Repeat, the lockdown has been lifted."

605 Emergency Plan. There are two purposes to this procedure. First: to provide guidelines for member response during emergency conditions. Second: to comply with OSHA General Industry Safety Order #3220, by defining actions that will be taken to safeguard members during a building evacuation in response to fire or other emergencies. (Revised 11/99)

605.01 Member Responsibilities in an Emergency. OCC 9.1 authorizes the City Manager to require emergency service of any City officer, employee, or citizen or to requisition necessary personnel or material of any City department or agency during emergency conditions. (Revised 11/99)

605.01.1 In an emergency, on-duty members shall remain on-duty to assist in emergency response and recovery. No supervisor is authorized to release any member from duty without the approval of the Chief of Police or designee. Members who leave without such authorization shall be subject to discipline. Members who are not on-duty may be called back to duty as supervisors direct. Members are to report for duty as regularly scheduled unless directed otherwise. (Revised 11/99)

605.01.2 Operational Conditions. In the event of terrorist threats and/or attacks, violent protests, riots, natural disasters, major accidents, or other emergencies one of four "Operational Conditions" (OPCON) may be initiated per the Operational Conditions Guide. Every department supervisor shall maintain a copy of the Operational Conditions Guide and shall be responsible for familiarizing their subordinates with the procedures contained therein. A copy of the guide will be in department copies of the CITY OF OCEANSIDE EMERGENCY PLAN. (Added 11/02)

605.02 Emergency Evacuation. Members will use escape routes designated by exit signs. These signs are located in the main corridors of the buildings. There are exit points to the front, west side, and rear of the main building; and the front and two sides of the investigations building. Members should first look to the exit point nearest their work areas that can be safely accessed. Members should gather on the Mission Avenue side of the facility away from buildings. (Revised 11/99)

605.02.1 Supervisors shall account for evacuated members. Supervisors will maintain communication with members as needed via voice, telephone, pager, radio, or other means. The decision to evacuate either building will be made by the Watch Captain. The Watch Captain may enlist the aid of Communications members in announcing the need to evacuate. (Revised 11/99) (Revised 8/04)

605.02.2 The Watch Captain is responsible for the security of prisoners evacuated from the temporary holding facility. Prisoners will be secured in patrol vehicle(s), which will be moved away from the buildings. Segregation issues should be complied with as soon as possible. Contract prisoner transport may be utilized. (Added 8/04)

605.02.3 If the facility is damaged to the extent that it is no longer habitable, the prisoners will be transported to an appropriate alternative facility (other law enforcement or custodial facility). (Added 8/04)

605.03 Members Essential to Department or City Operations. Different situations necessitate different levels of key member response. The Incident Captain will determine members needed to handle any given emergency situation. Supervisors will assist the Incident Captain, as requires. Essential members may include police officers, dispatchers, community service officers, records and other administrative support members. (Revised 11/99)

605.04 Recall of Essential Members in Event of Emergency. Under emergency conditions the Incident Captain may use personnel directory information to summon additional staff. When feasible, unit supervisors will be responsible for calling their members. Personnel directory information is in computer files, at the unit level, and in Communications. (Revised 11/99)

605.04.1 If the City Manager or City Council proclaims a disaster or petitions the governor to proclaim an emergency in the City in accordance with OCC 9.7(a) and 9.7(b), members are to contact Emergency Communications for assignment. If electronic communications systems, such as telephones, are not available, department members are to respond to the police facility for assignment. (Revised 11/99)

605.05 Alternate Work Site / Reporting Location. If the police facility becomes unsafe, members will respond to alternate locations as directed by the Incident Captain. Alternate locations may include other City buildings, other buildings or structures, parks or other open spaces. (Revised 11/99)

605.06 Availability of Department Members after an Emergency. On occasion, department response to emergencies may necessitate unusual and lengthy work schedules. Incident Captains are to monitor the deployment of members to accomplish a smooth transition to routine scheduling practices as the emergency subsides. Incident Captains will communicate deployment information to the department representative at the City Emergency Operations Center (if activated). (Revised 11/99)

605.07 Vital Records Protection and Recovery. Vital records are defined as those records necessary to continue, to reconstruct, or to resume the essential operational functions of the department and to maintain public health, safety, and order in the event of public disaster. The Records Manager, as the department's Records Security Officer (RSO), has responsibility to maintain redundancy of department electronic records and to promote safe storage of hard copy records. (Revised 11/99) (Revised 01/01)

610 Police Facility Physical Fitness Room.

610.01 Generally. A physical fitness room is provided for the use of police members to promote the wellness of members and an opportunity for members to work on their physical fitness. This procedure shall govern the use of the facility and clarify member and department responsibilities related to the use and maintenance of the facility. (Added 07/2005)

610.02 Responsibilities. The longevity of the physical fitness room is the responsibility of all members of the department and is dependent upon proper use of the facility and compliance with this procedure. (Added 07/2005)

610.02.1 The department is responsible for the maintenance and acquisition of equipment to be utilized in the physical fitness room. The Support Operations Division Captain is responsible for maintaining the equipment in working order, developing a procedure for use of the physical fitness room, acquiring new equipment when needed, and monitoring use of the facility. (Added 07/2005, Revised 01/20))

610.02.2 Establishing and maintaining the physical fitness room is at the sole discretion of the department. The department reserves the right to limit a member's use of the physical fitness room. The department will maintain control over the hours of operation of the physical fitness room. (Added 07/2005)

610.02.3 Use of the physical fitness room is at one's own risk. All members who are authorized to use the physical fitness room are responsible for complying with the procedure and guidelines concerning use of the room. Failure to comply with these guidelines shall be grounds for a member to be prohibited from using the physical fitness room. (Added 07/2005)

610.03 Authorized Users. All regularly employed members of the department may use the facility. A regularly employed member is described as:
a. All full-time paid members,
b. All hourly extra help members,
c. Reserve Police Officers (Added 07/2005)
d. All Oceanside Police Department volunteers. (Added 09/2009)
e. Oceanside Police Department legal advisor. (Added 09/2009)

610.03.1 Guests are not permitted to use the physical fitness room. This includes, but is not limited to: other City employees, law enforcement officers from other agencies who may be attending training hosted by our agency, family members of members, and vendors who may be providing services to our agency. (Added 07/2005)

610.04 Use of the Physical Fitness Room. The following rules shall be observed by all members when they use the physical fitness room:
a. Members acknowledge that use of the physical fitness room is at their OWN RISK.
b. Members are required to have a workout towel with them when using the physical fitness room.
c. Horseplay, roughhousing, and unsafe conduct is prohibited in the physical fitness room.
d. Members are to report any unsafe condition of the equipment or physical fitness room to the Support Operations Division Captain, or any supervisor if s/he is unavailable.
e. Members are to report to the Support Operations Division Captain, or any supervisor if s/he is unavailable, any injury they sustained while utilizing the physical fitness room.
f. No equipment other than that approved by the Support Operations Division Captain and provided by the department may be placed in the physical fitness room. (Added 07/2005, Revised 01/20)
g. Members are reminded that the physical fitness room is centrally located in the police facility. No excessive noise, music, television, or other factors that might be disruptive to the surrounding workstations will be permitted.

700 PURCHASING

701 Purchasing Procedure. The following procedure shall be followed when members purchase any supplies, equipment, or services to be charged to the department. (Revised 01/20)

701.01 Purchasing of Property. A member shall buy, purchase, or otherwise obligate the City for any merchandise, commodity or service, except by and with the authority of the Chief of Police or authorized staff member. No requisition will leave this department for purchase of anything unless signed by the Chief of Police or by a staff member authorized to sign on behalf of the Chief of Police.

701.02 Purchasing Request. A member may initiate a request for purchase to their Division Captain. Once the purchase has been approved by the Division Captain, the purchasing documents, such as quotes, sole-source documentation, and/or staff reports will be submitted to the Financial Services Unit for processing.
a. If the purchase is an expensive or unusual one not previously budgeted for, attach a memorandum to the Purchase Request form, giving a justification for the purchase.
b. If the purchase is not justified, the Division Captain shall disapprove the request, and return both copies to the member.

702 Contingency Fund. This prescribes procedures for maintaining, accessing, and accounting for cash kept on hand to support Patrol. (Revised 12/02)

702.01 Maintenance & Accounting. The contingency fund is kept in the Records Section. It is maintained and audited by the Investigations Division. (Revised 11/00, 12/02)

702.02 Accessing. A supervisor can authorize the expenditure of funds to:
a. Provide food, beverages, and necessary supplies for an unplanned tactical operation.
b. Provide shelter for citizens during a police ordered evacuation.

c. Purchase or repair property when immediately required. (Revised 11-00) (Revised 07/01)
d. Reimburse members expenditures for parking fees, approved meals for training, meals for victims and/or suspects, and other approved reimbursements. (Revised 12/02)

702.03 Procedure. The supervisor will inform the on- duty Records Supervisor of the money requirement. The Records Supervisor will disburse the money and provide the supervisor with the Petty Cash Voucher. Receipts for the purchase will be attached to the Petty Cash Voucher and submitted to the Records Supervisor. Copies of the ATP, Petty Cash Voucher, and receipts will be maintained in Records for one year and will serve as an expenditure log. (Revised 11-00)

702.04 In an emergency a supervisor may obligate the Department for an expense to deal with an operational necessity. Funds for police purposes may be obtained from the Records. With supervisory approval, a member may purchase an article or service to the value of not more than fifty dollars ($50). Upon presentation of the bill or other evidence of debt, the member shall be reimbursed for the expenditure from the Department's petty cash fund. If an article is charged, the member will submit a report along with the bill explaining why the article was purchased and to whom the money is owed. (Revised 11-00)

703 Investigations Division Operational Fund. This procedure sets forth the operational fund maintained by the Investigations Division. (Revised 1/10)

703.01 Generally. The operational fund is a credit card account through J.P. Morgan Bank, that is readily available through a supervisor for the purpose of conducting investigations or incidental expenses required for day-to-day operations. The fund can be used for, but is not limited to, the following:
a. The purchase of narcotics
b. Payments to Confidential Informants
c. Travel Expenses for criminal investigations
d. Food and Refreshments for members during lengthy or large-scale operations.
e. When necessary, the purchase of equipment or supplies when determined so by a supervisor. (batteries, film, etc.) (Revised 1/10, 12/19)

703.02 Accountability and Responsibility. The Investigations Division Captain will identify the Section Supervisor(s) who are to be issued the J.P. Morgan Card to allow access to the credit card account. (Revised 12/19)

703.03 Funds are not to be co-mingled with personal money. Members may not use operational funds for personal use or as a personal loan.

703.04 Procedure. When investigators need money, they will complete the top portion of the Special Enforcement Section Expenditure Report. This includes the date, time, officer requesting the money, and the amount of money requested. They will then brief the supervisor on the expected expenditure. When approved, the supervisor will perform a withdrawal/cash advance using their assigned card and issue the investigator the funds. When the funds are expended or returned, the investigator will complete the rest of the expenditure form. The form must be completely filled out, including all case numbers related to the expense. (Revised 12/19)

703.04.1 The supervisor will have the responsibility of reviewing the expenditure report for completeness and will assign a log number to the form. The supervisor will enter the expense into the ledger and ensure that the funds balance against the ledger.

703.04.2 Any amount of unused funds shall be returned to the supervisor within two days and given to the OPD Records Section Member/Cashier who will provide the supervisor with a receipt for deposit.

703.04.3 Upon receipt of their monthly statement for their assigned card, the supervisor will complete the "OPD Special Enforcement Section Cash/Debit Card Monthly Reconciliation Form" which includes the transaction date, amount withdrawn, amount deposited, if any and the log number, if applicable.

703.04.4 The following items will be given to the Professional Standards Lieutenant for review:

a. OPD Special Enforcement Section Cash/Debit Card Monthly Reconciliation Form
b. Special Enforcement Section Expenditure Report
c. Credit Card Statement for assigned card holder

d. Receipt for withdrawal from ATM or financial institution
e. Receipt for deposit provided by Records
(Added 12/19)

703.04.5 The Professional Standards Sergeant, or Chief's designee, will audit the fund at least once each quarter. A report of the results shall be forwarded to the Chief of Police within five days of the audit. (Revised 1/10)

703.04.6 The Unit Supervisor has the responsibility of ensuring all the guidelines in this procedure are met.

705 Business and Travel Expenses

705.01 Transportation. When a member must travel on department business, he/she will check with a supervisor to determine if a department vehicle is available. If no Department vehicle is available, the member's Division Captain may authorize the use of a private vehicle or commercial transportation on the basis of the least total cost to the City, taking into consideration salary costs and travel time.

705.01.1 Private Vehicles. Privately owned transportation to and from the airport will be fully reimbursed for all mileage at the rate established in the Memorandum of Understanding (MOU). Parking at the airport is reimbursable, with the exception of valet parking. Lower rate long-term parking will be utilized when available and the member's stay will be longer than one day. (Revised 3/98)

705.02 Transportation for Training Purposes. Transportation by air, train, bus or private vehicle will be determined by the Training Section on the basis of the most cost-effective method. (Revised 3/98)

705.02.1 Use of privately-owned vehicles for travel to schools, see Volume II, Section 501.05.9. (Revised 3/98)

705.02.2 Reimbursement shall be at a rate established in the member's MOU. The use of privately-owned vehicles may be approved if the cost of such use exceeds the cost of commercial transportation, at the discretion of the Division Captain. When the use of commercial air carrier is approved, members will be responsible for providing their own transportation to and from the airport of departure. (Revised 3/98)

705.02.3 If a member travels by air, and must then travel to his/her place of lodging from an airport, public transportation, ride shares such as UBER, or car rentals may be utilized, and will be reimbursed. Additionally, if the class is conducted at a location other than the student's hotel/motel and is not within walking distance or practical, the above methods of transportation may be utilized which is fully reimbursable. The member shall retain receipts of said transportation services and submit to the Training Unit upon return for reimbursement. (Added 3/98, Revised 01/20)

705.02.4 Students who will be utilizing public transportation may obtain advance funding for such an expense through the Training Unit provided the request is received sufficiently in advance for processing. (Added 3/98)

705.03 Meals. Meal reimbursement or advance will be allowed only in those cases where the member has to remain away from home overnight or is attending a multiple, consecutive-day training.

705.03.2 Receipts. When the employee is eligible for meal reimbursements, however time restraints do not allow for an advance, itemized receipts must be presented for meal reimbursements (AD-34). The maximum rates of reimbursements are:

a. Breakfast	$10.00
b. Lunch	$15.00
c. Dinner	$25.00

These are the maximum reimbursable amounts unless the member is designated to represent the Department at a function where there is only one type of meal served at a fixed rate. Any other exceptions must be approved in advance by the Chief's Office.

705.05 Subsistence (Lodging). Members who attend training schools away from the local area will be provided lodging as a part of their attendance. Arrangements for reservations and lodging will be handled by the Department's Training Coordinator at the time the member's school request is processed. In the event members desire alternate

accommodations, they may do so by paying the difference in cost between what is provided and what the member desires. (Revised 3/98)

705.06 Subsistence for Training. Resident students' lodging shall be obtained at the most economical rate available for good quality lodging. Lavish or oversized accommodations are not justified. Reasonable amounts for tipping may be reimbursed. However, reimbursement for tips shall not exceed 20%. The Department will advance the student the amount for each day's lodging consistent with the location of the school or training function and the contemporary costs of lodging in that area.

705.07 Miscellaneous Expenses. Registration fees, parking fees, toll fees or similar expenses will be reimbursed if the member submits a receipt.

705.08 Claims for Reimbursement. To be reimbursed for the expenses, members must fill out the required expense forms in Records. Reimbursements will be made in cash or by special check.

705.09 Special Instructions. Members are instructed to obtain prior authorization from the Chief of Police before incurring expenses for travel out of the state.

800 SUPPORT AND ASSISTANCE

801 Employee Family Assistance Requests. This section establishes a procedure for responding to requests for assistance from members and their families. (Revised 09/01, 01/20)

801.01 Procedure. As these types of requests may involve sensitive or private matters, it is the procedure of this department to dispatch a supervisor as the primary responder to the call. If the supervisor needs assistance, he/she may order another unit to respond, but will retain responsibility for handling the call.

805 Critical Incident Trauma Assistance. Critical incidents experienced by law enforcement employees are sometimes so traumatic that professional assistance may be needed to help the member recover from the emotional trauma. It is the intention of the Oceanside Police Department to take all reasonable steps to assist its members. A critical incident could be an officer involved shooting, witnessed suicide, death scene, infant abuse, hostage situation or other incident so shocking and stressful as to bring about emotional trauma to a member.

805.01 Debriefing. Critical incidents can affect the member. As soon as possible after the critical incident but after any interviews of witness members and, if possible, before involved members go home, the Patrol Division Captain or designee should hold a debriefing. All involved members should attend to evaluate the critical incident, share feelings, and exchange feedback. At the discretion of the Patrol Captain, Counseling Team International may be called to attend or conduct the debriefing. The debriefing can also set in motion additional assistance through peer support and the Employee Assistance Program (EAP) under contract with City Employee Services. (Revised 09/01, 12/19)

805.02 Professional Assistance. Professional counseling is available through the. Human Resources Department. The Employee Assistance Program (EAP) is totally confidential. Members may call the Human Resources Department directly to arrange a consultation. (Revised 07/01, 12/19)

805.02.1 Members may receive up to six (6) visits per one-year period. Supervisors are to be familiar with the Employee Assistance Program and refer members who are in need. (Revised 07/01)

810 Peer Support Program. Peer Support aims to provide peer assistance and support to members involved in critical incidents.

810.01 Definitions.

a. Critical Incident - A critical incident involves any one of the following activities:
   1. All officer-involved shooting incidents where a person is wounded or killed.
   2. Where a member witnesses another member's serious injury or death.
   3. Where a member is taken hostage.
   4. Where a member witnesses a suicide, violent death, or multiple deaths.

5. Any other on duty incident that is a critical incident in the eyes of the on-duty Patrol Supervisor, and is likely to cause psychological trauma to members.

b. Peer Support Member - A Peer Support Member is a member who meets the criteria established in this procedure for application to the program and who has been so designated by the Chief of Police.

810.02 Program Objectives. A Peer Support Member has a fourfold mission:

a. To be available to listen to a member's feelings immediately after a critical incident.
b. To disseminate to the involved member, departmental information about the stages of the investigation surrounding a critical incident.
c. To normalize a member's feelings and reactions after he/she has faced a critical incident.
d. To provide a follow-up check on the member's welfare approximately three (3), and six (6) months after the incident.

810.03 Peer Support Member Use Limitations.

a. It is the responsibility of the program supervisor to notify the Office of the District Attorney of the identity of any Peer Support Member who has had contact with the involved member at a shooting scene or at some subsequent time. It is appropriate to coordinate such notification with other documentation on the incident forwarded by the department to the District Attorney.
b. The Peer Support Member must never engage the involved member in any discussion of the incident under investigation.
c. The Peer Support Member must not do or say anything that could color or distort the involved member's objective recall and rendition of the facts. The question of a shooting's legal justification in many instances turns on the officer's state of mind. In this regard, a discussion by a Peer Support Member of his/her own prior experience may, with or without design, feed the involved member convenient "buzz words" which alter his/her state of mind.
d. It should be emphasized that nothing said, or done by the involved member in the presence of the Peer Support Member is in any fashion legally privileged. (Revised 09/01)

810.04 No written record of the support member's contact is to be kept. It is of utmost importance to the success of the program that the contact be confidential. However, no communications privilege recognized in law is applicable to communications between a peer support member and an involved member. Nonetheless, insofar as the department is concerned, every effort will be made to respect the confidentiality of information which passes between the Peer Support Member and a member who seeks the assistance of this program, with the exception that any information pertaining to the commission of a felony, child abuse, or the fact that the member poses a danger to himself/herself or another cannot be kept confidential.

810.05 Criteria for Selection. Peer Support Member candidates must meet minimum standards:

a. Possess an enthusiastic interest in the concept of peer support.
b. Be willing to volunteer for the program.
c. Be willing to serve in the Peer Support Program in addition to any current duty assignment.
d. Have the respect of his/her peers.
e. No work restrictions involving psychological stress.
f. Not be the object of a serious or major investigation, or be suffering from serious personal problems.
g. Willing to respond whenever called to provide peer support.

810.06 Team Composition. A minimum of five Peer Support Members will be assigned to the program. A command staff lieutenant shall be assigned to provide supervision and coordination as a collateral assignment. A mental health professional experienced in peer support will provide training and debriefings for team members. (Revised 09/01,7/20)

810.07 Selection Procedure.

a. When an announcement is published seeking members interested in being Peer Support Members, the candidate shall submit a memorandum through the chain of command to the Chief of Police. In the memo, the candidate will explain why he/she wants to be a part of the program and in what way the candidate meets the criteria of a Peer Support Member.
b. After the closing of the filing period (normally two weeks), the Chief of Police shall designate three members to screen the applicants to ensure each candidate meets the minimum standards of the program. The members shall include the lieutenant and two Peer Support members.

c. Candidates meeting the minimum criteria shall be interviewed by a mental health professional experienced in peer support. The mental health professional will make recommendations to the Chief of Police on the suitability of each candidate.
d. The Chief of Police will make the final selections. (Revised 09/01)

810.08 Retention. Any individual selected for the program will remain with the program until he/she requests removal, or until he/she is removed by the Chief of Police.

810.09 Supervision/Management. Organizationally the Peer Support Program is placed under Support Operations Division. (Revised 7/20)

810.10 Training/Meetings.
a. As soon as practical, the candidates will attend a three-day P.O.S.T. course entitled "Peer Support Counseling."
b. Each month, team members will meet to debrief responses to critical incidents and discuss other relevant issues.
c. Dates and times for meetings shall be scheduled by the program supervisor. (Revised 09/01)

810.11 Call Out Procedures. When there is a critical incident as defined in this procedure, the on-duty Patrol Supervisor shall have the responsibility to call out a Peer Support Member. A monthly duty roster shall be posted in the department's J drive: Peer Support/Chaplain folder. The team member(s) may be called to the scene of the incident if necessary. (Revised 09/01, 7/20)

810.11.1 At the scene, the Peer Support Member explains procedures, answers procedural questions, and discusses feelings – not tactics. Emphasis is placed on what the involved member feels, not on what happened. It is important, at this point, for the Peer Support Member to make the involved person aware that he/she may experience certain feelings and it is normal to do so. The Peer Support Member may transport the involved member to the station and remain with him/her as needed. (Revised 7/20)

810.12 Follow Up Contacts. It is the responsibility of the program coordinator to assign team members to conduct follow-up checks on members involved in critical incident(s), approximately three (3), and six (6) months after the critical incident. (Revised 09/01, 7/20)

905 Communications. For detailed Dispatch Operating Procedures, see the Communication's Standard Operating Procedure (SOP). (Revised 01/20)

905.01 Minimum Staffing Levels. Minimum staffing levels for communications shifts will be determined by the communications staff. These levels will be modified as workload needs require.

905.02 The Communications Supervisors have discretion to place themselves as a dispatcher when preparing the schedule depending on their administrative workload. If a dispatcher calls in sick and their absence results in the Communications Supervisor becoming a dispatcher, attempt to contact the Communications Supervisor on that shift to ascertain if other duties would prevent them from working a console. If they cannot be reached, add them to the count.

905.03 Dispatch Supervisors are authorized to hire overtime to maintain minimum staffing for annual vacation.

905.04 It is the responsibility of the Communications Supervisor or acting Communications Supervisor to hire overtime (ordering if no other option) to maintain necessary staffing requirements.

908 Blackboard Connect and Nixle are computerized messaging systems that allows the originator to initiate a voice message broadcast and/or a text message to residents or businesses by their predetermined group or geographic location. These systems will assist the City in making community and internal notifications in a more efficient manner. (Added 07/04, Revised 01/20)

908.01 The Communications Manager or his/her designee, must authorize the use of the Blackboard Connect and/or Nixle and the specific language within the message. Once use is authorized, any dispatcher can access the system. (Revised 01/20)

908.02 Factors to consider prior to initiating a broadcast include:

a. Time of Day. Non-emergency/community broadcasts should not be made between the hours of 8:00 p.m. and 9:00 a.m. unless exigent circumstances require immediate notification.
b. Content. Information of a confidential nature or critical to an ongoing investigation should not be broadcast.
c. Names of Suspects. The release of names of criminal suspects, for which no arrest warrant has been issued, shall be carefully considered due to the potential of misidentification and civil liability.

908.03 The Blackboard Connect and Nixle shall only be used for official City business. Though not restricted to the following, the below list is an example of authorized uses and the authorized data sources for each use:
a. Internal departmental broadcast/user groups
b. Crime alerts
c. Crime prevention
d. Public safety issues
e. Neighborhood canvas
f. Utility disruption
g. Community or neighborhood surveys (requires Chief of Police approval)
h. Evacuations

908.03.1 The following are examples of unauthorized and non-permitted uses of the CNS:
a. Any messages of a commercial nature
b. Any message of a political nature
c. Any non-official business

910 CAD Printout Distribution. CAD printouts will only be released under the following circumstances:
a. Required form (current tape request form includes requests for CAD printouts) is completed. The release of this information must be approved by the Communications Manager or the Communications Supervisor. In their absence, the Patrol Division Captain.
b. The printout will not be released to the public without a subpoena unless suspect names, vehicle license plates and reporting parties that request anonymity are blacked out.
c. The printout cannot be released to the public without a subpoena if there is a criminal or civil case pending or in progress.
d. Requests for CAD printouts relating to the reporting of member misconduct and/or performance related issues shall be made by supervisors. Non-supervisors are not authorized to request CAD printouts relating to member misconduct and/or performance related issues, but should bring the issue to the attention of their immediate supervisor.
e. CAD printouts may routinely be attached to officer's daily reports and tape requests made by the District Attorney's Office directly or through Investigations for criminal court cases.

915 Release of Information on 24-Hour Tape. Requests for copies of tapes relating to the reporting of member misconduct and/or performance related issues shall be made by supervisors. Non-supervisors are not authorized to request tapes relating to member misconduct and/or performance related issues, but should bring the issue to the attention of their immediate supervisor.

920 Use of Telephone Matrix. Each dispatcher is issued a Telephone Matrix and receives training on its use. The use of the Matrix is encouraged on each call received. Dispatchers are responsible for asking questions outlined to retrieve the critical information needed to provide a safe and appropriate response.

920.01 All dispatchers are expected to ask the questions in a logical manner. This gives the caller a pattern of questioning that is easy to follow with responses.

925 Premise History Files Maintained on CAD. The CAD system allows "warning" entries for specific locations within the city limits. These warnings are described in CAD as: Premise Warnings, Caution Notes, BOL'S and/or Attachments.

925.01 CAD has an option to view Premise History at each location in the city. This file can be used to notify responding officers of weapons in the residence, repeated false calls for assistance, occupant prone to violence, history of mental instability, second response requires a citation, hazardous materials, health risks, etc.

930 MCT Use. The MCT is a valuable tool that can be used to enhance the communication between dispatchers and field units and can be used for officers to self-dispatch to pending calls for service. (Revised 5/98, 01/20)

930.01 Generally, all calls will be dispatched via the radio. In addition to broadcasting the call, Dispatch should send the CAD information to the responding units via the MCT if the vehicle is so equipped. Officers on self-initiated activity are to notify Dispatch via the radio or through the MCT. Exceptions to this may include the need to keep the information off the public airway for officer safety concerns, covert operations, or sensitive issues. (Revised 5/98)

930.02 Radio and telephone use will continue for those units that are not equipped with an MCT.

931 Radio Traffic

931.01 Be-on-the-Lookouts. BOL's involving Oceanside specific information, major crimes and officer safety information will be placed into CAD as a "BOL" call type. This will include regional BOL information received over LE-North-Command and countywide Blue-1. The dispatch supervisor will designate which dispatcher is responsible for this task. By doing this, the information is available for briefing reports and for requests to re-broadcast. When a dispatcher or field supervisor believes that a specific officer safety issue exists, the BOL should be re-broadcasted on DISP 1 (police primary). (Added 03/2003)

931.02 Emergency Traffic. When necessary to clear the air for priority or emergency traffic, members will verbalize the countywide standard of "Emergency Traffic." During an extended Emergency Traffic incident, the dispatcher will broadcast, "Continue emergency traffic on Primary for units at (give location)" every three to five minutes. (Added 03-2003) (Revised 10/04) (Revised 10/12)

931.03 Critical Incident. Emergency Traffic - During critical incidents or Emergency Traffic, the dispatcher or incident Captain may elect to move all non-emergency traffic to the Inquiry talk group. This keeps the members involved in a critical incident from having to change to another talk group. When this occurs, registration and warrant checks will be limited to high priority cases. If there is sufficient dispatching staff, normal traffic may be diverted to Patrol Tac Channel leaving Inquiry open for normal traffic. (Added 03/03, 01/20)

931.04 "11-52". When answering an 11-52 status check, members will reply with their four-digit identification number. Members with a three-digit identification number will add a leading zero. Example: "2D – 0901" or when answering to other agencies "Oceanside 2D – 0901." (Added 03-03)

931.04.1 "Code-4" Defined. Code-4 indicates that, at the present time, no additional units are needed. Indicating Code-4 does not preclude a member from later asking for additional units, nor does it mean the situation is entirely under control, but rather that the current situation can be handled with existing resources at the scene. (Added 02-2006)

931.04.2 Unit Status. Members who have advised dispatch they are on an incident, or who have been assigned an incident by dispatch, will advise the dispatcher they are Code-4 as soon as it becomes evident that additional units are not currently needed at the scene. Members will respond to status checks initiated by dispatch by either advising they are Code-4 or by requesting additional units. (i.e.: 12-88 or Code-3 Cover, etc.) (Added 02-2006)

931.04.3 Scheduled Status Checks. Dispatch will check the status of all members who are assigned to a call to see if they are Code-4 in accordance with the following guidelines, within two minutes plus or minus.

a. Traffic/Pedestrian Stops/Self-Initiated Activity.
   1. 5 minutes after the member initiates the activity, unless the member advises Code-4.
   2. Every 15 minutes thereafter even if the member has already given a Code-4.

b. Priority One and Two Calls.
   1. 5 minutes after the member goes on-scene, unless the member has advised Code-4.
   2. Every 15 minutes thereafter even if the member has already given a Code-4.

c. Priority Three or Lower Calls.
   1. Every 30 minutes from the time the member goes on-scene.

d. Miscellaneous.
   1. Every 60 minutes from the time the member initiated the activity unless the member has advised they will be unavailable on the radio (i.e.: court, range, etc.). (Added 02-06)

931.05 Emergency Button Activation. When an emergency button is activated, Dispatch will go to emergency traffic and immediately announce the activation, the unit name and the last known location. The dispatcher will then attempt to raise the member for an 11-52 check. If the member does not answer, Dispatch will assume the member is unable to transmit and is in need of emergency assistance. In such cases, the dispatcher will send Code-3 Cover unless a supervisor directs otherwise. (Added 03/2003)

931.06 Internal Panic Alarms Activations. Panic alarms are located at both the Front Desk area, Records, and the Investigations lobby. If activated, these alarms will sound in Dispatch. Upon activation, the dispatcher will immediately announce over the department-wide PA "COVER NEEDED AT THE FRONT DESK" (or at the Investigations Lobby). In addition, this will be announced over primary for the closest unit(s) to respond. Dispatch will include any visual observations from the video monitors. If it is not visibly apparent that an emergency exists, Dispatch will confirm the emergency by telephone and update or call off the responding units accordingly. When the area is secured, a Records, Front Desk, or Investigations members will reset the alarm. (Added 10/04)

940 Communications Training Program. The purpose of the Communications Training Program is to provide training for new and lateral entry dispatchers. (Added 6/99)

940.01 Responsibility for Communications Training Program. The Communications Manager is responsible for the department's Communications Training Program. (Added 6/99)

940.02 Dispatcher Trainer Qualifications. Dispatch trainers motivate, train and evaluate new and lateral entry dispatchers. The dispatcher trainer sets an example for the dispatch trainee and makes every effort to provide a positive learning environment. Any deviation of this policy must be approved by the Patrol Division Captain. To function as a dispatch trainer, the dispatcher must:

a. Have a minimum of three years' experience as a dispatcher (including probation period). Two of the three years must be with the Oceanside Police Department as a dispatcher.
b. Must be willing to commit to doing other training assignments when not assigned a trainee.
c. Must be willing to commit to being a trainer for a minimum of two years.
d. Possess a demonstrated ability and commitment to train on all radio positions.
e. Must successfully complete a department-approved trainer's course prior to trainee assignment.
f. Must successfully complete department mandated trainer update course by the end of every third year as a trainer.
g. Any substandard marking in an annual performance appraisal or formal discipline will be cause for review by the Communications Manager and Communications supervisors, of the trainer's suitability to continue as a trainer. (Added 6/99)

940.04 Dispatch Trainer Training Course. Communications members selected as dispatch trainers will attend a POST certified Train the Trainer Course (minimum of 1-week class). Additionally, selected trainers must complete a refresher course relating to training and/or supervision, by the end of every third year of assignment as a dispatcher trainer. (Added 6/99)

1000 TRAINING.

1001 Training Schools.

1001.01.1 Members may be authorized to attend training schools, classes, or other similar functions, either by assignment of the Department, or upon request of the member. In all cases, a completed training school request must be submitted by the requesting member and approved by the member's chain of command. Requests must be received in the Training Unit a minimum of fourteen (14) business days prior to the course date. (Revised 3/98, 01/20)

1001.01.2 Once the school is approved, the member is expected to attend the class, school, or similar function. In the event an emergency should arise and the member cannot attend, members will notify their respective supervisor or Watch Commander immediately. The supervisor/Watch Commander will, in turn, notify the Training Unit as soon as possible so that a cancellation can be affected or a substitute found. Members will not be excused from attending once the school, class, or function is approved and paid for, unless a valid emergency exists. Failure to attend scheduled training without approval is grounds for discipline. (Revised 3/98, 01/20)

1001.01.3 No costs associated with attendance in an off-duty status will be borne by the Department. There will be no reimbursement for travel, meals, lodging or tuition or course materials. Members are not covered by Worker's Compensation while traveling to or attending a school in this status and are not considered to be acting within the course and scope of employment for any purpose. (Added 3/98, 01/20)

1001.02 Member's Responsibility to Maintain and Share Information. With the exception of training attended in an off-duty status, the Department reserves the right, as a condition for approval of a school or training function, to require the member to maintain information on the subject. He/she may be required to assist the Training Section in preparing training bulletins or classes for other members. (Revised 3/98)

1005 Annual Block Training.

1005.01 Scheduling. The Training Section will facilitate the scheduling of the annual block training. Each Division will cooperate in preparing the schedule to ensure no overtime is required and minimal hardship is sustained in providing routine services.

1005.01.1 Requests for re-scheduling or notice of an anticipated absence must be authorized through the member's supervisor and coordinated with the Training Section to ensure a balanced training schedule.

1005.01.2 Instructors will be temporarily assigned from their regular duties to the Training Section for the time required to conduct training.

1005.02 Accountability. The Division Captain will take appropriate action to ensure compliance and will facilitate a re-schedule date with the Training Coordinator. At the discretion of the Support Operations Division Captain, the Training Coordinator shall provide a make-up class. The Training Coordinator will report in writing directly to the Division Captain those members who failed to comply with the make-up class.

1005.03 Certification. Members who fail to certify will remediate until proficiency is attained. The Training Coordinator will schedule remedial training with the assistance of the member's immediate supervisor. Such training shall be performed as soon as possible and generally within the quarter. A member who fails to qualify will be removed from field duties and may be subject to disciplinary action.

1005.04 Documentation. The Training Section will document and record completed training. A roster of the instructors and course content will also be recorded and maintained.

1010 Required Firearms Training. It shall be the responsibility of the Department Training Coordinator to ensure that the following minimum standards of firearms training are provided to the appropriate members of the Police Department:

1010.01 All police officers authorized by this procedure to carry firearms shall have completed an approved course on firearms, regardless of rank or longevity.

1010.02 All newly hired police officers and Reserves shall be given firearms training, as required by Penal Code 832, within two weeks of their appointment.

1010.03 The Firearms Training Unit shall monitor all legislative and policy changes relating to the use of firearms by peace officers, and shall recommend necessary updated training in a timely manner. (Revised 10/01)

1010.04 The Firearms Training Unit shall provide a firing range program for use by Department members.

1010.05 The Firearms Training Unit shall administer a firearms qualification and training program to ensure reasonable competency among all police officers authorized to carry weapons. (Revised 10/01)

1015 Firearms Qualifications. Police officers are authorized to carry or use a firearm whenever they are currently qualified to do so.

1015.01 Police officers must qualify before carrying a firearm on-duty or off-duty. Firearms qualifications are established by the Firearms Training Unit and approved by the Chief of Police. They are set forth in the Firearms Training and Administrative Procedures Manual.

1025 Field Training Officer Program. The purpose of the Field Training Officer (FTO) Program is to provide training for new and lateral entry officers.

1025.01 Responsibility for FTO Program. The Support Operations Division Captain is responsible for the Department's FTO program.

1025.02 Coordinator of the FTO Program. The Patrol Support Operations Sergeant is the coordinator of the Department's FTO Program. The sergeant must complete a POST certified FTO Coordinator course within one year of assuming these duties. (Added 01/06)

1025.03 Field Training Officer Qualifications. The FTO motivates, trains, and evaluates new police officers. The FTO sets an example for the recruit and provides a positive learning environment. The FTO is an integral part of a team of police officers and supervisors responsible for the development of a competent field officer. To function as an FTO, a police officer must:

a. Have an overall performance rating of at least above standard and no formal disciplinary action for the year preceding selection. (Revised 12/02)
b. Be willing to commit to working overtime to accomplish the training phase.
c. Be able to effectively communicate verbally as an instructor and be able to demonstrate the skills taught in the Field Training Manual.
d. Write clearly and effectively.
e. Know the responsibilities of an FTO as outlined.
f. Demonstrate qualities of leadership and sound judgment.
g. Have a responsible attitude with a high degree of integrity, job interest, and dedication to duty, and be free from the excessive use and/or abuse of sick leave or I.O.D. (Revised 2/99)
h. Be objective and impartial in relationships with trainees.
i. Have a high degree of patience and willingness to work with substandard trainees in an effort to raise their performance to acceptable levels.
j. Abide by and carry out all Departmental Policies and Procedures, supervisory instructions, and continually strive to represent the Department in a desirable and appropriate manner.
k. Complete a POST certified FTO course. (Added 01/06)
l. Complete Crisis Intervention/Behavioral Health training within 6 months of appointment. (Added 01/20)

1025.04 Selection. Upon an open position, a police officer desiring to participate in the program will submit a request to his/her supervisor. The supervisor will evaluate the candidate in terms of the qualifications listed above. The supervisor will forward his/her recommendations to the Support Operations Division Captain (Revised 01/06, 01/20)

1025.04.1 The applicants will be reviewed by the Support Operations Captain. A list of the applicants will be forwarded to the Chief of Police with a recommendation for selection. (Revised 01/06, 01/20)

1025.05 Retention of FTO Status. A Field Training Officer may be relieved of that assignment either voluntarily after fulfilling commitment or upon showing that work performance, and/or conduct no longer justifies continuation in the assignment. Such conduct could include but is not limited to:

a. Failure to complete a department-sponsored and POST-approved FTO school within six months of assignment.
b. Inability to properly, effectively, and legally train newly hired officers or the need for a degree of supervision not practical in the assignment shall constitute cause for removal.
c. Any discipline for major misconduct will be cause for removal from the Field Training Officer Program. Discipline for minor misconduct may be cause for removal from the Field Training Officer Program.
d. Police officers serving as Field Training Officers shall automatically be removed from the program upon promotion and may be removed upon assignment to a position outside the Patrol Division.
e. Interpersonal relationship with any trainee while in the FTO program. The purpose of this provision is to prevent any appearance of bias or special consideration.
f. Any recommendation for removal will be forwarded to the Support Operations Division Captain for action. (Revised 2/99, 07/01, 01/06)
g. Failure to complete the POST certified FTO course every three years. (Added 01/06)

h. Failure to maintain an overall PAS rating of Above Standard. (Amended 11/1/2010)

1025.06 Any suspension or removal from the Field Training Officer Program will terminate eligibility for training pay. (Revised 01/06)

1025.07 Field Training Manual. The Department maintains a Field Training Manual in the LEFTA Shield Portal System. The Chief of Police approves the contents and format of this manual. The Support Operations Sergeant is responsible for the periodic and timely updating of the Manual. (Revised 01/06, 01/20)

1025.07.1 Whether a trainee is entry level or lateral, the Manual shall be completed as soon as practical, but prior to the conclusion of the probationary period.

1025.07.2 A copy of the completed Manual is to be retained in LEFTA Shield Portal System until the trainee has successfully completed the probationary period. (Revised 01/20)

1025.08 Trainee Evaluations. When an FTO is training a new officer, the FTO will complete Daily Observation Reports regarding the trainee's performance. The platoon FTO Sergeant will review and sign each of these reports, then complete a Supervisor's Weekly Report of the trainee's performance and progress at the end of each week of training. (Revised 2/99) (Revised 01/06)

1025.08.1 In addition, the FTO will complete an End of Phase Report. In the End of Phase Reports, the FTO will discuss the trainee's performance relative to his/her significant strengths, significant weaknesses, and additional training/remedial efforts. The trainee will electronically sign each page of the Daily Observation Report, Supervisor's Weekly Report, and the End of Phase Report indicating that he/she has read same. (Revised 2/99, 12/19)

1025.08.2 The evaluations will be submitted through the chain of command to the Support Operations Sergeant. The chain of command shall consist of the FTO, the FTO Sergeant, and the Patrol Support Sergeant. (Revised 01/06)

1025.09 Duration of Field Training. The following minimum training time is mandated for trainees:

a. **Entry Level** – Twenty-Five weeks. Training is divided into five sections:
   Patrol School will be a one-week
   Phases I-III will be six-week training periods
   Phase IV will be a four-week "Shadow" evaluation period
   Additionally, there will be a one-week training period for Traffic Collision Investigation and one-week training period for Driving Under the Influence/Traffic enforcement.
b. **Lateral Entry** – A lateral officer who has not completed a California Field Training Officer Program must complete the same field training as an entry level officer.
c. **California Lateral Officer** – Ten-weeks. Training is divided into three sections:
   Phases I & II will be four-week training periods
   Phase III will be a two-week "Shadow" evaluation period

(Revised 12/19)

1025.09.1 A lateral police officer may be released from the program prior to completing the 10-week training program. In those instances, he/she must exceed the performance expectations of the program, shown exceptional functional knowledge in a variety of field situations, and the FTO and FTO Sergeant must provide documentation to support an early release. (Revised 2/99, 01/20)

1025.09.2 With the approval of the Division Captain, a lateral police officer may be released from the training program prior to completing a minimum of ten weeks of training. (Revised 01/20)

1025.10 FTO Critique Form. The trainee completes this form at the end of each training phase. The forms are used to evaluate the FTOs. The critique forms are confidential and maintained by the Support Operations Sergeant for ninety (90) days, at which time they will be destroyed. (Revised 01/06)

1025.11 Field Training Program Critique Form. The trainee completes this form at the end of the field training program. The form is used to evaluate the overall program effectiveness. The critique forms are confidential and maintained by the Support Operations Sergeant for ninety days, at which time they will be destroyed. (Added 01/06, Revised 01/20)

1025.12 Field Training Officer Insignia. Only those police officers designated as Department Field Training Officers are authorized to wear the FTO insignia. The insignia is to be worn as directed in the Uniform Policy.

1030 Supervisor Training Program. The Supervisor Training Program is located in the LEFTA computer program. Division Captains are responsible for ensuring the training of newly promoted/assigned supervisors in their division. (Added 3/99, Revised 01/20)

1040 First Aid, AED, and CPR Training. All officers and others designated by the Department whether full-time, part-time, or auxiliary members will be trained by certified department members in the area of First Aid and CPR, as per the California Code of Regulations, Division 9, Title 22, Chapter 1.5, First Aid Standards for Public Safety Personnel. (Revised 01/20)

1040.1 Post Deployment. The Program's Medical Coordinator (Project Heart Beat) will be immediately notified after the AED is activated. The Project Heart Beat representative will be given the AED so the data can be retrieved. (Added 10/2007)

1040.2 When the AED is activated, the officer causing the activation shall complete the AED Incident Report form within 24 hours and the original report shall be placed in OPD Program Administrator's mailbox. The report will then be forwarded to Project Heart Beat. A copy of the AED Incident Report will be left with the activated AED for pickup by Project Heart Beat staff. (Added 10/2007)

1040.3 The AED device will be taken out of service until the Project Heart Beat representative can retrieve the data from its memory and it has been checked for readiness. (Added 10/2007)

1045.07.4 Readiness Check (Inspection) (Added 10/2007)

1045.07.1 When placed in service, the AED will be visually inspected by the user to ensure there is no visible damage to the unit, the LED display reads okay (flashing green on Phillips unit), and the unit has adequate supplies for deployment: (2 sets adult defibrillator pads, 1 set pediatric defibrillator pads [optional], 1 primary battery, 1 backup battery [optional], gloves, scissors, razor and paper towel). This inspection will be referred to as an "AED Readiness Check." (Added 10/2007)

1045.07.2 Senior Volunteer Patrol members should conduct weekly Readiness Checks on the AED units and submit findings to Project Heart Beat monthly via email or fax, so the results can be recorded. These recorded inspections must be done on every unit at least once every 30 days. (Added 10/2007)

1045.08 Maintenance. The AED units will be available for checkout at the beginning of each patrol shift. Each AED unit will be identified by number. Officers will complete the checkout form that is kept in a binder with the units. Officers will check-in the AED at the end of each shift. If a problem is detected with the AED unit during a readiness check (i.e. damage, green light not flashing) the following procedure will be followed:

a. The AED unit will be removed from storage and placed "out of service" by notifying a Sergeant. The officer will note on the check-out form that the unit is out of service, and include the date.
b. The unit will be left with the Sergeant for service; the Sergeant will notify the Department's AED Program Administrator so arrangements can be made for repair.
c. When the unit is placed back into service, a Sergeant will place the unit back in storage for checkout, and make a notation on the checkout form of the date it was placed back in service. (Added 10/2007)

1045.09 Training. Training on the use of the AED will follow procedures established by the American Heart Association (AHA) or American Red Cross (ARC), and follow the guidelines established by San Diego County Emergency Medical Services (EMS) and the State of California. (Added 10/2007)

1045.09.1 Trainer. A certified instructor will train department employees to meet the necessary competencies set forth by the certifying agency. (Added 10/2007)

1045.09.2 Certification. The employee must pass a written exam (if applicable) and/or demonstrate proficiency in the skills taught by the instructor. Members who fail to certify will be remediated until proficiency is attained. Employees will receive annual AED refresher training by video or lecture, or as approved by the Program's Medical Director

(identified by Project Heart Beat). Employees will be re-certified in CPR/AED every two years or at a time prescribed by the certifying agency. (Added 10/2007)

1100 USE OF MEMBER RESOURCES.

1101 Bilingual Members. A Bilingual member is any member recognized by the City of Oceanside as having met the qualifications and passed the testing procedure agreed to by the City and the member's bargaining group as required for Bilingual certification.

1101.01 Duties. The bilingual member is to respond, when available, to calls for an interpreter where needed. Supervisors will utilize bilingual members who are on duty if possible, but may call in a member on overtime if the case warrants such action.

The bilingual member will then act as a translator to the best of their current ability. If they are unable to communicate with the subject they will attempt to help locate a translator who can interpret. The bilingual member's responsibilities are support only. Their presence and use of bilingual skills do not relieve the assigned member of their responsibilities to properly investigate and report the incident.

1101.02 Reporting Procedure. The original member assigned to the call will prepare the reports. The reporting member will list the bilingual member's name in his/her report so s/he may be subpoenaed at a later date if necessary. In those cases where the bilingual member is the primary unit, they will write the report.

1200 Tow Service Vendors.

1200.01 The Police Department shall use only City approved Tow vendors, and follow contract regulations. All contracts will be maintained by the Chief of Police.

1201 Towing Permit Regulations. It is the intent of this procedure to provide a fair and impartial means of distributing Police Department requests for private towing services among qualified firms, and to ensure that such service is prompt, reasonably priced and the best interests of the public as well as in the best interests of efficient policing operations involving the removal from public streets of obstructive and abandoned vehicles.

1201.01 Towing Orders. In the event that an owner or operator of a disabled vehicle is either unavailable or does not designate a towing service operator to remove a vehicle, the Police Department shall select a private towing service operator to remove the vehicle.

1201.02 Permit Required. Only towing service operators holding a permit, as provided by the City Manager will be utilized. Requests for tow services shall be distributed on a rotational basis.

1201.03 Rotation. Upon being called by the Police Dispatcher, advise the dispatcher of any inability to immediately respond. The dispatcher may then redirect the request to the next operator on the rotation list, in which case the operator unable to immediately respond loses its rotational turn.

1201.04 Disputes and Complaints. Disputes or complaints originating as a result of police requested towing will be referred to the Chief of Police or his/her authorized agent for settlement. The decision of the Chief or his/her agent will be final.

1201.05 Suspension. The Chief of Police or his/her authorized representative may suspend an authorized Police Towing Operator for a period not to exceed thirty (30) days for any willful failure to comply with any requirements of towing regulations. Repeated violations may result in revocation of Towing Operator's Permit.

1201.06 Police Towing Operator Files. The Chief of Police will maintain a record file of each Police Towing Operator. Such file will include the towing operator's application for a towing permit, a copy of the permit and a record of all inspections and complaints regarding respective Police Towing Operators.

1201.07 Appeal. Any operator whose permit has been revoked may appeal in writing within five days of notice of such action to the City Manager. The City Manager or his/her representative shall review the decision for reasonableness and may receive evidence and testimony from all parties. This decision shall be final.

1300 VOLUNTEER PROGRAMS.

1301 Reserve Police Officer Program. The purpose of the Reserve Program is to promote civic interest in law enforcement and to serve the community by supplementing regular operations with a staff of highly trained and professional Police Reserve Officers.

1301.01 Organization. The Reserve Program is under the supervision of the Support Operations Division. (Revised 11/10, 01/20).

1301.02 Reserve Officer Chain of Command. Reserve officers are all subject to the Chain of Command as sworn personnel. (amended 11/10, 01/20).

1301.02.1 Reserve officers shall also be under the supervision of regular officers and supervisors when working with them in Patrol. They will be responsible to that chain of command for those purposes. When working within another division, the Reserve Officers will be responsible to the regular officers and supervisors of that division/section.

1301.03 Authority. While on duty, the Reserve Officer has the authority and responsibility provided under the provisions of the California Penal Code Section 830.6.

1301.03.1 Police officers are reminded that extensive involvement by Reserve Officers in some field situations may cause the Reserve to spend excessive time in court, resulting in loss of time from their regular employment.

1301.04 CCW Permits. Reserve Officers may apply to the Chief of Police for a license to carry a concealed weapon. The RO must request approval from the Chief of Police through his/her chain of command, with an endorsement from the Support Operations Division Captain. Additionally, the RO must be certified by the Department Firearms Training Unit as proficient with the weapon(s) the RO is to carry off-duty. Only Reserve Officers with a valid CCW Permit can carry a concealed weapon when off-duty (amended 11/10, 01/20).

1301.04.1 Procedure: The applicant must:

a. Be a Reserve Officer, with a minimum of two years' service with the Oceanside Police Department.
b. Meet Department requirements regarding range qualification with both duty weapon and the weapon to be carried concealed off duty.
c. Be in good standing as a Police Reserve in relation to required participation in Reserve activities.
d. Have read and signed the CCW Permit Waiver which shall be kept in their Personnel File (amended 11/1/2010).

1301.04.2 ID Card. If the request for a CCW permit is granted, the Senior Reserve Officer will be issued a new identification card with a CCW endorsement stamped on the reverse side. The endorsement shall include a description, by make and serial number, of the weapon(s) authorized to be carried.

1301.04.3 The Reserve Officer will comply with the provisions of the Policy and Procedure Manual as it relates to carrying a firearm off duty.

1301.04.4 Out-of-County Resident. In cases of Reserve Officers residing outside the County of San Diego, they must apply with the Sheriff of their local jurisdiction. The appropriate documentation will be provided by this agency in support of the request.

1301.05 Regular Assignments of Reserve Officers. Reserve Officers shall be assigned to a Supervisor, and primarily deployed within the Patrol Division. They may work on special assignments such as tactical operation plans, prisoner transportation, special events, and other assignments as directed by the Patrol Division Captain or his/her designee. Reserve Officers may also be assigned to specialized units within the Department when such assignment is appropriate and in the best interests of the organization.

1301.06 Reporting for Duty. Anytime a Reserve Officer comes to work, he/she will report directly to the Shift Supervisor's Office. The Shift Supervisor will give the Reserve Officer specific instructions as to work assignment/mission. This may include working with a police officer partner, being assigned to work a specific problem area, or assignment as the Shift Supervisor deems appropriate to ensure adequate service delivery.

1301.07 Field Training for Reserve Officers. Upon completion of the academy, all Reserve Officers must undergo a minimum of 400 hours of structured field training. This training time must be spent with a police officer who has completed his/her probationary period. During this initial training phase, the Reserve Officer will be assigned to a police officer and evaluated after each working shift. Upon completion of this training, the police officer may recommend the Reserve Officer progress to the next phase of the training cycle (200 hours of general law enforcement experience), or re-train in the initial Field Training Phase (Amended 12-18-10).

1301.07.1 Reserve Officers undergoing general law enforcement training will be assigned to a police officer and be evaluated at the completion of every 40 hours of field time. The police officer will submit a written evaluation of the Reserve Officer's performance at the conclusion of the 400 hours of general experience training, indicating the reserve officer has successfully completed the training, or additional general law enforcement experience/training is necessary (Amended 12-18-10).

1301.07.2 The total number of hours worked by each Reserve during training will be maintained in his/her divisional file and training file.

1301.08 In-Service Training. Reserve Officers will attend all mandatory and special training classes to comply with department directives and state law. Reserve Officers not in compliance shall be removed from duty status until such time as their training is current (amended 11/1/2010).

1301.09 Minimum Hours Commitment. All Reserve Officers are required to work a minimum of twenty (20) hours per month. Those reserve officers desiring to work more hours may do so (amended 11/1/2010).

1301.09.1 Continued or repeated failure to meet the 20-hour minimum, or to attend Reserve Meetings (training session), absent good reason, shall constitute grounds for removal from the Reserve Program (amended 11/1/2010).

1301.10 Emergency Recalls. If it is necessary to recall Reserve Officers for an emergency, the Shift Supervisor or his/her designee can initiate a call back procedure.

1301.10.1 All Reserve Officers available to respond during an emergency recall are required to do so, regardless of the number of hours already worked during that particular month.

1301.11 Leaves of Absences, Resignations, and Reinstatement. The Chief of Police may grant a leave of absence of up to 60 days to a Reserve Officer for valid reasons. If the absence is to exceed 90 days, the Reserve Officer must resign from the program and turn in all department equipment, badges and ID cards. If the Reserve Officer has performed satisfactory service, he or she may be reinstated to the program within 24 months after their resignation, contingent upon the results of an updated background check.

1301.12 Separation from Service. Reserve officers may be separated from service by resignation, retirement or termination. Termination from the Police Reserve Program may be implemented by the Chief of Police in cases of misconduct, incompetence, a lack of adequate participation in Reserve activities, or when the best interests of the City/Reserve Program require such action (Revised 11/10).

1301.12.1 Retirement. A reserve officer who has served for ten years or more, may retire from service for personal or medical reasons. A reserve officer who retires will receive a plaque and retirement identification card from the Oceanside Police Department. In addition, the retiree may be entitled to carry a retirement badge with the reserve officer's final rank. (Added 04/01, Revised 01/20)

1301.13 Certificates and Plaques. A Certificate of Service shall be awarded to all Reserve Officers who resign or are released from active duty, in good standing, provided they have completed one year of active duty. A Certificate of Service and a plaque will be awarded to Reserve Officers who:

a. Must separate from service due to a duty related injury or disability regardless of length of service.
b. Who separate or are released from duty, in good standing, after 10 years of service.

1301.14 Performance Evaluations. Reserve Officers will meet on a quarterly basis with their assigned supervisor. This meeting will be for the purpose of maintaining direct communication between the Reserve Officer and the supervisor. Exceptional and/or deficient performance may be addressed during this meeting. The fact that the meeting occurred shall be documented in the Divisional File of the Reserve Officer. Additional items may be memorialized at the discretion of the Reserve Officer or the supervisor. (Revised 11/10, 01/20).

1301.15 Compliance with Policies and Procedures. Reserve Officers are required to comply with all Policies and Procedures, Rules, and Regulations.

1301.16 Complaints & Discipline. Citizen complaints against Reserve Officers are handled in the same manner as complaints against other members. In cases where the Chief so orders, he/she may require the complaint to be investigated by the Professional Standards Office, a supervisor, or Reserve supervisor. Reserve Officers may be disciplined for any misconduct. Discipline may include reprimand, suspension, or termination from the Reserve Program.

1301.16.1 Failure to maintain department performance standards will be grounds for disciplinary action.

1301.16.2 Failure to serve the minimum number of hours, refusal to work a special event or emergency without valid reason, or failure to attend required meetings or training shall also be grounds for disciplinary action.

1301.17 Injuries On-Duty. Reserve Officers are registered as disaster service workers and are covered under the provisions of the Disaster Act, Division 4, Part I of the Labor Code. Coverage is provided by the State of California Disaster Office through the State Compensation Insurance Fund. Reserve officers who are injured on duty shall immediately report the injury to a supervisor who will see that documentation is made as in the case of other members. The forms will be forwarded to Employee Services who will make the proper notification to the State of California Disaster Office.

1305 Ride-Along Program Procedure. This procedure is to be utilized by department members to insure the safety of the members of this department as well as to provide the best possible experience for the rider.

1305.01 Requirements. To participate in the ride-along program, the requester must:

a. Complete a ride-along request form. If the participant is under the age of eighteen, a parent or guardian must also sign the form. All applicants under the age of sixteen will be at the discretion of the Watch Commander.
b. Be a resident of the City of Oceanside unless he/she is a family member of a department member, or an applicant for a position with the Department. The residency requirement may be waived by the Watch Commander or shift supervisor if deemed to be in the best interests of the City of Oceanside. (Revised 07/01, 01/20)

1305.02 The member receiving the request will sign the form and will forward it to the Senior Office Specialist for scheduling and coordination. The ride-along requests should be submitted at least one week in advance of the ride-along to allow adequate time to complete the scheduling arrangements. (Revised 01/20)

1305.03 Records Check. The Patrol Senior Office Specialist will conduct a Criminal History check on all citizen ride-along applicants before they are approved for a ride-along. The fact that a records check was conducted will be indicated on the ride-along application. Exceptions to this rule may be made for officer friends and family with the approval of the Watch Commander. (Revised 01/20)

1305.03.1 No person with a criminal case pending will be allowed to ride-along in a police vehicle. Criminal convictions will be reviewed by the Patrol Lieutenant on a case-by-case basis to determine whether a ride-along application will be approved.

1305.04 Ride-along participants shall wear their assigned name-tag pass, as issued and dated by the Patrol Senior Office Specialist. The pass is only effective for the date of the pass. (Revised 07/99, 05/01, 01/20)

1305.05 Post Ride-Along Procedures. After the ride-along, the officer will complete the bottom section of the ride-along form on page two, and send the form to the Patrol Senior Office Specialist, who will maintain for two years. (Revised 05/01. 01/20)

1305.06 Police Officers from Outside Agencies. Police officers employed with another agency or in processing with the department for employment will complete the ride-along application. (Revised 05/01)

1305.07 Frequency and Duration. Citizens will be allowed to ride one time during a twelve-month period. Citizens will be limited to a four-hour maximum ride. Exceptions can be made as to length and/or number of rides at the discretion of the shift supervisor.

1305.08 Officer's Responsibility. When anyone rides along in a marked patrol unit, the police officer shall tell the ride-along:

a. How to react in the event the officer is incapacitated through injury or involvement in some other emergency.
b. The basics of radio operation and how to call for help. He/she will tell the ride-along his/her call sign and make the person aware of his/her location on radio calls and traffic stops.
c. That entry into a private residence is prohibited without permission of the owner/occupant. Media ride-alongs are likewise prohibited. (Added 7/99)
d. That he/she might be identified as a witness and summoned to court as such. (Revised 07/01,03/02)

1305.09 To verify that the above instructions were provided, the officer will initial each section of the instructions as they appear on the reverse side of the ride-along application. (Added 07/01)

1310 Senior Volunteer Patrol Program (SVPP). The Senior Volunteer Patrol Program is designed to draw upon the experience of citizens age 50 and over in our community and developing it as an asset to our department. As such, SVPP members provide valuable assistance in areas where previous staffing levels would not allow full attention.

1310.01 SVPP Manual. The SVPP manual will layout the specific policies and procedures for the Senior Volunteer Patrol Program. All SVPP members shall still be governed overall by the Policy and Procedure Manual of this department.

1310.02 Use of SVPP. Senior volunteers may be used for a variety of details. While their primary deployment is during the daylight hours, supervisors may use the team at any time.

1310.02.1 Examples of use include the following: assistance around crime scene perimeters, searches, special events, observation and report details, conducting informal speed surveys or traffic counts, transporting vehicles, or street closures.

1310.02.2 When appropriate, supervisors may approve the deployment of the Senior Volunteer Staff, however consideration should be given to physical limitations, safety and training necessary to accomplish a task. Supervisors should also arrange for direct or indirect supervision of SVPP special assignments as warranted. (Added 03/04)

1310.03 SVPP Deployment Procedure. Senior Volunteers may be deployed for special assignments by contacting the SVPP Administrator 24-hours a day. The requesting supervisor will provide the Administrator with a description of the request, where and when to meet for either a formal or informal briefing. The coordinator will then make the calls for assistance or assign that task to the SVPP team leaders as appropriate. (Added 03/04, Revised 12/19)

1313 Citizen Volunteer Program (Non-Senior Volunteer Program). The Citizen Volunteer Program is designed to draw upon the knowledge and experience of community members. A volunteer will provide valuable assistance in areas where previous staffing allocations would not allow full attention. There is no age requirement for this program. This program is facilitated through the Crime Prevention Section and managed within each division. Requests for volunteers require a Volunteer Opportunity Request form, which includes a job description, submitted to Crime Prevention. These forms are available from Crime Prevention. The PIO will advertise the volunteer job opening through the local media to find qualified volunteers.

1315 Citizen's Police Academy Program.

1315.01 Administration of Program. The Support Operations Division Captain is responsible for the administration of the program. The Support Operations Lieutenant has the functional responsibility for course curriculum, instructors, and coordination. (Volume I, Section 320) The Crime Prevention Office is responsible for notifying the public of upcoming sessions, and conducting records checks on applicants. (Revised 01/20)

1315.02 Eligibility. The Citizen's Police Academy is open to residents of Oceanside. However, the Support Operations Division Captain can make exceptions to this procedure on a case-by-case basis (applicant owns/operates a business in Oceanside, or has extensive interaction with the Police Department in a professional capacity as a vendor or other service provider, or the agency and public interest will benefit from a specific person's attendance).

1315.03 Procedure. All members are encouraged to recruit interested citizens for the CPA during announced periods. Reasonable accommodations will be made for those persons with physical disabilities.

1315.03.1 All interested persons are required to complete an application and sign the waiver. Completed applications will be submitted to the Crime Prevention Office for a records check to be conducted.

1315.03.2 The Crime Prevention Office will indicate on the applications that a records check was conducted, then forward the application of eligible residents to the Patrol Support Office.

1315.03.3 Patrol Support will schedule the person to attend a class. Once a person has been scheduled, they will be notified via letter. Enrollment is limited to a maximum of 20 participants per class.

1315.03.4 Participants must be at least 18 years of age. The Support Operations Division Captain can make an exception to the minimum age, however, parental/ guardian permission will be required in order to attend.

1315.03.5 Attendance at this class is a privilege, not a right. Persons can be dismissed from the class at the discretion of the Patrol Support Supervisor.

1315.03.6 Participants will be presented with a certificate at the completion of the course.

1400 Evidence

1405 Evidence and Property Unit Responsibilities. The Evidence and Property Unit is responsible for the receiving, safekeeping, storage, handling, and disposal of all property or evidence that shall be entrusted to its custody. Evidence and Property Technicians shall examine all such property or evidence and require it be properly packaged, tagged, and itemized for identification purposes before accepting it.

1405.01 If the evidence is improperly packaged or if the paperwork involved is not filled out completely and accurately, the Evidence and Property Technician shall bring the matter to the attention of the member, who will see the corrections are made. If the correction is not made, notification will be made to the member's supervisor.

Commented [MM1]: We send first correction notice to the employee only. Second notices go to employee and supervisor

1405.01.1 All evidence will be logged in and out of the Evidence and Property Unit and will be legally disposed of when no longer needed for court. The Evidence and Property Unit will record the disposition of the evidence on the evidence documents and computer files, for audit, and recording requirements.

1405.02 Security of the Evidence and Property Unit. The members assigned to the Evidence and Property Unit are responsible for the security and safekeeping of all property and evidence. It is their responsibility to keep all areas within the facility secure and to not allow unauthorized persons access to these areas. They shall never entrust the keys to the facility to any other person unless ordered to do so by the Investigations Division Captain or the Chief of Police.

1410 Evidence Procedures. It is the responsibility of the Investigations Division Captain to create and maintain a procedure for handling all property and evidence. It will be reviewed to ensure compliance with all current laws, department policy, and outside agency directives that may affect any element of the procedure.

1410.01 Biological Evidence – Criminal Cases. Evidence containing biological material, or evidence with a reasonable likelihood of containing biological material, secured in connection with a criminal case, will be stored and maintained in accordance with statutory mandates and in such a state that it will be suitable for DNA testing. Biological evidence can only be disposed of as provided by statute (Penal Code Section 1417.9).

1410.02 Biological Evidence - Unknown Suspect. In cases where evidence containing biological material, or evidence with a reasonable likelihood of containing biological material is secured, it will be retained and stored in a condition suitable for DNA testing for the period of time prescribed by statute.

1410.03 Biological Evidence – Known Suspect. In cases where the suspect is known, not incarcerated, and the case has either been rejected by the District Attorney's Office or closed by the Department for being below filing requirements, and there is no reasonable likelihood that the case will ever be filed, the Investigations Division will be consulted prior to any disposition of any evidence.

1410.04 DNA Typed Evidence. All DNA typed evidence will be retained as mandated by statute.

1410.05 DNA Collection Procedure

a. DNA reference swabs will only be collected using the approved pre-made DNA kits.
b. All pre-made DNA kits will have stickers on the coin envelopes where the subject's name and date of birth will be written. When entering the swabs into OIM, enter their name and date of birth first, so it will show on the label on the outer envelope. EX: John Smith 6/24/80- oral DNA swabs.
c. There will be no delay (barring an unforeseen emergency) from the time a sample is collected, to the time the sample is placed in the provided coin sized envelope. Each sample collected will contain a sticker annotating the subject's name and DOB. The collection of all DNA samples will be verified by a witnessing FET/officer. The verifier's name and the date will be written below the collector's name on the coin envelope sticker. The witness is verifying both the collection of DNA, and the subjects name and DOB are accurate.
d. DNA samples are to be collected from only one individual at a time, to minimize the chance of sample switching. The individual collecting the sample holds the sole responsibility for booking the DNA.
e. It is imperative Officers and FET's verify "unknown" subject's identity using other law enforcement systems prior to submitting DNA for analysis. These include but are not limited to, facial recognition, Livescans, mobile ID, and/or obtaining a thumbprint.
f. In those instances where a thumb print is used, an FET trained with fingerprint examinations will verify the print using the standardized two-person verification process.
g. The manner used to identify the suspect and the applicable identity verification system used shall be contained in the officers' report.

1415 Release, Disposition, or Destruction of Evidence. Notwithstanding the special procedures mandated for the handling storage, and disposition of DNA evidence, evidence will be returned to its lawful owner, disposed of, or destroyed in an expedient manner as authorized by law. Consistent with Section 1415.01, evidence may be disposed of under the following circumstances:

a. When the underlying criminal case has been adjudicated and all appeals have been completed.
b. When the evidence relates to untried cases in which the statute of limitations has run. As the various statutes of limitations change during legislative sessions, the specific statute must be reviewed before release, disposal, or destruction.

1415.01 Case review and evidence disposition authority. The Investigations Division is responsible for the release, disposal and destruction of evidence associated with all cases.

a. Generally, the Evidence and Property Supervisor will provide a list of cases which require review for disposition. The list will be provided to the Investigations Lieutenant or his/her designee for assignment to investigative and traffic services unit personnel. The investigator shall determine, based on specific statutes, if the evidence requires retention or if the evidence can be released or purged. Case decision will be relayed to the Evidence and Property Unit.
b. Investigators may release evidence prior to adjudication of the case and/or prior to the statute of limitations expiring. Due to the sensitive and dynamic nature of homicide and officer involved shooting investigations, all evidence associated with these types of incidents will be retained until such time as authorized for disposition by the General Investigations lieutenant.
c. Documentation of final disposition will be attached to the case file and remain a part of the file.

(Revised 8/03)

1415.02 Audits. Once per quarter, the Professional Standards Sergeant, or Chief's designee, shall conduct a random audit of property held at the Evidence and Property Unit facility. At minimum, the audit shall include a review of cases involving cash, drugs, and firearms to determine whether items have been properly recorded and safeguarded. A report of the results shall be forwarded to the Chief of Police within five working days of the audit. (Added 1/10)

1420 Digital Photographs. Generally, digital photos will be used to document all crimes and incidents. The protocol for preserving digital images in connection with case investigation or trial preparation is:

a. When digital images are transferred from a camera or memory card they may be stored temporarily on a computer hard drive or uploaded directly into Image TraQ. Image TraQ is a Management System added to our existing Evidence TraQ Management System. Image TraQ is a browser-based digital image storage

system that allows officers to submit digital images, videos, and voice recordings. Authorized users can view submitted images and recording, including the District Attorney's Office. (Added 09/13)

b. No alteration of the images whatsoever may be made while on the hard drive, on the camera, on the memory card, or when uploading into Image TraQ.

c. That person will also record in an official police report, the fact that photos were taken, the name of the photographer and the date they were taken.

d. Digital Photographs may be copied onto CDs for discovery, for use at trial, and for any other necessary use. (Revised 09/13)

e. The files temporarily saved to the hard drive will then be deleted.

f. The files on the camera memory card may then be deleted.

g. No digital image files will be permanently stored on a Local Area Network if they are collected for use as evidence in a case.

h. Printed copies of digital images will be made from the original photos prior to uploading them into Image TraQ, or printed directly from Image TraQ to ensure chain of custody will be maintained for authentication purposes. (Revised 09/13)

1425 Audio & Video Digital Evidence. This section is to ensure compliance with the District Attorney's protocol for the use of digital media in connection with case investigation or trial preparation. (Added 01/05)

1425.01 Audio Digital Evidence. All audio records originating from our department must be uploaded into Image TraQ, unless the materials constitute original evidence seized during the investigation. Image TraQ is a Management System added to our existing Evidence TraQ Management System. Image TraQ is a browser-based digital image storage system that allows officers to submit digital images, videos, and voice recordings. Authorized users can view submitted images and recording, including the District Attorney's Office. (Revised 09/13)

1425.02 Video Digital Evidence. All video records (VHS, S-VHS, DVC (mini digital video cassettes), 8mm, Hi8mm and Digital 8mm) submitted by our department or the public to the District Attorney's Office must be on VHS or S-VHS video tape or in a usable digital format (video for Windows w/Microsoft codec – 640 or 720x480 - .avi). Video recordings may also be uploaded into Image TraQ, and viewed by authorized users. (Revised 09/13)

101 Arrest and Booking Procedures. It is the procedure of the Department that guidelines be adopted for safe handling of prisoners and their property, and that proper documentation is made in the care, control, and custody of persons placed under arrest.

101.01 Arrest Procedure. When making arrests, officers shall strictly observe the laws of arrest. Except when impractical or infeasible, or where the identity is obvious, officers shall identify themselves by displaying their badge or ID card before taking police action.

101.02 Adult Felons. Adult felons will be arrested and booked in the county jail.

101.03 Adult Misdemeanors. These suspects should be released on their own recognizance (O.R.) when possible, unless they are legally mandated to be booked into the County Jail.

101.03.1 Persons who are arrested for the following listed misdemeanors will be booked in the county jail.

a. Any misdemeanor offense involving domestic violence including violations of any court orders relating to domestic violence.
b. Penal Code 647(f) Public Intoxication. If military, see Volume III §145.03.
c. D.U.I. Arrests: In misdemeanor driving under the influence cases, if the suspect elects to submit to a blood, breath, or urine test, he/she will be given the test. In all cases where the arrestee elects a blood test, a laboratory technician will be called. The suspect will be booked in county jail unless a supervisor approves an O.R. release.
d. H&S 11550

101.03.2 DOJ requires fingerprint identification to record an arrest on a person's rap sheet. In compliance with PC §13150, prior to releasing a bookable misdemeanant on an O.R. citation, the arrestee must be fingerprinted with Live Scan (automated fingerprinting system). While at the station, the person should be photographed with the department's imaging system. If the arrestee is taken to and released from the station, any vehicle related to the arrest should generally be left at the scene with the driver's/owner's permission. Bookable misdemeanor arrests where it would be impractical to bring the arrestee to the station and where the person has sufficient identification, a supervisor may approve a case-by-case exception for an O.R. release in the field with no Live Scan. In such cases, the arrestee will be instructed to report to the Front Desk, with their citation, during normal business hours to complete the Live Scan fingerprinting process. (Added 08/04)

101.03.3 Live Scan procedure does not apply to PC 647(f) - drunk in public. Nor does it apply to any arrest when the person is released per PC 849b on all charges. (Added 08/04)

101.04 Juveniles. Juveniles will be released to their parents, guardians, school or other responsible parties, unless they have committed a serious offense. Serious offenses include felonies, serious misdemeanors, violations of court orders, or cases where the victim's immediate safety and welfare might be threatened.

101.04.1 In minor cases, a Patrol Sergeant may release a juvenile into the juvenile's own custody if no responsible party can be located.

101.05 Arrests by other agencies for crimes committed in this City. Occasionally, another law enforcement agency will make an arrest in Oceanside and request that we take over the arrest and investigation. The following is the procedure to be taken by members of this department upon arrival at the scene:

a. Obtain the necessary information from the arresting officer to complete the required reports.
b. Take custody of the suspect, evidence, and vehicle (if applicable).
c. Complete the search of the suspect(s) and vehicle in the presence of the arresting officer and in accordance with laws of search and seizure.
d. Package, tag, and initial the evidence and obtain the initials of the arresting officer to preserve the chain of evidence.
e. Impound the vehicle if necessary.
f. Proceed with the investigation in accordance with normal procedure.
g. Book or release the prisoner in accordance with the above-stated policy.

101.06 Combative Prisoners. Officers will take all combative prisoners directly to the county jail. If a prisoner is being booked at the police facility and becomes combative, the booking process will be terminated and the prisoner

taken to county jail. In the event the prisoner is injured, medical attention will be furnished and only those certified for booking will be taken to county jail.

101.07 Custody of Prisoners. Officers charged with the custody of prisoners shall observe all laws and department policies regarding this activity. Prisoners shall be kept secure, treated fairly and humanely.

101.08 Searching Prisoners. Arresting officers and transportation officers will comply with all laws of search and seizure when checking prisoners for weapons, contraband, evidence, or fruits of a crime. Prisoners will not be transported until they have been thoroughly searched and handcuffed according to law and department policy.

101.08.1 If possible, members should avoid handling the wallet or pocketbook of a suspect or prisoner. If identification is sought, the person should be directed to extract it and hand it to the member. Such papers should be returned to the person immediately.

101.08.2 There may be some exceptions, such as when the member is looking for evidence, medical cards, donor cards, etc. These searches must be done in a legal manner; common sense and good judgment should dictate procedure. It may also be necessary to inventory the money in a wallet if the prisoner is to be booked. When absolutely necessary to handle such property, a witness should be present, if possible.

101.08.3 SDSD jail personnel are not armed and it is very important that no weapons be allowed in the jail through faulty searches. Supervisors will take the appropriate action for violations of this procedure.

101.08.4 Prisoners using orthopedic or prosthetic devices shall be allowed to continue to do so while housed in the temporary holding facility. If the officer believes the appliance poses a safety issue, the prisoner should be transported to the appropriate facility immediately after the booking process. If the officer believes the appliance is concealing contraband or a weapon, and a search of the appliance would require it to be removed, the officer may request authorization from a sergeant or lieutenant to conduct the search. The request for such search must be based on a reasonable suspicion, with specific and articulate facts to believe the prisoner is concealing a weapon or contraband, and the search will result in its discovery. The final determination and authorization for the search to be conducted rests solely upon the sergeant or lieutenant. The search will be noted in the Arrest Report, along with the name of the authorizing supervisor. (Added 01/2006)

101.09 Guarding Prisoners. Members shall keep prisoners in front of them at all times. Prisoners should not be transported in vehicles that are not equipped with a security screen. Any member with a prisoner in their custody who needs to conduct immediate business regarding the arrest of such prisoner shall make arrangements for another member to take custody of the prisoner during the member's absence. While in police facilities, prisoners will be kept in a secure room or under guard at all times. All adult prisoners, and juveniles kept in secure confinement, will be handcuffed behind their back while being moved about the police facility and when outside of the holding cells.

101.10 Prisoner Transportation. Adult prisoners will be transported to the Department for photographs and fingerprints. It will then be the responsibility of the arresting officer or a transportation officer to transport the prisoner to the county jail.

101.10.1 Prisoners will be transported in a caged police unit and not in canine units.

101.11 Juvenile Prisoners. Juveniles will not be confined with adults. Males will not be confined with females. Juvenile confinement is limited to six (6) hours, which includes both secure and non-secure time. Members shall follow the procedures outlined in the policy regarding the Detention of Minors.

101.12 Arrests by other agencies for offenses committed in another City. Occasionally, another agency will make an arrest in Oceanside for an offense committed elsewhere. When this occurs and this department is asked to book the prisoner at county jail, the officer transporting will ensure the prisoner is booked under the name of the agency that arrested him/her. This will be done so the agency requesting the booking can be billed for the booking.

101.13 Injured Persons. A sergeant will be notified immediately if a prisoner is injured. If the prisoner was injured before the arrest, the sergeant may order the prisoner booked, released O.R., or released pending a long form complaint. The sergeant should keep in mind the need for custody vs. the cost of hospital treatment. If the prisoner is released, s/he should be directed to seek his/her own medical treatment.

101.13.1 If the prisoner is injured during or after an arrest and requires medical treatment, a copy of the examination will be given to the SDSD jailer and a copy kept with the case.

101.13.2 If a prisoner must remain in custody and admitted to the hospital, arrangements must be made for secure confinement until release or arraignment. The Department is responsible for providing security. If this situation occurs, the following should be considered before committing personnel to guard duties: can the prisoner be released via cite & release or released per 849b1 and then file the case long form. Initiate the release if appropriate. Officers should be assigned to guard duties only with the authorization of a lieutenant or division Captain. As a general rule this should occur only in felony cases where the suspect is a danger to the public. (Revised 05/03)
Supervisors must forward a copy of the case and an administrative memorandum to the Division Captain detailing the circumstances and why expenses were incurred for the treatment and guard placement.

101.14 Supervisor Approval of Charges. A Patrol lieutenant or sergeant must approve all charges prior to booking. This may be done in the field or by phone from the county jail.

101.14.1 If a prisoner is already at the county jail and the supervisor orders all charges be dropped, the officer must prepare the proper PC 849(b) papers, give the original to the arrestee, and place a copy of the release with his/her report.

101.15 Jail Inmate Intake Slips. An SDSD Inmate Intake Slip (Form J-15 or J-15A) must be completed on every county jail booking. The officer must fill out the left side of the form. The OPD case number must be written on the top of the form. Information such as AKA's, injuries, vehicle description and location, and transporting officer must be indicated in the Remarks section.

101.16 Warrant Procedures. Only subjects with felony warrants or no bail warrants will be arrested and booked. In these cases, a warrant abstract or the original warrant must accompany the prisoner to the county jail. A subject with an outstanding misdemeanor warrant will be arrested if contact is made with the Court during normal working hours and the subject can be brought before a judge forthwith.

101.16.1 Return of Warrants Unserved. Officers releasing subjects in the field due to a priority call, etc., and after making a request for a warrant are required to fill out a 'Return of Abstract" form. The abstract obtained by the officer will be destroyed and the officer will fill out the "Notice of destruction of abstract and request warrant be restored to active status." This form will be signed by the officer and forwarded to the Patrol Support Office, who will fax the form to the Sheriff's Department Warrant Division. (Refer to Vol. III, §150.07 when <u>misidentification</u> has occurred.) (Added 07/98)(Revised 11/02)

101.17 Fingerprints and Photographs.

a. Juveniles: Juveniles who are charged with a crime will be fingerprinted with Live Scan and photographed prior to release to a responsible party or to Juvenile Hall. Supervisors may approve an exception to this in misdemeanor cases where it would be impractical to bring the juvenile to the station. (Revised 01/00) (Revised 8/04)
b. Adults: Adults being released from OPD under cite & release procedures will be photographed and fingerprinted prior to being released. Adults being booked at the county jail need not be photographed or fingerprinted prior to transport. (Revised 03/16)

101.17.1 Procedure for Identification Photographs.

a. Full-face and left profile photographs will be taken.
b. It is the responsibility of the member taking the photographs to ensure information entered into the database is correct to the best of their knowledge.
c. Normally, if a prisoner has been previously photographed, the biographical data will be updated and a new photograph taken. This will ensure that current data and photographs are on file, while taking up a minimum of storage space.
d. Information in the database shall not be retrieved, printed out, or disseminated absent a lawful purpose. Information retrieved and printed out shall not be left unsecured, and shall be included in official reports or destroyed when the purpose for its creation has been accomplished. (Revised 03/16)

101.17.2 Occasionally, it may be necessary to make special requests for fingerprints or photographs from the Sheriff's Department. The investigating officer or supervisor may make these requests by indicating the request under the remarks section of the location slip. Discretion should be used in these requests to avoid extra expense and work.

101.17.3 The county jail will provide occasional copies of photographs to detectives for photo line-ups, etc., at no charge. These requests should be kept to a minimum as excessive use could result in fees being charged.

101.18 Arrest Reports.

a. An OPD Arrest Report will be filed by the arresting officer when appropriate.
b. The body of the Arrest Report is to be used for the narrative unless a Crime Report is also completed. If a Crime Report is made, place the narrative on it and write "See Crime Report" in the narrative portion of the Arrest Report.

101.19 Amending Charges. If the officer needs to add, delete, or amend charges, he/she must return to the county jail, fill out, and sign the necessary forms to effect the desired change, amendment, etc.

101.20 Dropping Charges per PC 849(b).

a. If the arrestee is charged with intoxication only, and no further proceedings are desired, the personnel at the county jail will prepare the proper paperwork per PC 849(b)(2).
b. If the officer finds there are insufficient grounds for making a criminal complaint against the person arrested (PC 849(b)(1)), or if the person is arrested for being under the influence of narcotics or drugs only and no further proceedings are desired (PC 849(b)(3)), the officer releasing the arrestee is responsible for filling out the required OPD Certificate of Release form. A copy of the Certificate of Release will be attached to the Arrest Report. The original Certificate of Release form will be given to the arrestee.

101.20.1 Supervisor Approval. Officers must obtain a supervisor's approval before dropping charges in PC 849(b)(1) and PC 849(b)(3) cases.

101.21 Evidence Procedures.

a. If jail staff finds evidence or contraband on a prisoner after the officer has already left the jail, they will call and have the officer return to take the appropriate action.
b. Once a prisoner is booked and his/her property is logged into the system, it cannot be given to the arresting or investigating officer without a court order. Therefore, it is important to seize whatever property is needed as evidence before it is entered on the booking sheet. If you believe the subject has evidence or contraband on him/her, ask the jail personnel to search the prisoner immediately so you may seize it.
c. If you must seize the prisoner's clothing for evidence, the prisoner will receive jail clothing for temporary use. When possible, advise the prisoner to have someone bring clothing to the jail for them when they are released. This will prevent the loss of jail clothing.
d. If evidence or money is seized prior to booking a prisoner, it is important to note this in the remarks section of the location slip. Otherwise, the prisoner may get out of jail at a later time and the jail staff will not know where his/her property is located.

101.22 Complaints. Citizen complaints and complaints of missing property in the jail will be handled as is presently done at OPD, except the investigating supervisor will coordinate his/her investigation with SDSD staff (if necessary).

101.23 Recommending Lawyers or Bail Bondsmen to Prisoners or Others. Members will never make a recommendation to any person, the services of any attorney, law firm, or bail bondsman. This prohibition refers to matters investigated by this department.

101.24 Extradition of Prisoners. Arrangements for the transportation or extradition of any prisoner out of this jurisdiction shall be coordinated though the San Diego District Attorney's Office. (Revised 11/02)

101.25 Federal Warrants. A contract is active between the U.S. Marshal's Service and the County of San Diego for detention of adult prisoners. This includes the Vista Detention Center.

101.25.1 If there are questions regarding the warrant, the U.S. Marshal's Office should be contacted.

102 Holding Cell.

102.01 Holding Cell Security. Weapons are not permitted in the department's holding cell facility. Firearms, knives, and police batons will be secured in a weapons locker prior to entering the facility. Chemical agents may be carried at the officer's discretion.

102.01.1 It is the responsibility of the Patrol staff to ensure this procedure is enforced. Disciplinary action will be taken for violations of this procedure.

102.02 The officer who transports a prisoner to the temporary holding facility is responsible for monitoring that prisoner until custody is passed to the contract prisoner transport or until a supervisor accepts monitoring of the prisoner.

a. Monitoring of a prisoner includes intermittent line-of-sight checks of the prisoner at intervals not to exceed thirty (30) minutes. Prisoner checks shall be recorded on the Adult Prisoner Detention Log or on either the Secure or Non-Secure Detention of Juveniles Log. The Adult Log is to be maintained in the booking area of the Temporary Holding facility and contains medical screening questions. An affirmative response to any of these questions requires the prisoner to be transported to the appropriate facility immediately following the booking process. The Juvenile Log is to be maintained in the Patrol Sergeant's Office. The transporting officer, contract transport, on-duty supervisor (or designee) will conduct monitoring as outlined in this section. (Revised 08/04) (Revised 01/2006)
b. Additionally, the prisoner's name and the time they were place in the holding cell shall be written in the appropriate space on the "Holding Cell Status Board" in the Sergeants' Office by the officer who placed the prisoner in the holding cell. The officer's name shall also be written in this space. If responsibility for the prisoner is passed on to someone else, that person's name shall replace the officer's name. When the prisoner is removed from the cell, the corresponding information shall be erased from the board. (Added 08/04)
c. When a prisoner is confined in a holding cell, there shall be an officer or CSO of the same gender assigned for the supervision of the prisoner. If an officer or CSO of the same gender is not available, then the prisoner must be transported direct to the appropriate custodial facility. Officers will comply with PC §4021, which states it is unlawful for any officer, station officer or jailer, or custodial personnel to search the person of any prisoner of the opposite gender, or to enter the room or cell occupied by any prisoner of the opposite gender, except in the company of an employee of the same gender as the prisoner. (Added 08/04) (Revised 08/2006)

102.02.1 Sergeant / Lieutenant Responsibility.

a. Resolve custody and transportation issues of prisoners in custody beyond the arresting officer's shift, which might include immediate transport or extension of overtime. (Added 12/04)
b. Inspect the temporary holding facility at least twice during their shift. The supervisor or designee will note all substandard or non-standard deficiencies and initiate the necessary actions to correct them. This inspection will include review of proper documentation of adult and juvenile detention logs. (Added 02/00) (Revised 08/2006)

102.03 Emergency Suspension of Standards. Nothing herein shall be construed to deny the authority of the Chief of Police or the Patrol Division Captain to temporarily suspend any standard or requirement herein prescribed in the event of any emergency which threatens the safety of the facility, any person occupying the facility, or the public. This is provided such regulations as are directly affected by the emergency may be suspended and the Chief of Police or Patrol Division Captain shall notify the Corrections Standards Authority, in writing, in the event such a suspension lasts longer than three days. In no event shall such a suspension continue more than fifteen days without the approval of the Corrections Standards Authority. (Added 02/00)

102.04 Inspections. There are two categories of inspections mandated for a temporary holding facility. The inspections are conducted to determine the conditions of detention, care, custody, training, and treatment on the basis of, but not limited to, the minimum standards established by the Corrections Standards Authority. (Added 02/00)

102.04.1 Category 1 Inspection. Annual inspections by the San Diego County Advisory Committee on Adult Detention and San Diego County Health Department; OR. biennial inspections performed by the State Fire Marshal (Oceanside Fire Marshal), and the Corrections Standards Authority. (Added 02/00)

102.04.2 Category 2 Inspection. These include daily inspections by supervisor. Inspections will be conducted to determine the facility sanitation, safety, and maintenance condition. The person conducting the inspection shall prepare a report and direct it to the Support Operations Division Captain when sub-standard conditions are noted, and shall include copies of work orders initiated to correct any deficiencies. (Added 02/00)

102.04.3 The Patrol Support Sergeant shall conduct monthly fire prevention inspections of the temporary holding facility utilizing the "Detention Facility Fire and Life Safety" form. The completed forms shall be maintained in the Patrol Support Office for two years. (Added 01/2006)

102.04.4 The Patrol Support Sergeant shall ensure the Fire Department's Fire Prevention Unit conducts the annual fire prevention inspection of the temporary holding facility, and review their fire suppression pre-plan for the facility, along with the facility's evacuation plan. (Added 01/2006)

102.05 Training. Custodial Personnel responsible for the holding facility shall satisfactorily complete eight hours of training. The training shall include, but not be limited to: minimum jail standards, jail operations liability, inmate segregation, emergency procedures and planning, and suicide prevention. Eight hours of refresher training shall be completed once every two years. (Added 02/00) (Revised 08/2006)

102.05.1 Training shall be completed as soon as practical, but not more than six months after the date of assigned responsibility. Training may be accomplished through P.O.S.T. or Corrections Standard Authority certified courses. The Training Coordinator shall document all training. (Added 02/00)

102.05.2 All police officers shall receive training in the operations and procedures of the temporary holding facility as an element of the Field Training Officer (F.T.O.) Program. The training shall be documented in the trainee's F.T.O. Manual. (Added 02/00)

102.06 Segregation of Prisoners. Segregation of prisoners is used to separate opposing gang members, persons with communicable diseases, the mentally ill, and different genders. The arresting officer shall note on the booking slip any classifications or segregation made while in the holding facility and the reason(s) why such classification or segregation was necessary. This information shall be communicated to the intake officer at the receiving detention facility by the transporting officer. (Revised 02/00)

102.07 Prisoner Property. When a prisoner is brought to the department detention facility for transportation to county jail, the arresting officer shall inventory and secure the prisoner's property. No prisoner will be permitted to retain a belt, shoelaces, or similar property that can be used as a ligature. All procedures outlined in the Security of Prisoners Property policy shall be followed. (Revised 02/00)

102.08 Equipment. The following equipment should be readily available within the immediate area of the holding cell: fire extinguisher, protective gloves, waterless hand cleaner, and first aid kit. (Revised 02/00)

102.09 Emergency Medical Care. Members shall summon paramedics should a prisoner be or become so injured or ill that the prisoner's health may be in jeopardy. (Revised 02/00)

102.10 Access to Telephones. Upon being booked, all adult arrestees have the right to three (3) completed telephone calls. Unless impossible, these calls shall be afforded the arrestee within three (3) hours of being arrested. (PC 851.1) (Added 02/00)

102.10.1 If an adult arrestee is kept at the Department in excess of three (3) hours, the arrestee shall be afforded the opportunity to make the requisite telephone calls. The officer providing the arrestee with this opportunity shall note in the 'Remarks' section of the booking slip the number of calls completed by the arrestee. (Added 02/00)

102.10.2 All juveniles shall be advised of the right, and afforded the opportunity, to complete two (2) telephone calls within one (1) hour of arrest. (W&I 726(b)) (Added 02/00)

102.10.3 Prisoners are not permitted incoming calls while in the temporary holding facility. (Added 02/00)

102.10.4 Local telephone calls are afforded at no charge; long distance calls are made "collect." Officers are reminded that a call to an attorney by an arrestee is a privileged communication. (Added 02/00)

102.10.5 For those occasions when an attorney is authorized by a supervisor to consult with a client detained in our temporary holding facility, Interview Room #1 should be utilized, as this room is able to be secured. The attorney is subject to search prior to entering the temporary holding facility, and should be made aware of this. The supervisor (or

designee) has the discretion whether or not to handcuff the prisoner. The arresting officer should ensure the prisoner's right to confidential consultation with their attorney, but stay in the booking area to monitor the prisoner. (Added 8/04)

102.11 Death In-Custody. If an arrestee dies while in-custody, the on-duty supervisors shall immediately notify the Chief of Police, Patrol Division Captain and Investigations Division Captain. The scene shall be secured and a formal investigation conducted. Additional investigative agencies may be requested at the direction of the Chief of Police. (Added 02/00)

102.11.1 The Chief of Police shall notify the State Attorney General, in writing, within ten (10) days of the incident. Reports are submitted to: Bureau of Criminal Statistics, Statistical Data Center, P.O. Box 903427, Sacramento, CA 94203-4170. (Added 02/00)

102.12 Injury or Serious Threat In-Custody. All incidents occurring in the temporary holding facility that result in physical harm, or serious threat of physical harm to an employee, prisoner, or other person shall be documented. It can be included in the narrative of the Arrest Report if applicable, a Crime Report, or the officer shall submit a numbered report that contains the required information. At a minimum, the report shall include the names of the people involved, a description of the incident, actions taken, and the date and time of the occurrence. (Added 8/04)

102.12.1 If the injury or complaint of pain requires medical attention or first aid, it must be reported to a supervisor. (Added 8/04)

102.12..2 A copy of the report documenting the incident shall be submitted to the Patrol Support Sergeant (facility manager) within 24 hours if there is actual harm, or 48 hours for all other incidents. (Added 8/04)

103 Restraint Chair. The purpose of this procedure is to provide guidelines and for the use of the restraint chair. (Added 3/2009)

103.1 Overview The restraint chair is a tool that officers have available to them, given the facts and circumstances perceived by the officer to control a violent, potentially violent, combative, or a self-destructive prisoner in the jail environment. The restraint chair may also be used to safely conduct a compulsory blood draw from a prisoner who is under arrest for drug or alcohol-related violations, such as V.C. 23152(a), or any other offense where a blood draw is authorized per OPD Policy and Procedures Manual, Volume III, Sections 713.04 and 713.04.2. The restraint chair shall **never** be used as punishment. The purpose of this device is to secure a violent or a potentially violent subject to prevent injury to himself/herself or others, and safely conduct blood draws.

103.2 Definitions
Restraint chair refers to the "Jail Restraint Chair," which is designed to temporarily restrain and limit the movement of individuals who require increased measures of control.
Restraint devices refer to handcuffs, leather or Velcro restraints used to hold the restrained person's arms, wrists, legs, and torso in place.

103.3 Conditions for Use

a. The restraint chair may be utilized on adult subjects (18 years of age or older) who pose a threat of injury to themselves, or who are combative, potentially violent, or extremely intoxicated. The restraint chair may also be utilized to conduct blood draws on violent persons who have been arrested when a chemical test must be administered. Prior to using the restraining chair for a blood draw, the person shall be advised of their testing options (breath or blood) per OPD Policy and Procedures Manual, Volume III, Section 713.03.1. If the subject is under arrest for violation of V.C. 23152(a), V.C. 23140, or V.C. 23153, or related sections, they shall be advised per V.C. 13353 (Admin Per Se admonishment). If the person refused to submit to a chemical test, a supervisor or on-duty watch Captain shall be notified immediately. With the supervisor's approval, the restraint chair may be utilized to conduct the compulsory blood draw.
b. The restraint chair may also be utilized to restrain persons who have exhibited or conveyed intent to cause injury or harm to themselves or others.
c. **Only personnel trained** in the use of the restraint chair are authorized to place individuals into the chair.

103.4 Guidelines

a. The on-duty watch Captain or sergeant shall be notified prior to, or at the first opportunity following, the placement of a subject into the restraint chair. The initial determination to place an individual in the restraint chair should be

based on factors such as the exhibiting of self-destructive behavior, or physically hostile or potentially hostile behavior, or a high level of intoxication.

b. Only a supervisor may decide to use the restraint chair for forced blood draws.
c. Securing a person in the restraint chair is considered a use of physical force and shall be documented as such.
d. Once placed into the restraint chair, the subject must be under the direct observation of a sworn officer or custody transport officer trained in the use of the chair at all times. It is the responsibility of the observing officer to confirm that the restraints are properly applied and that the person remains safe. Processing of the subject and subsequent transportation to the appropriate facility shall be expedited
e. When possible, the chair should be placed in full view of the closed-circuit video system (CCVS) and recorded.
f. Once a subject is placed in the restraint chair, other prisoners will be kept physically separated from the restrained person.
g. Any time an individual is placed in the restraint chair, a notation must be made on the adult detention log that includes the time in and time out of the chair, reason (blood draw, violence etc.) for the restraint and officer/witness entry documenting constant observation**.** The log must be filled out in its entirety and signed by the on-duty supervisor.

103.5 Procedures

a. The restraint chair shall not be used for punishment.
b. The restraint chair shall not be used in lieu of a direct transport to a detention facility (county jail) for combative prisoners (see OPD Policy and Procedures Manual, Vol. III section 101.6)
c. When practical, there should be four Officers and a supervisor present when placing a person in the restraint chair, allowing an officer to take control of each of the subject's legs and arms and the supervisor to assist if needed. Prior to placing the person in the restraint chair, leg restraints should be placed on the person's legs to assist in controlling the lower extremities. Next, the subject should be seated in the chair while handcuffed and the legs restrained first. Then the waist belt should be placed around the subject to secure the torso. The handcuffs should be removed and each arm placed into the arm restraints and secured. Lastly, the "crisscross" torso restraints should be used to limit movement of the person's upper body.
d. When in use, personnel should ensure that the restraint chair is kept away from any wall or other objects so as to prevent the restrained person from striking his/her head or otherwise being injured.
e. No subject shall be kept in the restraint chair for more than **ONE** hour, unless unusual circumstances exist, and then only with the watch Captain's approval.
f. Personnel shall consider the hydration and sanitation needs of the restrained individual.
g. Direct visual observation is conducted and documented every 15 minutes (added 6-1-11).
h. If a subject is placed in the restraint chair and subsequently transported to a hospital, correctional facility or mental health facility, **two officers** shall be used to transport the individual. Medical staff at any facility to which the individual is transferred shall be advised that the subject was confined in the restraint chair and notified of the duration of the restraint. This notification shall also be included in the officer's written documentation.

103.6 Documentation. All uses of the restraint chair shall be documented either in the arrest report, 5150 detention report or officer's report. Supervisors shall complete a use of force report when the chair is used in accordance with OPD Policy and Procedure Manual, Vol. I, Section 501.08.

105 Detention of Minors. The purpose of this procedure is to comply with the provisions of W&I §4553 as they pertain to this department. It is the responsibility of supervisors to enforce this procedure.

105.01 Temporary Custody. For this procedure, "temporary custody" means the minor is not at liberty to leave the police facility. Temporary custody can include secure detention or non-secure custody.

105.01.2 The arresting officer shall complete a Juvenile Medical Screening form for each minor in temporary custody, and take appropriate action based upon the minor's answers to the questions. An affirmative response to any of these questions will require the minor to be transported to the appropriate facility immediately following the booking process. The form will be filed with the Arrest Report and maintained with the case file. (Added 8/04) (Revised 01/2006)

105.02 Care of Minors in Temporary Custody. The welfare and protection of minors in temporary custody is the responsibility of the arresting officer and his/her supervisor. Any member who brings a minor in temporary custody to the police station will report immediately to his/her supervisor. The supervisor will determine whether the minor will be

held in a secure or non-secure status. Officers are to maintain control of minors to facilitate their protection and welfare.

105.02.1 Any juvenile who becomes unconscious or is in a semi-conscious condition, shows evidence of internal or uncontrollable external bleeding, who is obviously ill or otherwise seriously injured shall be brought to the attention of a supervisor and appropriate medical assistance will be provided.

105.02.2 Members shall be on the alert for juveniles taken into custody who exhibit signs of potential suicide. If it appears that a juvenile, while in custody, is not coping well with confinement, the situation shall be brought to the attention of the Patrol Supervisor so that appropriate action may be taken.

105.02.3 Members should be particularly alert during periods of initial confinement, intoxication, and arrests during holiday periods, late night hours, and after phone calls to parents or loved ones.

105.02.4 In the event of a suicide attempt, serious illness, injury, or death of a minor in custody, the Patrol sergeant shall ensure that the court of jurisdiction, and the parent (or guardian / person standing in loco parentis) are notified. (Added 01/2006)

105.03 Secure Detention. Secure detention means the minor being held in temporary custody at any police facility is locked in a room or enclosure (detention area, jail, lockup) or is physically secured to a cuffing rail or other stationary object, such as a desk, chair, etc. Secure detention must be for the purpose of investigating the crime, facilitating a release to a parent or guardian, or arranging a transfer to a juvenile detention facility. Simply because the minor is handcuffed to him/herself, does not place him/her in secure detention. To be lawfully placed in secure detention, a minor must be:

a. At least 14 years of age;
b. Must have been taken into temporary custody on the basis of having committed a criminal law violation (W&I 602), and;
c. The arresting officer must have a reasonable belief the minor represents a serious security risk or harm to self or others. To establish a security risk, an officer may consider the following factors:
    1) Age, maturity and delinquent history of minor
    2) Severity of the offense(s) for which the minor was taken into custody
    3) Minor's behavior, including the degree the minor appears cooperative or non-cooperative
    4) The availability of staff to provide adequate supervision or protection of the minor
    5) The age, type, and number of other individuals who are detained in the facility (Revised 08/98)

105.03.1 The arresting officer has discretion whether to handcuff a minor. Consideration should be given to the age of the minor, need for officer safety, and the emotional impact on the minor. One of the following conditions is to be present to restrain the minor:

a. Minor actively resists being taken into custody,
b. Minor, through words or action coupled with the present ability, threatens himself/herself, the officer, or others with physical harm,
c. Minor attempts to escape from custody, or escapes from custody and is recaptured.

105.03.2 The arresting officer is to inform his/her supervisor of the need for the use of restraints. The restraints shall be removed once it has been determined they are no longer necessary.

105.03.3 Arrest Reports must include the officer's reason for securing the minor and the length of time the minor was secured. The offense alone does not qualify one for being securely detained. Because a youth will be going to Juvenile Hall does not qualify him/her to be securely detained. (Revised 02/00)

105.03.4 Minors secured to a stationary object shall not be held in this manner for more than 30 minutes, unless no locked enclosure is available. Securing minors to a stationary object for longer than thirty minutes, and for every thirty minutes thereafter, shall be approved by a sergeant. The reasons for the continued secure detention shall be documented in the officer's report. Minors who are secured to a stationary object shall be moved to a locked enclosure when one becomes available. A department member shall be present at all times when a minor is secured to a stationary object to assure the minor's safety. Monitoring may be used to supplement, but may not replace personal observation. (Revised 08/98)

105.03.5 Minors under the age of 14 years, status offenders (W&I 601), and abused or neglected children (W&I 300) may not be kept in secure detention. Juveniles arrested for W&I 602 sections can be seated with other juveniles arrested for similar crimes. However, those arrested for W&I 602 crimes shall not be allowed to come into contact with juveniles in temporary custody held under the authority of W&I §300 or W&I §601. (Revised 08/98)

105.03.6 Secure Detention Log. In all cases where a minor is kept in secure detention, the arresting officer, at a minimum, will check on the juvenile offender every 30 minutes and record the date, time, and their identity on a Juvenile Secure Detention Log, which will be attached to the officer's original report upon completion.

105.03.7 Any minor who displays outward signs of intoxication, or who is known or suspected to have ingested any substance that could result in a medical emergency, shall be medically cleared prior to reception at a facility. The arresting officer (or designee) will check on the juvenile offender no less than once every 15 minutes until resolution of the intoxication, transfer of the juvenile to another facility, or release of the juvenile. The checks will be recorded as prescribed on a Juvenile Secure Detention Log. (Added 8/04)

105.04 Conditions of Secure Detention. Any minor placed in secure detention must be advised of the reason for the detention, the length of time the detention is expected to last, and that it will be for no longer than six hours. Minors placed in secure detention shall be provided blankets and clothing, if necessary. They shall be permitted to retain and wear their personal clothing unless the clothing is inadequate, presents a health problem, or is needed for evidence purposes. A minor held in secure detention shall be adequately supervised which, at a minimum, includes:

a. Constant auditory access to department staff.
b. Unscheduled personal visual observation of the minor by an officer or other department member no less than every 30 minutes. This observation shall be logged and included with the Arrest Report.

Male and female minors shall not be placed in the same locked room unless under constant visual observation. (Revised 01/2006)

105.05 Non-Secure Custody. Non-secure custody means that the minor's freedom of movement is controlled by a member of the department and:

a. The minor is under constant personal visual observation and supervision by a member;
b. The minor is not locked in a room or enclosure; and
c. The minor is not physically secured to a cuffing rail or other stationary object.

105.05.1 Minors who do not meet the criteria for secure detention may be held non-secure in the department lobby, unlocked office or interview room, or other non-secure area. Minors who must be held non-secure are those minors considered status offenders or non-offenders (W&I 601 & W&I 300) or who do not meet the three requirements for secure detention. Status offenders or non-offenders may be held in non-secure custody only if a brief period is needed to investigate the case, or to facilitate a release. The arresting officer shall exercise one of the dispositional options authorized by W&I 626 and 626.5 without unnecessary delay and, in every case, within six hours. Minors held in non-secure custody shall receive constant visual observation and supervision by a member of the department. (Revised 01/2006)

105.05.2 Care of Juveniles Held in Non-Secure Custody. Care of juveniles in non-secure custody includes providing reasonable access to a telephone, restroom facilities, and water or other beverages. Juveniles are permitted to retain their clothing unless it is needed for evidence or if it presents a health hazard or security risk. Blankets or other clothing sufficient to provide comfort shall be made available to replace clothing taken from the juvenile. Privacy shall be allowed when juveniles meet with members of their immediate family, guardians, or attorney. If the juvenile requests to eat, one snack shall be provided if the minor has not eaten within the past four hours or if the minor is otherwise in need of nourishment. (Added 06/98)

105.06 Detention of Minors at the Investigations Facility. It is the responsibility of the on-duty Investigations Supervisor to enforce this procedure for any minor placed in temporary custody at the Investigations facility. The arresting investigator is responsible to notify the on-duty Investigations supervisor. The Investigations supervisor will then enter the information on the minor into the log.

105.08 Time Limit. A minor shall not be held in temporary custody within any police facility for more than six hours. Extensions may be granted under the limited conditions of inclement weather, acts of God, or natural disasters that result in the temporary unavailability of transportation for minors detained pursuant to W&I §602. (Revised 08/98 // 01/2006)

105.08.1 In the event an extension is granted, the minor shall be informed of the length of time the extension is expected to last. (Added 01/2006)

105.08.2 Any officer who detains (keeps in custody) a minor in any of our facilities for more than six hours will forward a supplemental memo to their Division Captain via their supervisor as to who was on-duty at the time the six hour period expired. The arresting officer will submit this report to their supervisor prior to ending their work shift. (Revised 02/00 // 01/06)

105.08.3 The arresting officer's supervisor will add his/her supplemental report of the circumstances and forward it within 72 hours to their Division Captain, who will review and forward to the Support Operations Division Captain (Revised 02/00 // 01/06)

105.08.4 Investigatory complexities are not exceptions to the six-hour maximum – violations could result in a case being dismissed. Courts have expanded the "no exception" rule in instances of civil disobedience, acts of God, and "officer needs help" situations in which staffing priorities had to be suddenly revised to meet the emergency. (Revised 01/06)

105.09 Minors held in temporary custody within any police facility shall:
a. Have reasonable access to toilet and washing facilities.
b. Be provided a snack if the minor has not eaten within the past four hours or appears in need of nourishment.
c. Have reasonable access to drinking water, and
d. Be provided privacy during visits with family, guardian, and/or lawyer.

105.09.1 Purchasing Snacks. To purchase a snack, members may draw cash from the Records cash drawer. The member is to complete the request slip to include attaching receipts, recording the minor's name, and recording the case number.

105.10 Contact between Minors and Adult Prisoners. There shall be no physical or sustained sight or sound contact between juveniles in detention and incarcerated adults. (Added 04-13-11)

105.10.1 Reference: WIC 208
In situations where brief or accidental contact may occur, such as booking or facility movement, facility staff (trained in the supervision of inmates) shall maintain a constant, side-by-side presence with the minor or the adult to prevent sustained contact. (Added 04-13-11

105.11 Discipline. It is neither the responsibility nor the intention of the Oceanside Police Department to discipline minors. No member of this department, or any group of persons shall be allowed to administer, perform, or inflict any discipline, punishment, or corrective action on any minor while in secure detention or non-secure custody. The forms of discipline referred to in this section includes, but is not limited to: corporal punishment, denial of privileges, and mental stress.

105.12 Log of Temporary Custody of Minors. A log showing the temporary custody of minors is to be maintained in the Patrol Sergeant's office. The names of all minors held in temporary custody are to be entered in the log.

105.12.1 It is the responsibility of the arresting officer to complete the log with information on the minor, including the transportation officer's name. Minors shall be logged separately on the appropriate form for the type of detention: secure or non-secure. (Revised 08/98)

105.12.2 It is the responsibility of the Patrol Lieutenants to regularly inspect the log to ensure that is being properly completed, that arresting officers are complying with the provisions of this procedure, and to signoff the officers' entries. (Revised 08/98)

105.12.3 If a logged minor is found to actually be an adult, the proper correction procedure is to lineout the log entry and write "adult" on that line. The incident is then not reported to the California Youth Authority.

110 Juvenile Procedures. The philosophy of the "Juvenile Court Law" contained in the Welfare and Institutions Code is primarily concerned with the protection of the juvenile offender. In carrying out this philosophy, the law recognizes that detention is sometimes necessary but should never be used as a form of punishment.

W&I §626 describes the ways juveniles may be taken into custody. Paragraph "C" defines the feeling of the Juvenile Court. "In determining which disposition of the minor they will make, the officer shall prefer the alternative which least restricts the minor's freedom of movement, provided such alternative is compatible with the best interests of the minor and the community."

In most instances, juvenile arrests do not warrant detention and the offender may be released to his/her parent, guardian, school, and in some minor cases, released outright. In cases where the juvenile is released other than to his/her parents, the arresting officer should attempt to notify the parents of the circumstances surrounding the arrest. An Arrest Report should be made. The Investigations Division will determine if follow-up investigation is necessary.

110.01 Juvenile Hall Detention. When making the decision of whether to place a juvenile into Juvenile Hall, officers should apply one simple rule: Is detention urgent and of immediate necessity?

110.01.1 Reasons for Detention. All juveniles arrested for serious offenses shall be taken to Juvenile Hall. Serious offenses include: (Revised 12/2016)

a. Sales of drugs (excluding marijuana),
b. Possession of drugs (excluding marijuana),
c. Felony hit & run,
d. Crimes of violence (assault, battery, manslaughter, armed or strong-armed robbery, certain arson, forcible rape, murder),
e. Burglary when the victim's immediate safety and welfare might be threatened if the minor were to be released,
f. Burglary when the number of burglaries demonstrate or suggest a crime wave;
g. Driving Under the Influence if injury to another person;
h. When the child is a federal prisoner;
i. When the child is a CYA parolee or a ward of the court;
j. Child is in violation of a probation order.

110.01.2 The transporting officer shall obtain a medical clearance prior to booking into Juvenile Hall any juvenile who displays outward signs of intoxication or is known or suspected to have ingested any substance that could result in a medical emergency. (Added 8/04)

110.02 Admonishment. The procedure of admonishing offenders of their Constitutional Rights applies to juveniles as well as adults. The law places additional requirements on peace officers where juveniles are concerned. Regardless of an officer's intention to interrogate a juvenile being detained or in temporary custody, officers will advise a juvenile that:

a. The juvenile has a right to remain silent.
b. Anything said may be used against him/her.
c. The juvenile has the right to have counsel present during the interrogation,
d. The juvenile has a right to appointed counsel if he/she is unable to afford counsel. (Revised 04/01)

110.02.1 Presence of Parent/Guardian. There is no requirement to advise juveniles of a right to have a parent or guardian present during questioning, however when such a request is made, it will immediately be honored to avoid allegations of an involuntary confession. Officers should be aware that a request to have a parent (or other adult) present during questioning might be construed and interpreted by the courts as an invocation of the right of silence and/or counsel, depending on the circumstances. (Added 04/01)

110.02.2 Documentation. The officer should document all responses the juvenile made to the admonishment, e.g. did they understand, did they talk about the case.

110.02.3 Juveniles and Miranda. Per W&I 625.6, prior to any custodial interrogation of a juvenile 15 years of age or younger, you must allow the juvenile to consult with an attorney either in person, by telephone or video conference. This consultation cannot be waived. Note: A valid Miranda waiver is required prior to asking questions pursuant to PC 26. (Revised 12/19)

110.02.3.1 Exception of [W&I 625.6(c)] IMMINENT THREAT – No consultation is required when:

1. Officer reasonably believed the information sought was necessary to protect life or property from imminent threat, AND
2. The officer's questions were limited to those questions that were reasonably necessary to obtain that information.
3. Do this prior to Miranda admonishment then seek Miranda admonishment.

(Added 12/19)

110.02.3.2 Situations Where Miranda Does NOT Apply

1. Obtaining blood samples
2. Obtaining fingerprints
3. Obtaining photographs of the juvenile (for purposes of gang documentation)
4. Obtaining handwriting exemplars
5. Standing in a live lineup
6. Standing in a curbside lineup
7. Collecting DNA
8. Repeating words or phrases used by a perpetrator
9. Asking for a minor's consent to search

(Added 12/19)

110.03 Dependent Children. Dependent children are defined as children who are not in conflict with the law; e.g. victims of child beatings or neglect, deserted by their parents, their parents have been arrested or hospitalized, or where the child is in need of immediate protection.

110.03.1 By law (W&I §506), dependent children must be segregated from delinquent children. The Polinsky Children's Center is used for this purpose. Dependent children will be delivered directly to the Polinsky Children's Center. The transporting officer is required to fill out the following forms for submission to The Polinsky Children's Center:

a. "Polinsky Admission Form" in all cases where a juvenile is to be delivered to The Polinsky Children's Center.
b. "Polinsky Supplemental Admission Form" for each additional juvenile delivered to The Polinsky Children's Center for the same incident.
c. "Polinsky School New Intake School Information" for each juvenile delivered to The Polinsky Children's Center.
d. "Parent/ Relative/ Kinship Information" for each juvenile delivered to The Polinsky Children's Center unless that information is included on the other reporting forms.
e. In addition to these forms the transporting officer is to complete a brief narrative regarding the incident. The narrative is to include
    1. The circumstances surrounding the incident causing removal of the juvenile.
    2. The name of the victim.
    3. The name of the suspect.
    4. The name of any witnesses.

A copy of these reports shall be retained by the transporting officer and submitted with their police report of the incident. (Revised 05/08)

110.04 Required Juvenile Reports. A Juvenile Contact Report must be made in all cases when the juvenile is placed on detention so the probation staff will have sufficient information to comply with detention provisions of the law. The officer transferring physical custody of the juvenile must be able to provide information so a proper decision can be made. Also include the name, address, and telephone number of parents or guardians. This must be in the form of: a Juvenile Contact Report, a Detention Data form, an affidavit must accompany the JCR Report if the juvenile is taken to Juvenile Hall. In all cases the Detention Data form should include description of the offense and the juvenile's involvement.

110.04.1 Preliminary reports or Detention Data forms may include a request that the juvenile be held, but such a request must be supported by facts. The officer should not state: "hold pending investigation". Justify the detention request by describing the situation, such as: a minor involved in a series of burglaries and might hide the evidence if released, etc., or other facts that fall within the provisions of W&I §628, such as: further detention is a matter of immediate and urgent necessity for the protection of said minor or person or property or another, or it appears that such minor is likely to flee the jurisdiction of the court, or it appears that such minor has violated an order of the Juvenile Court.

110.04.2 If a Detention Data form is used, the Juvenile Contact Report must be forwarded by 'fax' to Juvenile Hall as soon as it is approved. A crime or Juvenile Contact Report must be delivered to juvenile authorities within 24 hours to file a petition and keep the juvenile in detention. If not, the juvenile will be released pending an actual filing of a petition.

110.04.3 When an officer contacts a juvenile who they do not arrest but believes a petition should or may be filed (long form), then they should complete the Juvenile Contact Report even though an arrest was not made. This form is required before a petition will be filed by the juvenile authorities.

110.04.4 Problems in juvenile "cross-over" referrals (wherein minors are arrested for a combination of penal and vehicular code violations from the same event) are increasing. To end the complications in the processing of crossover cases, the following is implemented:

a. In juvenile arrest situations, all offenses arising from the same occurrence will be charged in the Juvenile Contact Report only. This, of course, includes both the applicable penal and vehicular code violations.
b. Having included all offenses in the JCR, no traffic citation will be issued.

110.05 Juvenile Released to Parents, School or Outright. When a juvenile is arrested for a violation of the law, a Juvenile Contact Report is required. This report must be submitted regardless of whether the juvenile is placed in Juvenile Hall or released pursuant to other authorized departmental procedures.

110.06 Citizen's Arrest of Suspected Juvenile Misdemeanant. When a private citizen alleges that a juvenile has committed an act constituting a misdemeanor, and the alleged act was not committed in the presence of the responding officer, the citizen may arrest the juvenile pursuant to PC 837. The citizen must then deliver the juvenile to the responding officer.

110.06.1 The responding officer must complete all reports required by this procedure, depending upon whether the juvenile is placed in detention or released. The Arrest Report must include the name of the arresting citizen. In addition, the continuation report submitted with the Arrest Report must contain the name, residence address, and residence and work telephone numbers of the arresting citizen to enable the District Attorney, Probation Officer, or Juvenile Officer to contact the citizen.

110.06.2 In addition to the above report(s), the arresting citizen must complete and sign a "Citizen's Arrest Report" form. In the blank where the arresting citizen writes the juvenile's name, the citizen must state that the arrestee is a juvenile, e.g., "John Doe, a juvenile". The responding officer must explain to the arresting citizen that the requirement the citizen sign a complaint in the District Attorney's Office applies only in cases where the arrestee is an adult.

110.07 Evidence. Physical evidence used to substantiate a juvenile's arrest shall be processed in the same manner as in adult arrests.

110.08 Notification of Parents or Guardian. W&I § 627 states that when an officer takes a juvenile to a place of confinement, the officer shall take immediate steps to notify the juvenile's parent, guardian or a responsible relative that such minor is in custody and the place where they are being held. The means of notification should be noted on the Arrest Report that parents have not been notified, or an explanation as to why you are unable to comply with the state law should be given. Example: "Parents reside out-of-County" or "Unable to locate or identify parents on basis of information furnished by the subject". The following procedures will be followed in notifying parents or guardian.

a. Residence within the city. Arresting officer should notify by telephone. If no answer, a note containing a brief explanation of the circumstances should be left at the residence under the front door, if possible.
b. Residence within the county. If the juvenile resides in the county, the arresting officer should notify by telephone. If the parent or guardian cannot be reached by telephone, request notification through the Sheriff's Office or Police Department in the area where the subject resides.
c. Transients. Notification of detention of transient juveniles residing out-of-county will be handled by a telephone call. It may be pointed out that the detention of some transient juveniles as "possible runaways" could be eliminated if telephone calls were made to the parents to determine status and/or disposition.

110.08.1 Parental Notification for Marijuana Citation. Absent other circumstances, juveniles found in violation of marijuana related Health and Safety Code infractions are not subject to custodial arrest. When taking enforcement action against juveniles, they are to be released in the field based upon their signed promise to appear in court. Officers shall notify the juvenile's parent or guardian of the circumstances surrounding the contact and the fact the juvenile was issued a citation, following the notification procedures listed in Section 110.08. A Juvenile Contact Report shall be completed in RMS and shall include the details of the parent/guardian notification. (Added 12/2016)

110.09 Welfare and Institutions Sections on Arrest Reports. When making an Arrest Report, the applicable W&I Section must be alleged along with the offense for which the juvenile was arrested or contacted. Juveniles commonly come within the following W&I Sections:

a. W&I 300.a - Lack of parental control or care.
b. W&I 300.b - Destitute - not provided with necessities of life, no home or suitable place to live.
c. W&I 300.c - Mentally ill.
d. W&I 300.d - Unfit home by reason of neglect and/or physical abuse.
e. W&I 601.a - Incorrigible, runaway.
f. W&I 602 - Violation of any state law, federal law, city ordinance (except curfew), county ordinance or juvenile court order.

110.10 Juveniles Apprehended under W&I §601. Juveniles who are in violation of W&I 601 will be accepted in Juvenile Hall when the wording of the report contains "beyond control" and/or "runaway". This is necessary when the juvenile is a transient. The wording, "danger of leading an idle, dissolute, lewd or immoral life" is not to be used as it has been deemed unconstitutional and the Probation Department will not accept a juvenile when this wording is contained in the report. Do not use the wording, "lack of parental control" or "no parent or guardian to exercise control". These phrases are applicable only to juveniles who come under the W&I 600 when they are neglected or abused. For city (except curfew ordinance), county, state, or federal statute, or any court order, W&I 602 should be added, alleging the statute violated.

110.10.1 Use discretion in the apprehension of transient juveniles. If the transient juvenile is close to (18) years, has sufficient funds to maintain themselves, has parent's permission to travel and is mature enough to care for themselves, not a danger or threat to themselves or the community, and has not violated any law, he or she may be released. In such cases, attempt to contact parents and determine if the juvenile is to be released or detained on the request of the parents.

110.10.2 When you are investigating or come into contact with a juvenile who comes under the jurisdiction of W&I 601, and Juvenile Hall appears to be the alternative as opposed to counsel and release, you are cautioned to evaluate the circumstances and facts in the matter before accepting the youth for transportation to Juvenile Hall. Under the policy of Juvenile Probation, Juvenile Hall will not accept juveniles falling into the W&I 601 category except under extraordinary circumstances that the arresting officer will be required to document. Local juvenile runaways will not be accepted by Juvenile Hall. For guidelines refer to W&I §628.

110.10.3 In lieu of detention, officers should familiarize themselves with agencies that provide temporary housing in times of family crises. A list of such facilities is provided below. In extreme cases of incorrigibility and beyond control where parents request Juvenile Hall placement, the Patrol Supervisor must call the Detention Control Unit for clearance. If denied, advise parents to contact one of the following agencies:

a. YMCA Oz North Coast
b. San Luis Rey Psychiatric Hospital
c. Lifeline, 114 Hillside Terrace
d. YMCA Juvenile Crisis Program

110.11 Juvenile Prisoners, Right to Make Telephone Calls. Juveniles taken into custody have the right to make two completed telephone calls at their own expense: one to the parent or guardian, a responsible relative or his/her employer, and one to an attorney. The calls shall be made in the presence of a department member immediately after arrival (PC §851.5).

110.11.1 The arresting officer will indicate on the Arrest Report the date and time the juvenile was afforded the opportunity to make the calls, the names and telephone numbers called and whether or not the call was completed. If the juvenile declines to make the telephone calls, it will be so indicated on the report. The above procedure shall be followed regardless of whether the juvenile will later be released to his/her parents, guardian, etc., or transported to Juvenile Hall.

110.11.2 The above does not relieve the officer of the responsibility to notify the juvenile's parent, guardian, or responsible relative that the juvenile is in custody. Refer to W&I §627(a).

110.12 Transportation of Juveniles., Juveniles will be transported within six hours after confinement. (W&I §626(c))

110.13 Curfew. The Curfew Ordinance involves every minor under the age of (18) years on the streets or other public places after 10:00 p.m. and before daylight, unless accompanied by the parent or on an errand for the parent, or when lawfully employed, or returning home from any school sponsored activity. As noted, this involves every minor on the

streets or in public places not engaged in one of the above-mentioned conditions. The department procedure is not to use this ordinance as strictly interpreted but to employ it as a loitering control ordinance.

110.13.1 If a juvenile has been attending a theater or some social function and is on his/her way home in a business-like manner at a reasonable hour for their age, they should not be apprehended for a violation of this ordinance.

For example: a child under (10) years returning from a show after midnight, even though not loitering, would be reasonable to enforce this ordinance and his/her parents may be counseled. It is far too late for a child of his/her age, although one of 16 or 17 years of age could be proceeding directly from a function at 1:00 or 2:00 a.m. and yet not be a real cause for the curfew enforcement.

110.13.2 If minors leave a function then engage in loitering about the streets after the curfew instead of proceeding directly home, or other pre-planned location, the ordinance should be enforced.

110.13.3 These illustrations given serve as guidelines. Each situation must be analyzed on its own merits. The Curfew Ordinance and other laws are reasonable and enforceable only so long as the majority of parents and public agree with them.

110.13.4 Enforcement Procedure. When possible or necessary, curfew violators should be brought to the police station where the parents will be contacted and required to call for the child. If the violator is found at some distance from the station and closer to his/her home and the violation is a minor one, the juvenile may be taken home and released to his/her parents. If the officers believe the situation, time, and circumstances require only a warning and a release at the scene, this may be done.

Each officer should have a thorough knowledge and understanding of this enforcement procedure and will be expected to use good judgment and common sense in applying it. If arrested, an Arrest Report should be completed and forwarded to the Juvenile Unit. If warned, a Field Interview card should be made.

110.15 Emergency Medical Treatment of Juveniles. In all cases involving a minor in need of emergency medical care, if the Good Samaritan Law (B&P 2727.5 and 2144) and the Civil Code (C.C. 34.6) do not apply, other authorization for treatment may be needed.

110.15.1 If the parent or guardian cannot be contacted, the Probation Officer is authorized under W&I §739 to consent for treatment. If the parent or guardian objects to medical treatment for the minor, consent by the court is required as set forth in the same code section. For all emergency treatment authorizations under W&I §739, the minor must be in temporary custody or a ward of the Juvenile Court. Any officer can place the minor into custody. If the minor was brought in by the police, they are already in temporary custody.

110.15.2 If the doctor or hospital feels that other laws are not applicable to the situation and it is necessary to seek medical authorization under W&I §739, the following procedure should be followed. Have the doctor on-duty at the hospital prepare a written statement recommending treatment. On weekdays between 8 a.m. and 5 p.m., call the Juvenile Prevention Center and ask for Intake Supervisor. At all other times, call Juvenile Hall, state you are reporting a medical emergency and you will be connected with the proper officer. These officers can either authorize the treatment under 739(a) and (d) or, if the parents are objecting, they will locate a judge who will consider giving verbal court authorization.

110.16 Mandatory Firearms Injury Report. In any incident where a person 18 years of age or younger suffers an unintentional or self-inflicted gunshot wound, the preliminary investigating officer shall file a Firearms Injury Report (form FD016) as required by PC 12088.5. This requirement is regardless of whether the victim died from the injuries, and includes cases where it is determined the victim was accidentally shot instead of another intended victim. (Added 08/00)

110.16.1 Records shall forward the white copy to DOJ and retain the yellow copy in the file. (Added 08/00)

115 Citizen Arrests. Citizens may make arrests per PC §837- Private persons, authority to arrest. Officers will carefully and objectively evaluate private person arrests and, when it is lawful to do so, accept and properly process the person arrested.

115.01 Procedure. When officers are presented with someone wishing to make a private person arrest, the responding officers should be aware of the following provisions of the law: A private person may arrest another for a public offense committed or attempted in his/her presence. Notwithstanding state law, officers must be aware, under federal interpretations of the Fourth Amendment to the U. S. Constitution that any action by an officer in which a person is taken into custody must be supported by a probable cause belief that a public offense occurred and the person being taken into custody committed the offense.

Prior to accepting custody of the private person arrestee, officers will make reasonable efforts to obtain all information relevant to whether a criminal offense has occurred and whether the person to be arrested is the one who committed the offense. When these criteria have been met, the officer will accept custody of the prisoner and document the arrest on the Arrest/ Juvenile Contact Report. The section entitled "Citizen Arrest" will be filled out completely and the citizen will be required to date and sign the report. It is important that correct information be obtained on the citizen's residential and business addresses and telephone number(s). The citizen should be told to contact the District Attorney's Office without delay to arrange for signing a complaint if the arrestee is an adult. If the arrestee is a juvenile, the citizen should be told that he/she may be contacted later by the juvenile authorities if they require more information.

When it appears from the objective circumstances and evidence, that there is no probable cause to believe a criminal offense has occurred, the officer shall:

a. Explain to the person wishing to make the private person arrest the legal requirement that acceptance of custody by the officer requires the presence of probable cause to arrest, as well as the fact and circumstances which indicate to the officer an absence of probable cause.
b. Seek the consent and cooperation of the person wishing to make the arrest to have the matter handled by submission of a crime report for further investigation by detective and/or evaluation of criminal charges by the District Attorney.
c. If the person insists on making the arrest, the officer shall refuse to accept custody of the arrestee.
d. Complete a report detailing all of the allegations, facts, circumstances and evidence bearing on the officer's determination to refuse to accept custody.

Officers should seek advice from a supervisor when there is any question in the mind of the officer as to how to proceed regarding a private person arrest.

120 Transportation of Prisoners. (Revised 04-99)

120.01 Transportation, General Rule. Any officer transporting a prisoner shall do so in the most expeditious manner without engaging in other field activities. This procedure may only be superseded by a contrary direction of a sergeant or lieutenant. (Revised 04-99)

120.02 Search & Restraint of Prisoners. All prisoners shall be searched for weapons and handcuffed prior to transportation. Any officer receiving custody of a prisoner shall ensure that an appropriate search of the prisoner is conducted. (Revised 04-99)

120.03 Handcuffed Prisoners. Handcuffed prisoners shall be transported in a sitting position and seat belted. (Revised 04-99)

120.04 Cord-cuffed Prisoners. Prisoners secured in a cord-cuff leg restraint will be transported on their side to avoid breathing difficulty. Transportation of subjects who are secured with a cord-cuff leg restraint, not in a sitting position, should be done by two officers, one of whom will maintain observation of the prisoner to monitor the condition, breathing, and level of consciousness of the prisoner. (Revised 04-99)

120.05 WRAP Restrained Prisoners. Prisoners secured in the WRAP restraint system will be transported in a seated position and belted into the vehicle. The prisoner will be positioned in the vehicle to allow the transporting officer the ability to maintain observation of the prisoner and monitor the condition, breathing, and level of consciousness of the prisoner. (Added 9/2017)

125 Security of Prisoner's Property. All members are responsible for ensuring the property of prisoners transported to the station is not lost or mishandled. This includes the inventory and security of a prisoner's property from the time they arrive at the station, are released from the station, or are transported and released to a detention facility or other agency.

Failure to comply with the provisions of this procedure that result in the loss or mishandling of prisoner property, will subject the responsible member to disciplinary action.

125.01 Procedure. The following procedure will be used by all officers who arrest/transport prisoners to the station or any other agency to be processed for booking:

a. At the station, the officer will remove all prisoner property and place it in the property envelope. The officer will then complete the Personal Property Form. All applicable boxes will be completed. The arrestee shall witness this inventory and sign the property slip. If unable to sign, (i.e. intoxication, combativeness, etc.), a second police member will witness and sign.
b. The officer will complete the booking slip. The Prisoner Property Bag and the Personal Property Form will be placed in one of the lockers reserved for that purpose. The officer may place hats/shoes or other items of prisoner property in the locker if he/she feels it is appropriate to do so. The lockers are located directly across from the detention cells.
c. The locker will be locked and the officer will take the booking slip and locker key to the Sergeant's Office.
d. The key will be attached to the booking slip and placed in the file. Only a supervisor or his/her designee will have access to the file.
e. When prisoners are ready for transport or release, the transportation officer will remove the prisoner's property and property form from the lockers. The transportation officer, if different from the arresting officer, will verify the property listed on the Personal Property Form is in the property bag. The officer will sign the form, verifying its contents. The prisoners will be transported or released as appropriate.
f. When a prisoner is transported to a San Diego Sheriff's Office detention facility, the accepting facility will furnish a copy of the "Inmate Property Receipt", if the prisoner has over $100.00 and/or expensive jewelry. The "Inmate Property Receipt" will be attached to the pink copy of the "Personal Property Form" and the booking slip. The County's "Inmate Property Receipt," the Department's "Personal Property Form" and the booking slip will be submitted together to Records. If the prisoner is released to another agency, the accepting agency shall verify and sign the Oceanside Police Department's "Personal Property Form" before accepting the prisoner. The original copy of the Personal Property Form will be given to the person assuming custody of the prisoner and their property. The disposition of the prisoner will be indicated on the form.
g. Prisoners released from the Oceanside Police Department will be given the original copy of the property form. Should a prisoner being released from the station, refuse to sign for his/her property, that fact will be indicated on the form and a witness member will also sign the form. The pink copy of the property form will be attached to the arrest/Crime Report. (Revised 02/00)
h. In order to maintain compliance with Title 15 of the Corrections and Standards Authority as it pertains to Temporary Holding Facilities prisoners secured within the confines of the station will be entered in the Adult Prisoner Detention Log. The log is located within the Booking Area of the facility and this entry is the responsibility of the Arresting Officer. Subsequent checks of the Prisoner's welfare within the holding cell shall occur at intervals no longer than 30 minutes apart. This entry shall include the following:
    1. Date the prisoner entered the Police Facility
    2. Cell number within which the prisoner is secured
    3. Prisoner Name
    4. Case Number
    5. Arresting Officer
    6. Arresting Officer's ID number
    7. Charges
    8. The responses given to the Medical Questions
    9. Time the Prisoner entered the facility
    10. The Time a Cell check is conducted
    11. The initials and ID number of the Officer Conducting the checks
    12. The Time the prisoner is released from the facility
    13. The name and ID number of the Officer transporting the prisoner from the facility
i. The Adult Prisoner Detention Log will be maintained in the Patrol Support Sergeant's office.
j. The Oceanside Police Department does not maintain a "Safety Cell" or "Sobering Cell" as defined by Title 15 of the Corrections and Standards Authority. Therefore, Prisoners exhibiting the need for such a Cell will be immediately transported to an appropriate holding facility in order to ensure their personal safety.
k. When a Prisoner is brought to the booking area of the facility and secured any Cell, only an Officer of the same sex as the Prisoner may cross the threshold of the door to the cell unless an Officer of the same sex as the Prisoner is present. If the Prisoner refuses to exit the cell or is unable to exit the cell an Officer of the same sex as the Prisoner will respond to assist. This does not preclude Officers from rendering emergency medical care to Prisoners within the Cell when circumstances dictate such action.

l. A Cell for purposes of this policy includes the Cells currently referred to as “Adult 1”, “Adult 2”, “Adult 3”, “Juvenile 1” and “Juvenile 2” (Revised 02/10)

M. Discipline. It is neither the responsibility nor the intention of the Oceanside Police Department to discipline adults. No member of this department or any group of persons shall be allowed to administer, perform, or inflict any discipline, punishment, or corrective action on any adult while in custody. The forms of discipline referred to in this section includes, but is not limited to: corporal punishment, denial of privileges, and mental stress. (Added 04-13-11).

125.02 Discrepancies. In the event a discrepancy should arise stemming from the inventory of a prisoner's property, a Supervisor will attempt to resolve the discrepancy at the time it arises. The supervisor will then forward a memorandum to the Patrol Division Captain detailing the nature of the discrepancy and the action taken to resolve it.

125.03 Patrol Supervisors are responsible for ensuring members comply with this procedure. (Revised 02/00)

130 Security of Prisoner’s Bulk Property. Due to overcrowding at County Jail facilities, the Sheriff's Department will not accept bulk property that cannot be contained in a single standard large evidence bag (approximate size 17" x 12" x 7"). Additionally, deputies will not accept weapons, disposable cigarette lighters, or property requiring special storage requirements, such as perishables and foodstuffs. Women's purses and property needed by the prisoner for valid medical reasons will be accepted. (Revised 02/00)

130.01 Releasing Arrestee’s Property. Every effort should be made to release the arrestee's property to a relative or friend of the arrestee if the arrestee is agreeable to this. The disposition should be noted in the narrative of the Arrest Report, and should include identifying information on the subject to whom the property is released.

130.02 Packaging. All property that will fit in a single standard large evidence bag will be placed in a plastic bag and taken with the prisoner to the jail. These bags are available near the holding cells. Note the disposition of the property in the Arrest Report. (Revised 02/00)

130.02.1 Other property and large items that cannot be taken with the arrestee will be placed in an evidence bag or tagged. If there are multiple bags or items, then all of them will be marked and tagged as per procedure. All items will be listed, in detail, on the Property Receipt form. All items will then be placed in evidence.

130.03 Property Receipt. A property receipt will be completed by the arresting officer and signed by the officer and the arrestee. If the arrestee refuses to, or is unable to sign the receipt, the officer will so note this fact on the receipt and in the Arrest Report. The officer will explain the procedure for the return of the property listed on the Property Receipt and give a copy of the receipt to the arrestee. (To be put in the arrestee's property envelope going to going to the appropriate detention facility) The original Property Receipt will then be attached to the bag containing the property and a copy attached to the Arrest Report.

130.04 Storage. The property will then be placed in evidence. Oversized items will be temporarily placed in the bulk property room and the Evidence Custodian notified of its location there.

130.05 Liability. All members should be aware that they may become liable civilly for lost or damaged property, and the City may incur liability for their acts as an agent of the City for the loss or damage of any such property due to carelessness or neglect.

130.06 Disposition of the Property. The owner of the property may reclaim the property by contacting the Oceanside Police Department Evidence Custodian at 4925 Oceanside Boulevard 0800-1600, Monday through Thursday.

130.06.1 Unclaimed property shall be stored and disposed of consistent with law relative to storage of prisoner property and disposition of unclaimed or abandoned property.

135 Search of Prisoners.

135.01 Authorized Searches. A prisoner may be subject to pat-down searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband substances prior to being placed in a booking cell. (Revised 11/99)

135.02 Gender of Prisoner. Generally, when searching a prisoner for contraband such as drugs and/or property, an officer of the same gender as the person being searched should be utilized. If there is a danger of evidence being discarded or destroyed or if there is a reason to believe a prisoner is armed, or was armed at one time, the officer may conduct an immediate search within the scope of his or her concerns. This search should take place with another officer present whenever possible. All prisoners shall be patted down prior to being placed into a police unit or other detention area. All searches will be done in a professional manner consistent with established policy and law. (Revised 11/99) (Revised 07/02)

135.03 Search Restrictions. PC 4030 limits the extent of intimate searches on persons arrested for misdemeanor or infraction offenses. (Revised 11/99)

135.03.1 Definitions.
Strip search: search which requires prisoner to remove or arrange some of all of his/her clothing so as to permit a visual inspection of underclothing, breasts, buttocks, or genitalia.
Body cavity: vagina of a female prisoner, and stomach or rectal cavity of any prisoner.
Visual body cavity search: visual inspection of a body cavity.
Physical body cavity search: physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity. (Revised 11/99)

135.03.2 Search Criteria. No adult in custody for misdemeanor or infraction violations, nor any minor detained prior to a detention hearing for WIC 300, 601, or 602, shall be subjected to a strip search, body cavity search, or visual body cavity search. The only exceptions to this rule are:

a. If a search warrant is obtained authorizing the procedure, or
b. If the charges involve weapons, controlled substances, or violence AND a sergeant or lieutenant approves the search in advance in writing. (Revised 11/99)

In addition to supervisory authorization, physical body cavity searches may only be done by qualified medical personnel and only after a search warrant has been obtained, authorizing the search. (Revised 11/02)

135.03.3 Police Officer's Request. Any police officer may request authorization from a sergeant or lieutenant to conduct a strip search, body cavity search, visual body cavity search, or physical body cavity search. The request for the search must be based on a reasonable suspicion, with specific and articulated facts to believe the prisoner is concealing a weapon or contraband, and that the search will result in its discovery. The final determination and authorization for the search to be conducted rests solely upon the Sergeant or Lieutenant. (Revised 11/99)

135.03.4 Supervisor's Determination. Only a sergeant or lieutenant can make the determination that a strip search, body cavity search, visual body cavity search, or physical body cavity search is appropriate. Once the sergeant or lieutenant makes such a determination, that sergeant or lieutenant shall provide written authorization for the search. (Revised 11/99)

135.03.5 Supervisor's Written Authorization. Any sergeant or lieutenant preparing a written authorization for a strip search, body cavity search, visual body cavity search, or physical body cavity search shall include in the authorization the specific and articulated facts and circumstances supporting their reasonable suspicion that the prisoner is concealing a weapon or contraband. This information shall be included on the "Supervisor's Authorization for Strip Search / Body Cavity Search / Visual Body Cavity Search / Physical Cavity Search" form and filed with the Arrest Report. The written authorization shall include the following:

a. Time, date and place of the search.
b. Name and gender of the searcher.
c. A statement of the results of the search, including items removed from the person. (Revised 11/99)

135.03.6 Strip/Visual Body Cavity Search Procedures. After receiving the written authorization of a sergeant or lieutenant, the following procedure as established by law (PC 4030) shall be followed:

a. The searcher must not touch the breasts, buttocks, or genitalia of prisoners.
b. Persons present must be of the same gender as the prisoner (except when the searcher is a medical professional).
c. The search must be conducted in an area of privacy so the search cannot be observed by persons not participating in the search. Persons are considered to be participating if their official duties relative to the search procedure require their presence.

d. If contraband is observed it will be removed by the prisoner. If refused, it will be done by qualified medical personnel. (Revised 11/99)

140 Restraint of Medical Patients Transported by Ambulance. (Added 06/01)

140.01 Officers may use handcuffs, plastic ties, "hobbles," or other restraint devices approved by the Chief of Police. When used, the following criteria should be met for patients to be cared for and/or transported by the Oceanside Fire Department (OFD).

a. Restraints should provide sufficient slack in the restraint device to allow the patient to straighten the abdomen and chest to take full volume breaths with unrestricted chest expansion.
b. When an officer applies restraints, the officer should be continually present while the patient is restrained to ensure patient and scene management safety. (Added 06/01)

140.02 Transportation by OFD of a Patient Restrained by an Officer.

a. When OFD transports a patient that has been restrained by an officer, the officer should accompany the patient in the ambulance. The officer should be relieved of other duties so his/her attention can be directed to the restrained patient.
b. The officer should notify his/her shift supervisor regarding the need for care and disposition of the officer's patrol car. If requested, OFD personnel may be made available to drive the officer's car to closest fire station, police station, or hospital. (Added 06/01)

140.03 In the event that an officer is unable to accompany the patient in the ambulance, the following steps should occur.

a. The shift supervisor should approve this variation to the transportation procedure.
b. An officer may give a handcuff key to the transporting medic or EMT assigned to patient care.
c. The officer should follow the ambulance to the hospital by driving in tandem with the ambulance.
d. Prior to transport, involved OPD and OFD units should identify a means of communication to use should circumstances arise requiring immediate officer presence or release of restraint devices. (Added 06/01)

140.04 Other Law Enforcement and Emergency Medical Service (EMS) Agencies. Generally, when an officer restrains a patient who is being transported by an EMS provider agency other than OFD, officers should abide by the same restraint guidelines set forth in this procedure. (Added 06/01)

145 Handling of Military Personnel. Military personnel who have committed a violation of civilian law will be processed in the same manner as a civilian.

145.01 Unauthorized Absences (UA). This is a military offense and not a civilian crime. The detention of military personnel by Oceanside Police Officers for unauthorized absences is prohibited.

145.02 Desertion. Deserters will be arrested only if there is a federal arrest warrant. A person arrested for a desertion warrant will be turned over to military police.

145.03 Intoxicated Persons. Intoxicated persons (civilian or military) may be released to a responsible party to care for their safety whenever possible. Therefore, intoxicated military personnel may be turned over to the military police. The contact will be documented on an FI card. Exception: Persons who are hostile or combative will be booked in the County Jail and the incident will be documented on an Arrest Report.

145.04 Juvenile Military Personnel. Military juveniles arrested for a crime will be sent to Juvenile Hall if a civilian juvenile would be sent there for the same offense.

145.04.1 Military juveniles may be released to the military police in cases where civilian juveniles would be released to their parents under similar circumstances.

145.05 Hot Pursuits onto Camp Pendleton. If a person flees from an officer and enters the base, the officer may continue pursuit and apprehend the suspect if the military police authorize such pursuit. The officer should, as soon as it becomes evident that the subject will attempt to enter the base, direct the dispatcher to call the Provost Marshal's Office and advise them of the circumstances. The officer shall stop the violator and have the dispatcher notify the PMO to have a MP come to the scene.

145.05.1 The arrestee may not be removed from the base without a warrant, therefore, the following procedures will apply:

a. Citations: When the incident is a traffic violation, issue a citation and release the violator. If the violator refuses to sign the citation, ask the military police to assist in obtaining enough information for a warrant of arrest.
b. Misdemeanors: A subject who has committed a misdemeanor may be issued an O.R. citation. If the offender will not sign the O.R. release, ask the military police to assist in helping obtain enough information for an arrest warrant to be issued.
c. Felons: If the subject is a fleeing felon, the officer should ask that the suspect be held in custody by the military police until a warrant can be obtained.

145.06 Arrests by Warrants. An officer who has a warrant for the arrest of a person on base should call Base Legal Civil Processing and advise them of the warrant. They will have the subject brought to the Legal Office. The Legal Office will then call the department and advise that the subject is ready. The officer shall go to the Legal Office and give a copy of the warrant to the person in charge, who will verify the warrant and allow the subject's removal from the base.

145.07 Investigations on Base. A department investigator who needs to interview a suspect on Camp Pendleton should contact the CID Office at PMO. The CID Office will make arrangements to have the suspect available for interview. After the interview, if there is probable cause to believe the suspect committed the crime, a warrant of arrest has to be obtained. (Revised 05/01)

150 Procedures for Suspects Without Identification; Subjects Who Have Been Misidentified. Persons without identification pose an enforcement problem for officers during contacts. An officer usually has little recourse available when a suspect without identification gives him/her false identifying information. Occasionally, innocent parties are falsely impersonated, leaving them susceptible to criminal prosecution and other penalties.

150.01 Citations. When an individual is to be released on a citation and that person is unable to show proof of valid identification or the identity of an individual is in question (i.e., no driver's license in possession or the subject recites the identifying information from memory), the violator's right or left thumbprint will be placed on the reverse of the agency copy of the citation in the boxes indicated, or the offender may be identified via a mobile fingerprint reading device, or transported to OPD to be identified via Cal-ID. "NIP" (none in possession) will be entered in the Driver's License Number field of the citation. This procedure will not apply if the subject is to be booked and released at the OPD facility where full fingerprints are obtained.

150.02 Minor Offenses. Should a question arise in court as to the identity of a defendant in a minor offense (traffic offenses, city code/misdemeanor OR's), the case will be continued for court trial. The defendant will be referred immediately back to the police department for a Crime Report and criminal investigation for false impersonation (529.3 PC).

150.03 False Impersonation Investigation. The member taking the PC 529.3 Crime Report will secure a copy of proper identification, a copy of any court documents related to the case and elimination thumbprints which will be filed with the original case.

150.04 Follow-Up. The Investigations Division is responsible for conducting the follow-up investigation to determine actual identity.

150.04.1 The assigned investigator will determine when the defendant's court appearance is by the documents secured from the defendant or by contacting the Minor Offense Division. The investigator will then forward a copy of the crime case to the citing officer for information should a subpoena be issued.

150.04.2 Print Comparison. The investigator will ensure a preliminary print comparison is conducted by a certified fingerprint expert. If elimination prints or signature comparisons exonerate the defendant, the investigator will immediately notify the court and the citing officer by form letter. All court notifications must refer to the citation number. The investigator will then evaluate the case for prosecution against the suspect in the case.

150.04.3 If the defendant is determined to be the cited party, the investigator will forward a copy of the investigation follow-up to the citing officer. The investigator will evaluate the case for further prosecution against the cited party.

The Minor Offense Division will not accept pre-trial evidence against the defendant. This evidence must be presented at the trial by the citing officer.

150.05 Out-of-Custody Felonies. In the case of out-of-custody felonies, the District Attorney's Office will conduct the follow-up investigation to determine identity. If the subject is in-custody and a question arises as to identity, the courts will determine the identity of the defendant.

150.06 When the court decides a person appearing on a notice to appear has been misidentified/falsely identified, they will decide as to the final disposition of the case (dismiss, re-file, or amend the complaint). If the court decided that a subject was falsely impersonated, they will discharge that person in open court and order the record sealed. The court will notify the department of the order, and the Records Supervisor will seal that person's record in accordance with department policy and state law.

150.07 Warrants. When a subject is taken into custody on a warrant and, prior to being booked, it is determined the person has been falsely impersonated and is not the subject of the warrant, the person shall be released per PC 849(b). Once the warrant has been abstracted to our department, a "Return of Warrant Abstract Unserved" form must be completed by the officer. The completed form, and the warrant abstract, will be forwarded to San Diego County Sheriff's Department via fax. The originals will be forwarded to the Records Section. (Refer Volume III §101.16.) (Revised 7/98, 12/19)

150.07.1 Return of Warrant. The warrant must be returned to the courts using San Diego County's standard form letter. This letter makes a request for the court to hold the warrant in abeyance pending further information from the District Attorney's Office.

150.07.2 The arresting officer's supervisor will review the facts of the case and prepare the notification letter as necessary. The agency originating the warrant may then be asked to amend, delete, or update the warrant.

150.08 Updating a Warrant. Should the department be required to update a warrant file, it is the responsibility of the officer whose actions led to the warrant being issued (citing/arresting officer, investigator who conducted follow-up to original case, officer who swore out affidavit) to conduct the follow-up investigation to determine if a complaint should be dismissed or a new complaint filed against the proper party. That recommendation will be forwarded to the District Attorney's Office in a follow-up report.

200 CITATIONS.

201 Citation Books. This is a procedure for checking out parking and Traffic or other Own Recognizance (OR) citation books, modifying and nullifying citations, and for the return and storage of completed citation books. (Revised 9/04)

201.01 Check Out Procedure. Officers may check out traffic citation books and parking notice books from the Records Section. The issuing clerk shall fill out the information in the Citation Log Book or the Parking Notice Log Book. The entries shall be made by sequential citation numbers and shall contain information on the date issued, the member to whom the book was issued, the issuing clerk, the date the book was returned and who received the book.

Members of the Traffic Services Unit or Motors may checkout two citation books at one time. All other members may check only one citation book at a time. (revised 12/19)

201.02 Modifying or Nullifying Traffic and other Own Recognizance (OR) Citations. Traffic and other OR citations may be modified on the original citation only when all four copies are intact and prior to releasing the subject to be cited. When it is necessary to modify a citation after the cited subject is released a "Notice of Correction and Proof of Service" form is to be completed and forwarded to Patrol Support along with the citation. (Added 09/04)

201.02.1 A "Notice of Correction and Proof of Service" may be used for nullifying a citation that has been issued and the subject has been released. When nullifying a citation, check the box for "other" and write, "Dismiss" in the space provided. A numbered officer's report shall be prepared outlining the reason(s) for nullifying the citation. A copy of the report shall be attached to the yellow copy of the citation and remain in the citation book. (Added 09/04)

201.02.2 A citation maybe nullified when all four copies are intact, by merely writing, "VOID" across the face of the

citation. When all four copies of a voided citation are not intact, a numbered officer's report must be completed to account for the missing copy(s). A copy of the report must be attached to the remaining copies of the citation and shall remain in the citation book. (Added 09/04)

201.03 Modifying or Nullifying Parking Cites. Once a parking ticket is on a vehicle, anyone who alters, conceals, modifies, nullifies, or destroys the face of the original or any copy retained by the member, for any reason, before it is filed with the processing agency or person authorized to receive deposit of the parking penalty is guilty of a misdemeanor.

201.03.1 The member who wrote the citation may modify or void it, if all the parts of the parking cite can be put together prior to turning the cite in for processing. A numbered report will be written to describe the actions. A copy of the report will be attached to the citation.

201.03.2 If, after the parking cite is turned in for normal processing, it is discovered that it needs to be amended or voided, citation is returned to Records, then returned to the officer for corrections. Parking Administration is responsible for voiding citations.

201.04 Return of Citation Books. Citation books will be returned to the Records Section. The books will not be left on the counter, but will be given directly to a clerk. After the information is recorded in the log, the citation book will be filed and stored.

201.05 Storage of Citation Books. Citation books will be stored for two years and then disposed of according to department policy.

201.06 Audit of Citation Books. The Professional Standards Unit will periodically audit a random sampling traffic citation books by checking to see if the citations have been completed or voided in accordance with policy. Any questionable citations will be referred to the responsible Division Captain for review and action. (Revised 09/04)

205 Citation Continuation form. This establishes guidelines on when to use the citation continuation form. There are times when the space provided for listing violations on the OPD "Notice to Appear" is not sufficient. Due to numerous violations, it sometimes becomes necessary to use two citations. The District Attorney's Office is now dismissing all cases that come to their office on two or more citations. When it becomes necessary to use more than one citation, the officer may use the citation continuation form. The citation continuation form is an unnumbered form that will be used with the "Notice to Appear." When using the continuation, write the original citation number on it so it can be identified as a part of the original citation. Normally only one continuation will be needed but if necessary, additional documents may be used.

205.01 Preparation. The continuation form is to be prepared using a ballpoint pen, firm writing foundation, and sufficient pressure to make legible copies.

205.02 Content.

a. Violator Information: Enter the date and violator's complete legal name and vehicle license number.
b. Violations: Enter the section number, subdivision when applicable, code abbreviation, and a concise narrative description of the violation(s).
c. Offenses not committed in presence: Check this box when a violation(s) is not committed in the presence of the issuing officer and a complaint is to be filed on information and belief.
d. Officer's certification of violation: The officer issuing the form is to legibly sign in the space provided and provide his/her identification number.
e. Violator's signature: This item should be completed in the same manner as the "Notice to Appear" violator line. If the violator signs the "Notice to Appear," but refuses to sign the continuation, make a note on the signature line "refused to sign." DO NOT TAKE THE VIOLATOR FORTHWITH FOR FAILURE TO SIGN A CONTINUATION FORM.
f. Original (GREEN) and duplicate (WHITE): Attach to and turn in with the notice to appear copies.
g. Triplicate (YELLOW): Attach to and retain with the notice to appear in the officer's possession.
h. Quadruplicate (TAN): Issue to the violator, together with the notice to appear.

205.03 Continuation Form Use. These forms should be used only when it is necessary. If at all possible, write all the violations on the OPD "Notice to Appear." This will save the extra time in processing the citations, and it will

lessen the chances that the forms will get lost or misplaced. When the form is used, turn it in with the OPD "Notice to Appear" paper clipped together.

205.04 Location of Forms. The continuation forms will be located in the Watch Commander's Office.

210 Day Off \ Vacation Notation on Traffic \ City Code Citations. Officers will make a notation of their days off, next to their ID number, when completing citations, i.e., Wed-Thu.

210.01 Vacation Date Notation. Officers will include any vacation dates in the area provided on the citation form.

210.02 The court clerk at the Minor Offense Division will then exclude these days and or dates when offering a court date to defendants. Officers should note that court dates are typically set between three and four months from the date of the violation.

210.03 This procedure applies to matters cited into the San Diego Superior Court.

300 DEPARTMENT VEHICLE OPERATIONS.

301 Care and Use of Department Vehicles. The purpose of this procedure is to provide guidelines for the daily inspection, care, repair and use of all department vehicles.

301.01 Daily Inspection. Members will inspect their assigned vehicles and its equipment daily and report in writing any defects, damage or missing equipment. Damage will also be recorded in the Damaged Vehicle Log. Members are responsible to remove all trash from the vehicle at the end of shift Supervisors are responsible to make periodic checks of vehicles assigned to their members for inspection purposes.

301.02 Vehicle Repairs. Normally vehicles in need of repair can be taken out of service and a vehicle repair order completed.

301.02.1 Repairs Outside the County. If the member is outside of San Diego County, they will contact the Watch Commander for direction. (Revised 12/19)

301.03 Towing Police Vehicles. Disabled police vehicles will be towed utilizing the services of an authorized towing agency. Members will ensure their Chain of Command is notified, and complete the Vehicle Repair Request Form located in the Watch Commander's Office. (Revised 12/19)

301.04 Use of Department Vehicles. Department vehicles shall be used for police business only. Except as permitted by M.O.U., they will not be used for personal business or pleasure. The Chief of Police may authorize certain categories of members to take department vehicles home to facilitate their work assignments, or so that the member can properly maintain the vehicle. Detectives are authorized to take home vehicles in accordance to the provisions of the current Memorandum of Understanding. When members are authorized to take police vehicles home, the following procedures apply:

a. The vehicle is used only for the purposes of driving to and from work, for responding to duty callouts, and for attending to other police business. This procedure is not to be interpreted so strictly as to preclude a reasonable incidental use of the vehicle to make a stop while traveling to and from work.
b. The member will take reasonable steps to protect the vehicle, such as making sure it is legally parked and locked.
c. If the member is absent from work on vacation or other leave in excess of two weeks, the vehicle may be left at the station, at their supervisor's discretion. (Revised 12/19)
d. The vehicle is not to be driven by family members or other non-members of the department.
e. The member must live within the authorized mileage
f. All rules pertaining to the on-duty use of police vehicles apply to the off-duty use of the vehicles.
g. Members "on-call" will be permitted flexible use of his/her assigned City vehicle during the period of time the detective is in an "on-call" status.

301.05 Unauthorized Persons Riding in Department Vehicles. Members shall not allow private citizens to ride in police vehicles except when necessary in the performance of a police duty, or unless it is authorized under the department ride-along policy or unit M.O.U.

305 Security of Police Vehicles. This insures the protection and safeguarding of department and personal equipment contained in police vehicles. All vehicles will be locked when unattended. It is the responsibility of the assigned member to protect any vehicle and property therein from theft or damage.

305.01 Procedure. Under ordinary conditions, such as routine radio calls, Code 7, or while the vehicle is parked at the police station, the member shall insure their assigned vehicle is locked and secured. In emergencies, or while the member is in close proximity to his/her vehicle, such as traffic stops, the vehicle need not be locked. In any event, the assigned member shall take all responsible action to protect the vehicle and equipment from theft or damage.

305.02 Personal Property. If personal property is stolen from an assigned, city vehicle, and the member is found negligent, it will not be the responsibility of the department to replace the property. If no negligence is found on the part of the member, they may follow department policy for reimbursement for the loss. With the exception of take-home vehicles, members shall not leave personal property in a vehicle when they are off-duty. (Revised 12/19)

315 Operation of Prisoner Transport Van. (Added 07/09) (Revised 10/14)

315.01 Authorized Operators. ONLY POLICE DEPARTMENT MEMBERS AND DESIGNATED CITY OF OCEANSIDE FLEET DIVISION PERSONNEL ARE AUTHORIZED TO OPERATE THE PRISONER TRANSPORT VAN.

315.02 Key Storage. The keys for the Prisoner Transport Van are kept in the Equipment Room, in the electronic, check-out kiosk.(Revised 12/19)

315.03 Recording of Prisoners. Officers are required to record each transport of prisoners. The van is equipped with a video and audio recorder. To activate the monitor, press the power button on the unit. The DVR/Hard Drive comes on automatically each time the vehicle is started. For instructions on how to begin recording, refer to the Prisoner Transport Van Operations Manual located in the transport van. Begin the recording prior to placing the prisoner(s) inside the transport van and continue the recording until all prisoners have been cleared from the transport van.

315.04 Filing of Recordings and Logs. A record of every arrestee placed in the transport van shall be entered into the Prisoner Transport Van Arrest log which is maintained in the vehicle. The Support Operations Sergeant shall be responsible for the auditing and archiving of the logs on a quarterly basis. Logs shall be sent to the City Clerk's Archive Center on an annual basis where they will be maintained pursuant to the City's retention schedule.
A download of the recording shall ONLY be obtained when specific circumstances exist (ex: when requested by a supervisor, use of force, vandalism, crime takes place in van, etc.). For instructions on how to download recordings, refer to the Prisoner Transport Van Operations Manual located in the transport van. All items of evidence shall be booked in accordance with the Policy and Procedure Manual.
315.05 Lighting. The interior LED lights in the prisoner area can be turned on by switching the Auxiliary Switch on the Touch Master control head located in the lower center consol.

315.06 Entrapment Procedures. In case of an accident where the passenger side or rear area of the van is damaged and you are unable to remove a prisoner(s), there is a rescue flap between the two prisoner areas that is locked with two padlocks. Unlock the padlocks with the key on the key ring and fold the flap down to remove the prisoner(s).

315.07 Rear and Side Steps. The rear step folds up and down. Secure the step with the clips that are on the step to prevent the step from flying open. **The passenger side step is in a permanent down position. Please keep this in mind when operating the van.**

315.08 Prisoner Transport. At minimum, two officers will be utilized when transporting three (3) or more prisoners.

325 Use of "Slim Jim's" Prohibited. "Slim Jim's" will not be used.

326 Use of Jumper Cables. Jumper cables will not be used, on civilian vehicles.

328 Moving Vehicles with Police Automobiles. Members may use a police automobile to push another vehicle only when:
a. It is equipped with a push bumper

b. It is necessary to clear the road, AND
c. The circumstances indicate neither vehicle will be damaged by such action.
In such cases, the other automobile shall be moved no farther than the nearest place of safety or legal parking. No attempt shall be made to start the vehicle during such movement.
Note: Care shall be used in moving vehicles equipped with automatic transmissions. Such vehicles may be moved short distances at speeds less than 20 miles per hour. (Added 9/98)

335 Repairing Private Vehicles at the Police Facility. The City of Oceanside garage facilities, hoists, hydraulic jacks, power equipment and tools are to be used only for the repair of department vehicles by authorized personnel trained in the use of the equipment. Use of the facilities by unauthorized persons may result in injuries to the member, damage to the equipment, loss or damage of tools, or civil liability to the City.

335.01 Procedure. Members shall not use the City of Oceanside parking lot for the repair of private vehicles. Nor will they use the City hydraulic jacks, power equipment, or tools for this purpose.

335.02 Exception. Supervisors may authorize an exception, such as jumping a dead battery.

340 All Terrain Cycles and Beach Cruiser Bicycle.

340.01 Limitations. Only members who successfully completed the department's safe operation training may operate the All Terrain Vehicles.

340.02 Use of ATV. ATV's are not pursuit vehicles and shall never be used for this purpose. Operators shall drive them with their own personal safety and the safety of others in mind. Generally, speeds above 15 mph are inappropriate while driving on the beach.

340.03 Care of ATV's and Bicycles. ATV's and bicycles will be inspected and in good working order prior to being taken in the field. Any defects will be noted and a repair request made.

340.03.1 Members will thoroughly wash down and dry the ATV's at the end of the shift. Any new damage, deficiencies, or inoperative equipment acquired or noticed during the shift will be noted on the Damaged Vehicle Log and a work order to repair shall be completed. (Revised 11/15)

340.04 Storage and Transportation. The ATV's and bicycles will be stored in the Beach Lock-up in the 200 block North The Strand. The department's motorcycle trailer or pick-up truck will be utilized for transporting these vehicles to locations other than city beaches.

340.05 Arrest and Transport. If an arrest is made on the beach, the officer shall have a marked patrol unit sent to the closest beach access point. The officer will escort the prisoner on foot for transportation. Under no circumstances will a prisoner be transported on an ATV. In the case of an injured person, the member will attempt to utilize the help of the Lifeguard Service vehicles for transportation, if possible.

345 Transporting Children.

345.01 Members will comply with the Vehicle Code when transporting children.

350 Pursuit Procedures. (Refer to Vol. I, §540)

350.01 Authorization. A pursuit may be initiated, after considering department policy and public safety factors, when in the officer's judgment an individual clearly exhibits the intention of avoiding police contact or arrest by using a vehicle to flee; and the officer has reasonable suspicion that the individual they are attempting to stop or arrest has committed, is about to commit, or is threatening to commit a crime; and/or the officer has reason to believe and fears that the driving ability of the individual is so impaired or reckless without regard to the safety of others as to cause actual or potential death or serious injury to themselves or another person.(Added 02/2018)

350.01.1 Initiating a Pursuit. When balancing the interests of public safety with effective law enforcement, each officer and supervisor involved in a pursuit should carefully and continuously consider the following factors in determining whether or not to initiate, limit, discontinue, or otherwise control the pursuit. (Revised 02/2018)

a. Seriousness of the offense and its relationship to community safety.
b. Safety of the public and the pursuing officer.
c. Traffic conditions (pedestrian and vehicles).
d. Weather conditions.
e. Roadway conditions (road design, construction, surfaces, and visibility).
f. Location/familiarity of pursuing officers with the area of the pursuit.
g. Speed.
h. Time of day.
i. Capabilities and condition of vehicles involved.
j. Quality of radio communications (Communications Center).
k. Juvenile occupant(s) of vehicle pursued.
l. Capabilities/conditions of involved personnel.

350.01.2 Continuation of a Pursuit. A pursuit requires constant evaluation. Each officer and supervisor involved in a pursuit should carefully and continuously consider the initiating factors in determining continuance of the pursuit. As it relates to speed, the following factors should be considered throughout the pursuit:

a. Seriousness of the offense and its relationship to community safety.
b. Safety of the public and the pursuing officer.
c. Traffic conditions (pedestrians and vehicles).
d. Weather conditions.
e. Roadway conditions (road design, construction, surfaces, and visibility).
f. Location/familiarity of pursuing officers with the area of the pursuit.
g. Time of day.
h. Capabilities and condition of the vehicles involved.
i. Quality of radio communication (Communications Center).
j. Safety of occupants of vehicle pursued.
k. Capabilities/conditions of involved personnel.
(Added 02/2018)

350.01.3 Discontinuance of a Pursuit.
a. Absolutes for discontinuing a pursuit:
   1. Approaching the International Border.
   2. Directed to do so by a supervisor.
   3. The danger posed by continued pursuit, to the officer, the suspect, or the community, is greater than the value of apprehending the suspect(s).
b. Factors to consider in determining a pursuit should be discontinued are the same factors used in pursuit initiation, plus:
   1. Wrong side of divided highway against on-coming traffic (generally prohibited);
   2. Proximity to the pursued vehicle/location of the pursued vehicle is no longer known;
   3. Identification of suspects; able to apprehend at a later time. (Revised 01/01)
   4. Presence of aerial support. (Added 02/2018)
c. Officers shall not pursue in opposing lanes of traffic on any freeway or divided highway separated by a raised island and/or center divider. Officers may use discretion on surface streets where it is necessary to utilize a two-way left turn lane, center median, non-raised divider, or opposing lanes of traffic when necessary to move through congested traffic, as long as such operation is conducted with due regard for the safety of all persons using the highway (per 21056 CVC). (Added 02/2018)

350.02 Pursuing Officer's Responsibilities. Each officer has the responsibility for safely pursuing the suspect and discontinuing the pursuit when the conditions do not support pursuit driving. Generally, absent department-specific policies, pursuits should be limited to three (3) pursuit units and one (1) supervisor if available. If a K-9 unit is available, one (1) K-9 unit can also assist in the pursuit to be used as a possible suspect apprehension resource at the conclusion of the pursuit. Note: “Unit” general refers to one pursuit vehicle occupied by one officer. If there are units involved in a pursuit that are two (2) officer units, then less vehicles can be involved in the pursuit as long as sufficient personnel are present to safely take suspects into custody at the conclusion of the pursuit as described in Section 350.15.5. Each pursuing officer shall activate all emergency lights, to include the solid red light and sound the siren continuously when involved in a pursuit. (Revised 02/2018)

350.03 Primary Pursuit Unit. The Primary Pursuit Unit is generally the vehicle closest to the suspect vehicle. The Primary Pursuit Unit should remain so until that status is relinquished to another unit either by the Primary Pursuit Unit or as directed by a supervisor.

350.03.1 Responsibilities. Upon initiating a pursuit, the Primary Pursuit Unit shall immediately notify the dispatcher that a pursuit is in progress, giving:
a. Location;
b. Direction and speed of travel;
c. Reason for the pursuit;
d. Description and license plate number of the suspect vehicle;
e. Number of occupants;
f. Identity of occupants;
g. Any other factors necessary to ensure safe and effective pursuit tactics.

350.03.2 During a pursuit, the Primary Pursuit Unit shall continually provide Dispatch with all the changes to the above, and any other pertinent information until the Secondary Unit takes over "calling the pursuit".

350.04 Secondary Unit. The Secondary Unit is the unit responsible for backup and immediate cover for the Primary Pursuit Unit.
a. The Secondary Unit, if not assigned, shall notify Communications immediately.
b. The Secondary Unit shall be prepared to take over primary responsibility for the pursuit if the Primary Pursuit Unit becomes disabled or if requested to do so by the Primary Pursuit Unit.
c. The Secondary Unit involved in a pursuit, under most circumstances, should take over "calling the pursuit".
d. Provide all changes to information about the pursuit, and any additional information available.

350.05 Assisting Unit(s). Assisting units, in addition to those noted in Section 305.02 (three (3) units, one (1) supervisor if available and one (1) K-9 officer, if available) require the approval of the pursuit supervisor. All units that enter the pursuit shall notify Dispatch immediately. (Modified (02/2018).

350.06 Additional Units. Officers in other units shall:
a. Remain alert to the pursuit progress and location;
b. Stay out of the pursuit, unless specifically requested to join by the Primary Pursuit Unit or supervisor;
c. Minimize radio transmissions on the frequency being used for the pursuit;
d. Move to an alternate channel/frequency as directed.

350.07 Driving Tactics. The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:
a. Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
b. Because intersections can present increased risks, the following tactics should be considered:
   1. Pursuing units should exercise due caution when proceeding through controlled intersections, clearing them lane-by-lane, this includes units entering the intersection on a green light.
c. Officers should be aware of the speed they are traveling and adjust or terminate if speeds become unsafe. Some considerations include, but are not limited to:
   1. Road conditions.
   2. Type of driving maneuvers.
   3. Driver limitations.
   4. Vehicle limitations.
   5. Weather conditions.
   6. Closure Rate – Being able to judge the proper rate of decelerations necessary to negotiate a curve, avoid a hazard, or stop.
d. As a general rule (generally prohibited), officers should not pursue a vehicle driving left of center (wrong way) on a divided highway. In the event that the pursued vehicle does so, the following tactics should be considered:
   1. Requesting assistance from an air unit.
   2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.

3. Requesting other units to observe exits available to the suspects.

e. Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the Primary Pursuit Unit.

(Added 02/2018)

350.08 Supervisory Responsibilities. Upon notification of a pursuit in progress, a Field Supervisor and/or Watch Captain assumes the responsibility to monitor and take appropriate action for pursuit control. (Revised 02/2018)

350.08.1 All sworn supervisors have the authority to order a pursuit discontinued when, in their judgment, the potential safety risks outweigh the need for apprehension.

350.08.2 The supervisor shall ensure that no more units than necessary are involved. The units outlined in Section 350.02 are generally sufficient for the actual pursuit and for the safe apprehension of suspects at the conclusion of the pursuit. Assisting Units may be added for safety and security, with the supervisor's approval. If involved in the pursuit, supervisors should attempt to maintain a rear position in the pursuit in order to monitor the number of units involved in the pursuit and be aware of overall pursuit management considerations. (Revised 02/2018)

350.08.3 The supervisor shall consider the following in deciding to add units:

a. The type of vehicle being pursued;
b. The seriousness of the offense; and
c. The danger that the occupants of the vehicle being pursued pose to others.
d. The number of occupants in the vehicle being pursued. (Added 02/2018)

350.08.4 When more than two units are permitted to participate in a pursuit, the supervisor shall generally and as soon as reasonably possible, direct the additional units to discontinue the pursuit.

350.08.5 The supervisor shall make continual assessment during the progress of a pursuit. Factors to be considered include weather, vehicle and pedestrian traffic levels, roadway and environmental conditions, juveniles occupying the suspect vehicle, the suspect has been identified to the point that later apprehension can be accomplished, and pursuit speed considerations.

350.08.6 The supervisor shall ensure that affected allied agencies are notified of the pursuit and specific assistance requested, including canine and air support.

350.08.7 The supervisor or designee shall, as necessary, contact pursuing officers at the location of the pursuit termination to provide on-scene supervision, coordination, and evaluation.

350.08.8 The supervisor shall ensure vehicle pursuits are reported to the California Highway Patrol on an approved form (CHP 187), as mandated by Section 14602.1 of the California Vehicle Code. Each pursuit shall be evaluated for compliance with all codes and policies and appropriate action initiated.

350.09 Communications Center Responsibilities. Upon being notified that a pursuit is in progress, Dispatch shall:

a. Ensure that a Supervisor is assigned to the pursuit;
b. Notify appropriate law enforcement agencies of the pursuit, specify if assistance is needed, and specific support requested.

350.09.1 During the pursuit, Dispatch shall:

a. Monitor all radio traffic concerning the pursuit;
b. Move all other radio traffic to an alternative channel/frequency, if necessary;
c. If a Canine Unit is involved in the pursuit, the radio dispatcher shall broadcast that information for officer safety purposes.
d. Ensure that the proper channels/frequencies are used in compliance with the Law Enforcement Assistance Network (LEAN) protocols. (Added 02/2018)

350.10 Motorcycle Units. Motorcycles shall relinquish the primary position to the first marked four-wheel vehicle and disengage the secondary position when a second marked four-wheel vehicle joins the pursuit.

350.11 Unmarked Units. Unmarked units, without emergency equipment, shall not join in a pursuit. Officers in unmarked vehicles without emergency equipment may become involved in emergency activities involving serious crimes or life endangering situations. In those instances, it may be necessary to follow a suspect vehicle while summoning assistance from a marked vehicle that is equipped with emergency equipment. Emergency equipment means lights and siren as defined in CVC 21055. When officers in an unmarked vehicle without emergency equipment become aware that a marked unit has arrived, the unmarked unit will disengage. (Revised 02/2018)

350.11.1 Unmarked units with emergency equipment may initiate a pursuit, but shall relinquish the primary position to the first marked vehicle and disengage secondary position when a second marked vehicle joins the pursuit. (Added 02/2018)

350.12 Aircraft Assistance. Units involved in pursuits should request air support assistance. Aircraft can provide valuable information to ground units concerning upcoming traffic congestion, hazards, or other factors which might endanger the safety of the officer(s) or the public. (Revised 02/2018)

350.12.1 Air support shall include coordinating the activities of resources on the ground, reporting on the progress of a pursuit, and providing officers and supervisors with information to evaluate whether or not to continue the pursuit. (Added 02/2018)

350.12.2 Once the aircraft is in position, the supervisor, in the interest of safety, shall evaluate the tactical involvement of ground units in the pursuit. In some cases, it may be prudent to discontinue the pursuing units and track the suspect vehicle with air support until the vehicle goes stationary. Once the suspect vehicle has discontinued fleeing, air support can direct pursuing units into positions to establish a perimeter and assist with the apprehension of outstanding suspects on foot. (Revised 02/2018)

350.12.3 Due to traffic conditions and physical barriers that exist between traffic lanes near the San Ysidro Port of Entry, pursuits involving a fleeing vehicle wanted for minor, non-violent violations should be discontinued a minimum of one mile prior to the International Border, at supervisory discretion. (Added 01/01)

350.12.4 In pursuits involving a fleeing vehicle that is wanted for a violent and/or atrocious felony(s), pursuing agencies shall use previously agreed upon tactics as a basis for apprehension when the pursued vehicle reaches the International Border. (Added 01/01)

350.12.5 In the event a pursuit is terminated prior to the International Border, Mexican authorities shall be advised by US Customs and the San Diego Police Department. (Added 01/01)

350.13 Pursuits Approaching or Entering Neighboring Counties.

350.13.1 When a pursuit approaches the jurisdictional boundary of a county neighboring San Diego County, the pursuing agency should advise the CHP or Sheriff's Department of the neighboring county prior to entering the jurisdiction.

350.13.2 When entering a neighboring county's jurisdiction, if practical and/or possible, it is recommended that the CHP or the Sheriff's Department for the neighboring county be requested to assume the pursuit.

350.13.3 When transitioning into a neighboring county's jurisdiction, units involved in the pursuit should expect to lose ration communications with the communications center in San Diego managing the pursuit. Units involved in the pursuit should consider switching to a common law enforcement mutual aid frequency (e.g., CALAW8, CALAW1, and VLAW31) to communicate and coordinate with agencies in the neighboring county.

Imperial County uses the Regional Communication System as its primary radio communications system. For pursuits transitioning from San Diego County to Imperial County, San Diego County agencies can continue communicating on the San Diego County law enforcement mutual aid channel Blue 1.
If an agency in the neighboring county has been requested to assume the pursuit, the officer with the initial probable cause and/or that officer's supervisor should trail the pursuit at a reduced speed.
(Added 02/2018)

350.14 Pursuits Approaching the International Border. Under no circumstances will pursuing units cross the International Border. (Revised 01/01)

350.14.1 Pursuit units should not approach within fifty (50) feet of the International Border gates. (Revised 01/01)

350.14.2 To give warning to Mexican authorities and to provide them an increased degree of safety, US Customs and the San Diego Police Department will be advised by the pursuing agency of any pursuit heading southbound, south of Interstate 8. They in turn, will advise the Mexican authorities. This shall occur whether or not the pursuit is discontinued. Every effort should be made to update Customs and the San Diego Police Department when a pursuit is terminated prior to the International Border. (Revised 01/01)

350.14.3 Due to traffic conditions and physical barriers that exist between traffic lanes near the San Ysidro Port of Entry, pursuits involving a fleeing vehicle wanted for minor, non-violent violations should be discontinued a minimum of one mile prior to the International Border, at supervisory discretion. (Added 01/01)

350.14.4 In pursuits involving a fleeing vehicle that is wanted for a violent and/or atrocious felony(s), pursuing agencies shall use previously agreed upon tactics as a basis for apprehension when the pursued vehicle reaches the International Border. (Added 01/01)

350.14.5 In the event a pursuit is terminated prior to the International Border, Mexican authorities shall be advised by US Customs and the San Diego Police Department. (Added 01/01)

350.15 Use of Firearms. Shooting at or from a moving vehicle is prohibited, except when immediately necessary to protect persons from death or serious bodily injury.

350.16 Forcible Stops (Legal Intervention). A forcible stop is one in which a vehicle or other object is used to physically stop or otherwise alter the course of another vehicle's movement. These tactics include ramming of vehicles, box-ins, channelization, barricades, or placing of objects in the path of the vehicle, and must be considered a force likely to result in death or great bodily harm. The Pursuit Immobilization Technique (PIT) is expressly prohibited. (Revised 02/2018)

350.16.2 If barricading is deemed absolutely necessary, a supervisor may approve the use of police vehicles if no other suitable equipment is available. In no case will roadways be barricaded by occupied vehicles.

350.16.3 Road Spikes.

a. Authorization to Deploy. Supervisors may authorize the deployment of departmental road spikes when requested by an officer, or if in the supervisor's opinion the deployment would shorten a pursuit, assist in the apprehension of the suspect, and or minimize the danger to the public.
b. Method of Deployment. Any deployment of department road spikes shall be in accordance with the manner and method taught by the Department's EVOC Instructors or designee.
c. Training. The Department's Training Section is authorized to formulate training in the use of Road Spikes. Training in the use of Road Spikes will be conducted by a Department EVOC instructor or designee. Training will include, at minimum, a lecture and practical exercise approved by the Department's Training Section
d. Generally, road spikes should not be used in the following situations:
   1. The pursuit is of a two-wheeled vehicle.
   2. The vehicle being pursued is transporting a "hazardous material" as defined in the Vehicle Code.
   3. The vehicle being pursued is a passenger bus transporting passengers.
e. The following information should be considered prior to the deployment of road spikes:
   1. The reason for the pursuit of the suspect and the violation(s) that have occurred.
   2. The distance the pursuit has, or may, travel.
   3. The geographic area of the pursuit.

(Revised 08/08)

350.17 Pursuit Conclusion Apprehension Tactics. Pursuits are inherently dangerous for officers and the public. In order to ensure officer safety and public safety and help ensure an appropriate outcome, high-risk vehicle stop tactics (as outlined by P.O.S.T. guidelines and taught by law enforcement academies and agency-specific training) should be utilized at the end of most vehicle pursuits.

The recommended number of minimum personnel required to properly conduct a high-risk vehicle stop is three: a contact officer, cover officer and coordinating officer. Having sufficient personnel for a high-risk vehicle stop involved in the pursuit will allow for a safe and smooth transition from the actual pursuit into the high-risk vehicle stop tactic in an effort to safely arrest or detain the occupants of the pursued vehicle, while also maximizing officer and public safety.
(Added 02/2018)

350.18 Inter-Agency Pursuits. The guidelines formulated for inter-agency pursuits are designed to provide for the safe coordination of pursuits involving more than one agency. Agencies requested to assist, or receive the transfer of, a pursuit from another agency will continue to balance the interests of public safety in determining whether or not to provide the requested assistance or receive the transfer.

350.18.1 Notification. When a pursuit is approaching or entering another jurisdiction, the agency with primary responsibility for the pursuit shall notify the appropriate agency for that jurisdiction. This shall be accomplished utilizing one of the various radio talk groups as defined by LEAN protocols (LE NCMD, LE SCMD. LE ECMD, BLUE 1). (Revised 02/2018).

At the first practical moment, the controlling agency will patch and announce the pursuit over the appropriate radio talk group (LE NCMD, LE SCMD. LE ECMD, BLUE 1). This announcement shall be as follows (or verbiage with the same meaning):

a. Dispatch will notify the respective agency of the pursuit in the following manner.
   1. "This is the Oceanside Police Department on (talk group) patching a pursuit that is (location)." The purpose of this announcement is to notify allied agencies of the pursuit so that they may monitor its progress. (Revised 02/2018)
   2. "At this time, Oceanside Police Department is not (or is) requesting assistance." If a request for assistance is broadcast, then we should be specific as to the type of assistance required (i.e. the involvement of a K9 unit, deployment of spike strips). (Revised 02/2018)
   3. If a transfer of the pursuit is to be requested, Dispatch will broadcast: "This is the Oceanside Police Department to (transferring agency). We are requesting that you take over the pursuit." (Revised 02/2018)
b. When the initial call is made, Dispatch will transmit the following information:
   1. Direction of travel, location, and speed;
   2. Vehicle and suspect description;
   3. Officer safety considerations;
   4. Type of crime;
   5. Number of occupants;
   6. Number of units involved;
   7. Unit designator of Supervisor involved;
   8. Radio frequency(s) being used;
   9. Air support being used/or requested;
   10. Unit designator of officer(s) involved.
c. The Primary Pursuit Unit, or Pursuit Supervisor, should specify if assistance is needed and the type of assistance requested.
d. The allied agency(s) will assist the initiating agency only by specific request and will provide only the specific services requested.
e. On all requests for assistance or transfer, the agency receiving the request shall identify the supervisor accepting or declining the request.

350.18.2 Communications.
a. Communication operators should clarify any requests for assistance with the requesting agency and obtain pertinent information as previously listed.
b. Communications shall notify a sworn supervisor of the request and receive direction for the degree of involvement provided to the requesting agency.
c. In addition to a formal request by an allied agency, officers may be summoned by hand/arm gestures and/or verbal requests. If officers respond to these types of requests, the officer shall immediately notify Communications and the supervisor.
d. During pursuits involving allied agencies, communication centers shall provide coordination between pursuing units and allied agencies including:

1. Continuously monitor progress of the pursuit, transmitting pertinent information and updates;
2. Coordinate radio communication on the appropriate mutual aid frequency;
3. Relay information via telephone if radio communications from car to car fail.

350.18.3 Procedures.

a. Units shall not join an active pursuit unless specifically requested and then only with the approval of a supervisor or as authorized by Communications.
b. Once a pursuit has been initiated, the initiating agency will generally retain jurisdiction and control of the pursuit, even when the pursuit enters another jurisdiction.
c. When entering another jurisdiction (including military installation), the pursuit shall be discontinued immediately if a supervisor of that agency recognizes a condition that constitutes an immediate and life-threatening danger to the officers or public and directs discontinuance.
d. The CHP may respond to specific requests for assistance on pursuits conducted on freeways. Once in place, the CHP will assume control of the pursuit until they relinquish it. When CHP has control of the pursuit, all other units not needed will discontinue their involvement.
e. When entering another agency's jurisdiction, the Primary Pursuit Unit or the pursuit supervisor should determine if the allied agency should be requested to assume the pursuit.
f. An allied agency, which accepts responsibility for the pursuit, may elect to proceed with or discontinue the pursuit.
g. The officer with initial probable cause and that officer's supervisor should trail the pursuit at a reduced speed.
h. Pursuits should be managed by one Communications Center only. That Communications Center should create the appropriate radio patches with mutual aid channels/frequencies (in compliance with the LEAN protocols) to allow allied agencies to assist as requested, or monitor for their safety. (Added 02/2018).
i. Allied agencies' units involved in the pursuit switch to the appropriate mutual aid channel and should communicate with the managing Communications Center, in compliance with the LEAN protocols. (Added 02/2018).

350.18.4 Transfer. There is no legal requirement for an agency to assume a pursuit. A supervisor may determine it is in the best interest of public safety and/or the agency to refuse acceptance.

a. Once responsibility is assumed, the pursuit may be discontinued by the assuming agency at any time.
b. The supervisor of the assuming agency should notify the initiating agency in the most expedient fashion that control has been assumed.
c. Responsibility for a pursuit transfer when:
   1. The pursuing agency requests the transfer, and
   2. A supervisor of the assuming agency agrees to accept the pursuit, and
   3. A unit of the assuming agency becomes the Primary Pursuit Unit.
d. An agency accepting transfer and assuming the Primary Pursuit Unit position should have sufficient resources to control the pursuit.

350.18.5 End of Pursuit Procedure.

a. Responsibilities of the Stopping Agency:
   1. Notify all involved agencies the pursuit has ended, its location, and supervisor to contact.
   2. Provide a supervisor at the location(s) where the pursuit ends for coordination with other agencies.
b. Responsibilities of Other Involved Agencies:
   1. The agency who initiated the pursuit shall ensure the officer with probable cause (or that officer's supervisor) contacts the stopping agency's supervisor to provide assistance.
   2. All agencies with information, witnesses, or criminal charges related to the pursuit shall contact the stopping agency.
   3. All agencies involved in the pursuit shall provide reports as requested by the stopping agency (or booking agency, if different).
c. Prisoner Processing:

   1. The suspect(s) from the pursuit shall be turned over to the custody of the agency which has the most significant charges. (Revised 02/2018)

   2. Absent more significant charges by another agency, custody and booking of the suspect(s) shall be the responsibility of the agency initiating the pursuit.

   3. The agency assuming custody shall be responsible for processing, booking, and all related reports.

   4. Arrests made on military installations require local law enforcement agencies to liaison with the military and federal law enforcement in or to transfer custody of an arrestee from federal custody. (Added 02/2018)

d. Traffic Collision Investigation. The investigation of traffic collisions resulting from the pursuit shall be the responsibility of the agency within whose jurisdiction the collision occurred.
e. Pursuit Terminating in a Traffic Collision. Pursuits terminating in a traffic collision with injury will be documented by the departments Major Accident Investigation Team (MAIT). Nothing in this section shall prohibit a division Captain from requesting CHP conduct the investigations if unique circumstances are present that warrant doing so. Revised 02/2018)
f. Crime Report Responsibility. Unless otherwise agreed to by the participating agencies, it shall be presumed that the agency with jurisdiction is responsible for the completion of a crime report associated with the pursuit. (Added 02/2018)

350.19 Military Police Pursuits On/Off Military Installations. **(Added 02/2018)**

a. Pursuits onto Military Installations: It is the current policy of Navy and Marine Corps installations in San Diego County to allow marked local, county, state and/or federal law enforcement vehicles to continue pursuits of any suspect that flees onto a military installation. Once on a military installation, the Military Police units will assume the primary pursuit positions and take control of the pursuit.

b. Use Caution: Navy and Marine Corps Installations in San Diego County may have installed one of the following systems at almost every gate.

1. It is the policy of all installations to stop any threat at the gate entrance to the military installation rather than allow the threat onto the installation. The standard training given to the MP's/Guards at the entrance gate is to deploy the barrier arresting system in front of any unidentified vehicle that attempts to run through a sentry position without stopping. Officers should exercise caution when following a suspect into any military installation. Officers should also be prepared to immediately stop at the MP/Guard position as these devices are designed to immediately stop any vehicle. The devices may cause extensive damage to a vehicle and possibly serious injuries to any occupants.

2. In cases where barriers are not installed and/or not properly deployed, the pursuing local, county, state and/or federal law enforcement units can continue the pursuit into the military installation. However, if an arrest is made on a military installation by local, county and/ or state agencies, the transfer of custody may require an arrest warrant to gain physical custody of the suspect(s). Arresting officers shall coordinate custody issues with the on-site military police/Provost Marshal's Office.

c. Military Police Pursuits off of an Installation: It is the current policy of the Navy and Marine Corps installations in San Diego County to pursue vehicles involved in major felony cases off of the military installations. In any case where the Military Police initiates a pursuit that leaves a military installation, the Military Police can only remain actively involved in a pursuit until a minimum of two marked local, county and/or state law enforcement vehicles join the pursuit; then they must discontinue the pursuit and turn it over to the local, county, state and/or federal enforcement agency.

350.20 Pursuit Report Requirements. CVC §14602.1 requires all police pursuits be reported on the CHP Pursuit Report (CHP 187). The form shall be prepared on pursuits initiated or assumed by officers of each involved department. The form will be submitted as an attachment to the associated Arrest, Crime or Officer's Report. (Revised 11/15)

400 DOMESTIC INCIDENTS.

401 Domestic Violence. This section establishes a procedure regarding the handling of domestic violence cases in accordance with the provisions of the California Penal Code (13519 and 13700), P.O.S.T. guidelines, and the standardized protocol established by the San Diego County Task Force on Domestic Violence. Victims of domestic violence will be treated with respect and dignity, and will be given all available assistance by members responding to an incident of domestic violence. (Revised 6/98) (Revised 7/01)

401.01 Dominant Aggressor. The "Dominant Aggressor" is the person determined to be the "most significant, rather than the first, aggressor." (PC 836(c)(3)) (Added 6/98) (Revised 7/01)

401.02 Initial Call Taker Response (Other than Dispatcher). The member, who receives a domestic violence call, including complaints of restraining order violations, will without delay forward the call to the Dispatch Center for immediate action. (Revised 6/98) (Revised 7/01)

401.02.1 Dispatch Response. The dispatcher will give calls reporting threatened, imminent or ongoing domestic violence as well as violations of any type of restraining/protection orders the priority as other life-threatening call. (Added 7/01)

401.02.2 Anytime an officer is called out on a domestic violence call, they should inform the victim of his or her right to make a citizen's arrest. This would include advising the victim how to safely execute the arrest. The victim is not required to sign a citizen's arrest form for an officer to affect an arrest without warrant. Officers may arrest on probable cause for violation of any domestic violence misdemeanor assault or battery not committed in the officer's presence even if no protective or stay-away order exists (PC 836d). The victim and suspect will be advised that once a Crime Report is taken, he/she has no control over the decision to prosecute. The decision to prosecute is made by the District Attorney. (Revised 6/98) (Revised 7/01)

401.02.3 The safety of domestic violence victims, whether the threat of violence is immediate or remote, should be the primary concern of call takers. Call takers should advise the victim to wait for officers at a friend's house or leave the residence if the suspect has left and may return. (Revised 6/98) (Revised 7/01)

401.03 Enforcement of Laws in Domestic Violence Incidents. As a co-signer to the San Diego County Domestic Violence Protocol, the Oceanside Police Department endorses a pro-arrest policy. An arrest should be made when probable cause exists to believe that the dominant aggressor has committed an offense described in the Penal Code as a domestic violence related violation, unless extraordinary circumstances exist. Authority for this action can be found in PC §836(a), 836(c)(1) and 836(d). Additional clarification regarding this can be found in PC §13700 through 13702. Dual arrests are discouraged unless exigent circumstances exist. (Revised 6/98, 7/01)

401.03.1 Bail Enhancement. A bail enhancement should be considered when conditions place the victim and/or family members at greater risk. Refer to PC 1269c. (Revised 6/98)

401.03.2 The willingness of the victim to make a private person's arrest shall not be the sole factor that determines the proper method of handling the incident. (Revised 6/98, 7/01)

401.03.3 Pursuant to PC §13700, et seq., an officer responding to an incident of domestic violence shall prepare a domestic violence crime report irrespective of the wishes of the victim or the presence or absence of the suspect. (Revised 6/98) (Revised 7/01)

401.03.4 A member responding to a report of a "domestic disturbance" shall conduct interviews of the involved parties and document the incident on an Crime Report. (Revised 6/98, 7/01, 7/20)

401.03.5 The O.P.D. Domestic Violence Supplemental 13700 PC (DV-1) will also be completed and submitted with the crime report. This form is not intended to replace the narrative of the crime or arrest report but to enhance the thoroughness the final work product. When filling out this form be thorough in answering all the questions relating to the victim(s), suspect(s) and/or witnesses. (Added 7/01)

401.03.6 DV Pamphlet. Pursuant to PC §13700(i), an OPD domestic violence pamphlet will be given out by the member to every domestic violence victim at the scene. (Revised 6/98) (Revised 7/01)

401.04 Investigation of Domestic Violence Cases. Officers arriving at a domestic violence scene will conduct a thorough investigation and submit reports of all incidents of domestic violence and all crimes related to domestic violence. (Revised 6/98)

401.04.1 The following steps should be included in an officer's investigation and subsequent report:

a. ARRIVAL AT SCENE
   Determine location and condition of victim.
   Determine if suspect is still at scene.
   Determine if any weapon is involved.
   Determine what, if any, crime has occurred.

Summon ambulance if injuries require.
Separate the victim, suspect, and witnesses. (Note: This includes moving victim from suspect's line of sight.)

b. PRELIMINARY INVESTIGATION
1. Interview victim(s), suspect(s), and witnesses separately.
2. Attempt to identify the dominant aggressor.
3. Attempt to get written statements whenever possible.
4. Get full names and DOB's of children witnesses as well as their locations at the time of the incident.
5. All witnesses and children will be included on an form (Witness List).
6. Identify secondary offenses especially sexual assault, stalking, false imprisonment, etc.
7. Interview the reporting party.
8. Canvass the adjoining structures, apartments or residences and attempt to locate additional witnesses.
9. When taking statements do not put "The V/S/W said essentially the same as the W/S/V". (This is not an acceptable interpretation of the interviewee's statement and will not be accepted by the District Attorney's Office.)
10. Determine and document the suspect and victim's activity in detail.
11. Note and document victim's condition and demeanor. (D.V. Supplemental form)
12. Note torn clothing. (D.V. Supplemental form)
13. Note smeared make-up. (D.V. Supplemental form)
14. Note evidence of injury. (D.V. Supplemental form)
15. Referral to victim services agencies. (OPD Domestic Violence Handout)
16. Notify Child Welfare Services immediately if children are involved or present during the incident. (NOTE: This includes if they are in the confines of the premises.)
17. If victim has a restraining order against suspect, obtain a copy of the order and valid proof of service whenever possible. Verify the order exists and there is good service when the victim cannot present one.
18. If the victim does not have a restraining order, inform the victim how to get an order.
19. Advise victim regarding an Emergency Protective Order (EPO). When warranted, obtain an EPO for the victim. The victim is not required to ask for an EPO and her permission is not required to obtain one. The officer on scene must make an assessment to determine if the EPO is needed or warranted.
20. If the victim has a restraining order, which has not yet been served on suspect, inform the suspect of the order and note the verbal service in the report. If victim has an extra copy of the order, give the suspect a copy.
21. Record name, address, and phone number of a close friend or relative of the victim who will always know of the victim's whereabouts.
22. Obtain a CAD report of the incident and submit it with the Crime Report.
23. Insure adequate digital photographs are taken of the victim, suspect and the crime scene(s). If the victim states there are injuries but they are not visible, an I.D./demeanor photo should be taken. A photo should be taken of the suspect for identification as well as to show his/her demeanor as well as the fact that he/she has no injuries if none are claimed. (Revised 6/98, 7/01, 7/20)

401.04.2 When the victim is unwilling or unable to place the suspect under citizen's arrest for battery, and the investigating officer believes that the suspect should be removed to prevent further violence, an arrest may be made if the victim has sustained corporal injury resulting in a traumatic condition. Refer to PC §273.5 for definitions of these terms. PC §273.5 requires that the victim and the suspect be:

a. Spouses or former spouses.
b. Cohabitants or former cohabitants.
c. Current or former dating or engagement relationship.
d. Parent of a child in common. (Revised 6/98) (Revised 7/01)

401.05 Follow-Up Investigation. All domestic violence reports prepared by members, pursuant to PC §13700 et seq., shall be referred to Investigations members for review and follow-up investigation as needed.

a. "Investigations members" refers to a detective, investigative assistant, or other designated member.
b. Investigation's members receiving domestic violence related Crime and Arrest Reports should process them in the same manner as all other criminal violations. (Revised 6/98) (Revised 7/01) (Revised 10/04)

401.06 Additional Assistance Rendered. When a party to a domestic incident requests police assistance in removing a reasonable amount of personal property, (e.g. a suitcase) to another location, members shall stand by a reasonable amount of time until the party has safely done so. (Revised 6/98) (Revised 7/01)

401.06.1 In all domestic violence incidents, an officer should:

a. Assist in making arrangements to transport the victim to an alternate shelter, if the victim expresses a concern for safety or the officer determines a need exists.
b. Explain options available to the victim including court orders and, in cases of arrest, the follow-up procedures and ensuing criminal proceedings.
c. Advise the victim of available community resources and State victim assistance program.
d. Exercise reasonable care for the safety of the officers and parties involved. No provision of this instruction shall supersede that responsibility. (Revised 6/98) (Revised 07/01)

401.07 Confiscation of Weapons. Per PC §18520, members at the scene of a domestic violence incident involving a threat to human life or a physical assault may take temporary custody of any concealable firearm or other deadly weapon in plain sight or discovered pursuant to a consensual search. This is for the protection of the officer and others present. (Revised 6/98, 7/01, 7/20)

401.07.1 When an officer takes possession of such a weapon, the owner will be given a receipt describing the firearm, including any identifying serial number. (Revised 6/98, 7/01)

401.07.2 Firearms seized under this section will be kept for no less than 48 hours. If the weapon is not retained for evidence as a result of this domestic violence incident, it shall be made available to the owner or person who was in lawful possession 48 hours after the seizure or as soon thereafter as possible, but no later than 72 hours after the seizure. (Revised 6/98, 07/01)

401.07.3 Upon receipt of the case file by the proper Investigations Division supervisor, it should be assigned to a detective / investigative assistant for review and evaluation to determine if return of the weapons are likely to result in endangering the victim or the person who reported the assault or threat as described in Penal Code Section 18400. (Revised 7/20)

401.07.3.1 If the assigned member has reasonable cause to believe the return of a firearm or other deadly weapon would be likely to result in endangering the victim or the person reporting the assault or threat, the member shall immediately notify the City Attorney and the Evidence Custodian of the action being taken so they may take the required steps to comply with PC §18400. (Added 02/00) (Revised 07/20)

401.07.4 During the process of determining if a firearm or other deadly weapon is likely to endanger the victim or person reporting the assault or threat, the member should run computer checks to determine the weapon's legal owner, status of the weapon (i.e., stolen, etc.), or existence of a Restraining Order. This information will be forwarded to the Evidence Custodian immediately so the appropriate action can be taken as set forth in department policy and state law. (Revised 7/20)

401.07.5 Once it is determined that the weapon is likely to endanger the victim or person reporting the assault or threat, the member shall within 60 days of the date of seizure, initiate a petition in Superior Court to determine if the firearm or other deadly weapon should be returned pursuant to Penal Code section 18400. (Revised 07/20)

401.07.5.1 If a petition is filed under section 18400, the member shall inform the owner or person who had lawful possession of the weapon(s), at the last known address by registered mail with return receipt requested, that he/she has 30 days from the date of receipt of the notice to respond to the clerk of the Superior Court and the member to confirm his/her desire for a hearing, and that the failure to respond shall result in a default order forfeiting the confiscated weapon(s). The owner will also be given the opportunity in this letter to voluntarily release his/her weapon(s) to the department for destruction without any further proceedings if they so desire. (Revised 07/20)

401.07.5.2 For the purposes of this section, the person's last known address shall be presumed to be the address provided to the officer by that person at the time of the domestic violence incident. In the event the person whose weapon(s) was seized does not reside at the last address provided to the department, the member shall insure due diligence has been used to ascertain the current whereabouts of the person and to comply with these notification requirements. (Revised 2/00, 7/01)

401.07.6 If the person requests a hearing pursuant to Penal Code section 18405, the court clerk will set a hearing for no later than thirty (30) days from the receipt of the request. The court clerk will notify the person, the City Attorney, the Chief of Police, and the District Attorney of the date, time and place of the hearing. State law requires that unless

it is shown by a preponderance of the evidence at the time of the hearing that the return of the weapon(s) would result in endangering the victim or the person reporting the assault or threat, the court shall order the return of the weapon(s). (Revised 7/20)

401.07.7 If the court does not order the return of the weapon(s) to the owner or person who had lawful possession, that person may petition the court, under Penal Code section 18420, for a second hearing within 12 months from the date of the initial hearing. If the owner or person who had lawful possession of the firearm does not petition the court within this 12-month period for a second hearing or is unsuccessful at the second hearing in gaining return of the weapon(s), the weapon(s) may be disposed of as provided in Penal Code Section 18275. (Revised 7/20)

401.07.8 Once an order of default, or an order after hearing, has been issued by the Superior Court granting the petition, the Evidence Custodian may dispose of the weapon(s) as provided in Penal Code Section 18275. (Revised 7/20)

401.07.9 If the owner opts to voluntarily release the weapons for destruction by the Police Department, the City Attorney and Evidence Custodian will be notified by the member immediately. The Evidence Custodian will then destroy the weapon(s) at his/her earliest convenience and in compliance with the departmental regulations and state law relating to the destruction of the weapon(s). (Revised 2/00, 7/01)

401.07.10 Any weapon taken into custody and held by the Oceanside Police Department for longer than twelve (12) months and not recovered by the owner or person who had lawful possession at the time it was taken into custody, shall be considered a nuisance and destroyed as provided by Penal Code section 18275. Weapon(s) not recovered within twelve (12) months due to an extended hearing process as provided in Section 407.07.5 and 407.07.7, are not subject to destruction until the court issues such an order. (Revised 7/20)

401.08 Domestic Violence Training. Every member below the rank of lieutenant who would normally respond to domestic violence calls or incidents of domestic violence, and dispatchers, shall complete every two years an updated course of instruction on domestic violence that is in accordance with the standards and guidelines developed by the Commission on Peace Officers Standards and Training (PC 13519(e)(4) and 13519(g)). A written schedule will be maintained for training for members of the department on domestic violence. (Revised 6/98, 7/01)

401.08.1 The training goals are to inform members of:
a. The domestic violence laws,
b. The department's domestic violence policy and procedures,
c. The dynamics of family violence,
d. Police officer safety techniques, and
e. District Attorney's Domestic Violence Unit policies. (Revised 6/98, 07/01)

410 Temporary Restraining Orders and Stay Away Orders. PC §13710 requires law enforcement agencies to maintain a complete and systematic record of all protection orders with respect to domestic violence incidents, restraining orders, and proofs of service. This section also requires that the record shall be used to inform officers responding to domestic violence calls of the existence, terms and effective dates of protection orders. In San Diego County, the San Diego County Sheriff's Department is the central repository of such information. (Revsed 11/19)

410.01 Verification of Restraining Orders. Whenever a complainant advises of the existence of a restraining order, the officer should ascertain:
a. If a restraining order is on file with the San Diego County Sheriff's Department or whether the complainant has a copy of the order in possession.
b. If the restraining order is still valid.
c. If the proof of service or prior notice exists or if the suspect was in court when the order was made.
d. The terms of the restraining order.
(Revised 11/19)

410.02 Arrest Criteria for Restraining Orders. A violation of a restraining order is a misdemeanor under either PC §273.6 or 166.4. Officers shall [per PC 836(c)(1) & 13701(b)] make an arrest when there is reasonable cause to believe the subject of the restraining order has violated the order in the presence of the officer and any of the following conditions are met:
a. The existence of the order and proof of service on the suspect has been verified by the officer.

b. The complainant produces a valid copy of the order bearing the file stamp of the court and proof of service on the subject.
c. The existence of the order has been verified by the officer; no proof of service is required if the order reflects that the suspect was personally present in court when the order was made.
d. The existence of the order has been verified, and there is proof that the suspect has previously been admonished by an officer.

(Revised 7/20)

410.02.1 When the officer verifies a restraining order, but cannot verify proof of service or prior knowledge of the order by the suspect, the officer should:
a. Inform the subject of the terms of the order.
b. Admonish the subject of the order, so the subject is now on notice that violation of the order will result in an arrest. If the subject continues to violate the order after being advised of the terms, an arrest should be made.
c. If the suspect complies after the admonishment, the officer shall make a retrievable report per PC §13730(c) showing the suspect was admonished of the terms of the order, the specific terms of the order the suspect was advised about, the name of the admonishing officer, time and date. Advise the Marshal's Office by telephone of the admonishment of the terms so the Marshal's Office can note that fact on the original order.

410.02.2 If the suspect has left the scene of the incident, an investigation should be made to determine if a crime has been committed. PC §13730(c) and 13701(i) require a retrievable report shall be made and the complainant advised of the follow-up criminal procedure and case number of the report.

410.02.3 When the order is not verifiable, the following procedure shall apply.
a. PC §13730(c) requires that an officer shall write a report, give the victim the police report number and direct the victim to contact the appropriate department unit for follow-up information.
b. When an order is not verifiable through the verification procedures, officers should advise the victim of the right to make a private person's arrest for the appropriate violation.

410.03 Verification of Stay Away Orders. A stay away order is issued in a criminal case where the probability of victim intimidation exists. Violation of such is a misdemeanor per PC §166.4. In domestic violence incidents where a person advises an officer that a stay away order has been issued, the officer should attempt to ascertain the terms and validity of the order.
a. Officers should request the victim to show a copy of the order. Verify through the San Diego County Sheriff's Department that the suspect is under the court's jurisdiction, or
b. Verify, through the San Diego County Sheriff's Department, that a stay away order has been issued against the suspect.

(Revised 7/20)

410.04 Arrest Criteria for Stay Away Orders. The Code of Civil Procedure, requires that when the order has been verified, officers shall effect an arrest if the suspect has violated any terms of the order. The report should note the specific violations of the order, and the victim shall be given the report number per to PC §13701(i). A violation of the order is a violation of PC S166.4. This violation can be added to other charges.

410.04.1 An act of victim intimidation relating to the court proceedings is a violation of Penal Code Section 136 et seq. Examples of intimidation include:
a. Attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding is a misdemeanor.
b. Using force, or expressing or implying threat of force or violence related to the court proceeding is a felony.

410.05 Order Not Verifiable. When the victim is not is possession of the stay away order, and/or in cases of computer error, officers may not be able to confirm the order's validity:
a. PC §13730 requires officers to write a report, give the victim the report number, and direct the victim to contact the appropriate department unit for follow-up information.
b. When an order is not verifiable through the verification procedures, officers should advise the victim of the right to make a private person's arrest for the appropriate violation.

410.06 Serving Temporary Restraining Orders. On occasion, it is necessary for an officer to serve Temporary Restraining Orders-Domestic Violence on defendants contacted in response to domestic violence calls. In these

instances, personal service has not been previously made on these defendants. When a copy of an outstanding Temporary Restraining Order-Domestic Violence is provided to an officer, it may be served on the defendant at that time. The San Diego County Sheriff's Department-Warrant Section should be advised by the Communications Section of the personal service in order to be recorded in the computer system for future reference. If it becomes necessary to respond to another domestic violence call involving the same parties, an arrest may be made without any further service of the order. (Revised 11/19)

410.06.1 Many times services are not being reported to the San Diego County Sheriff's Department. This results in the service of the Restraining Order not being documented. If it later becomes necessary to contact a defendant while committing a repeated violation of the Order, arrest based on the provisions of the Order is not possible. This results not only in duplication of effort, but also a breakdown of the protection afforded by the Order itself. (Revised 11/19)

410.06.2 To prevent harassment and/or possible injury to petitioners involved in domestic violence matters, and to afford professional and efficient service to the public as a whole, please immediately advise the Department of the San Diego County Sheriff's Department-Warrant Section of any service involving Temporary Restraining Orders-Domestic Violence or any other orders requiring documentation of personal service. (Revised 11/19)

410.07 When A Telephonic Emergency Protective Order May Be Obtained. A telephonic emergency protective order may be obtained when the Superior Court is closed and an officer asserts reasonable grounds to believe that a person is in immediate and present danger of domestic violence by a family member or household member, based upon the person's allegation of a recent incident of abuse or threat of abuse by that family or household member. Such reasonable grounds must consist of articulable facts and not unsubstantiated worries.

410.07.1 It is not necessary that the officer hear or see threats or evidence of abuse but that he or she entertain a reasonable basis to believe that such exist.

410.08 Obtaining an Emergency Protective Order.

a. Complete form EPO-001. (Revised 01/14).
   1. Fill in appropriate lines 1-16
   2. Obtain case number (Upper right-hand corner)
b. Notify San Diego County Sheriff's Department Warrant Division and advise them of the Emergency Restraining Order. Upon completion, a copy of the Emergency Protective Order must be immediately faxed to the Sheriff's Department Warrant Division.
c. Distribute copies as indicated:

   1.) The original EPO must be taken to the court the same day. Drop off the EPO in the Family/Civil Business Office located on the first floor of the Vista Courthouse, near the southern entrance. If obtained after court hours, place in black mailbox at the Records counter. Records personnel will assure the EPO is transported via the court run to the Family/Civil Business Office on the next business day, during court hours. (This does not replace the requirement to fax a copy of the EPO to the Sheriff's Department Warrant Division. All EPO's must be faxed immediately to the Sheriff's Department Warrant Division as outlined in section c.)

   2.) Serve a copy to the restrained person if present. If the person to be served is not present, leave copy with the Patrol Supervisor for service when subject is contacted. (*Note: Use the same OPD case number to document proof of service if the restrained party is served at a later date/time. Do not pull a separate case number. If the EPO was issued by another agency, generate a new OPD case number to document proof of service.)

   3.) Provide a copy to protected person.

   4.) Attach a copy with Crime Report in RMS.

(Revised 7/20)

410.09 Serving the Protective Order. The officer shall serve the emergency protective order on the restrained party if the restrained party can reasonably be located. A copy of the order must be given to the protected party.

410.10 Enforcing the Protective Order. When the facts warrant the issuance of a protective order, it shall be issued without prejudice to any party. The order will be enforced as any court order. The obtaining of an EPO shall not be affected by the fact that the endangered person has vacated the household.

410.11 Duration of the Protective Order. The EPO will expire on the fifth full court day after issuance. Do not count the day the order is issued or weekends. This information is listed on the EPO. The officer should make sure the protected party understands the need to appear in Superior Court to seek an order of more lengthy duration.

410.12 Reporting Required. In all cases where an emergency protective order is sought, a Domestic Violence Report must be made.

410.13 Processing the Emergency Protective Order. Once the restraining order has been completed and the situation is stable, the officer must bring the D-72 form to the station. The court copy is to be taken to the court during business hours, Monday-Friday. One copy must be attached to the Domestic Violence Report. It is the reporting officer's responsibility to ensure the copies are distributed appropriately.

415 Child Abduction and Custody Violations. There are several Penal Code sections concerning child abduction and custody violations. The District Attorney's Office has recommended that all enforcement agencies adopt a standardized method of handling these cases. This procedure is consistent with the county guidelines.

415.01 Appropriate Laws. The basic laws pertaining to these offenses include the Penal Code sections below. Officers should familiarize themselves with the elements of these crimes.

a. PC 277: Interfering with the custody right of another (applies even if there is no court order.)
b. PC 278: Unlawful concealment, or detention.
c. PC 278.5: Violation of custody or visitation orders.

415.02 District Attorney's Office Child Abduction Unit. The Child Abduction Unit of the District Attorney's Office has the responsibility for locating and recovering children who have been taken or are being detained in violation of a custody order. This includes children who are in San Diego County or in any other county or state or even in foreign countries. As such, the unit's responsibilities include aiding in the recovery of children for the parent who has lawful custody and to enforce court ordered custody and visitation rights. For more information: https://www.sdcda.org/helping/child-abduction

If an officer in the field is confronted by an urgent custody visitation situation and has questions as to proper procedures, he/she can contact the District Attorney's Child Abduction Unit during business hours. (Revised 12/03, 7/20)

415.03 Custody of the Child. PC §279 provides that a peace officer investigating a violation of child abduction or custody laws may take a minor child into protective custody if it reasonably appears to the officer that any person will unlawfully flee the jurisdiction with the child. It also provides that a child who has been concealed shall be returned to the person or agency having lawful charge of the child or to the court in which the custody proceeding is pending, or to the probation department in the victim's county. The officer's overriding concern should be the safety and well being of the child.

415.04 In Cases Where There Is No Court Order. Officers should attempt to determine where the child's residence has been up to the point of this dispute and, absent a court order, attempt to maintain the status quo.

415.04.1 If the parents disagree as to the child's usual residence, and the child is of an age where he/she can reasonably communicate, the officer should take the child aside and ask where the child has been living.

415.04.2 Officers should advise both parents to seek legal advice to resolve the custody dispute.

415.04.3 If it appears to the officer that one parent is attempting to remove the child form the jurisdiction of San Diego County Courts, place the child in Polinsky Children's Center. This will also be done if it appears the child may be in physical danger. Advise both parents to seek legal advice regarding custody.

415.05 In Cases Where a Court Order Exists. Officers should, as a minimum involvement, contact the subject parent and admonish the parent of the prevailing court order and the consequences of not obeying it and attempt to secure voluntary compliance with the order.

415.05.1 If the situation warrants, and the officer is satisfied there is sufficient proof that all elements of the crime have occurred, the violator may be arrested. In many cases there may be conflicting statements, or conflicting or outdated court orders.

415.05.2 These cases may require further follow-up before action may be taken. In these cases the officer will advise the subject that a report will be taken and forwarded to the Child Stealing Unit of the District Attorney's office for follow-up and possible criminal action. Prepare a report and request that a copy be forwarded to the Child Stealing Unit.

415.05.3 Maintain the Status Quo. Do NOT assist in the transfer of the child from the current custodial parent. If the parents do not cooperate and if it appears the child is in physical danger, place the child in Polinsky Children's Center.

415.05.4 If there are any questions or doubts as to what to do based upon the individual case, call for a supervisor. The officer, or supervisor may call the District Attorney's Office Child Abduction for further advice and instructions. (Revised 7/20)

415.06 Cases where the whereabouts of the Child is Unknown. In cases where a parent has custody or joint custody of a child, but does not know the whereabouts of the child due to a violation of PC 277, 278, or 278.5, document the case on a Crime Report and advise the parent to contact the District Attorney's Office Child Abduction between 8:00 a.m. and 5:00 p.m. Monday through Friday at (619)531-4345. Request that a copy of the case be forwarded to District Attorney's Office Child Abduction. (Reised7/20)

415.07 Cases of Requests for Assistance in Enforcing a Court Order. If a person requests the assistance of the police department in enforcing a court order:

a. Have the parent give us a certified copy of the last court order regarding custody or visitation.
b. Go with the person to the location of the child and keep the peace. Take the appropriate actions as outlined in the procedures above. Prepare a report on your observations and actions.
c. Advise the parent how to get a copy of the report.
d. Advise the parent to contact the District Attorney's Office Child Abduction at (619) 531-4354 for follow-up. Tell the parent that he/she will have to take a copy of their court order and the police report to the District Attorney's Office Child Abduction. (Revised 12/03, 7/20)

415.07.01 Child Custody Court Order Violation Reports- Police reports are no longer required when the child has returned late to the custodial parent. The OPD online reporting system now accepts reports for child custody issues when the child has been returned after the appointed time. A link has been created on the OPD Police website to allow the public to report these violations directly to the San Diego District Attorney's on-line reporting system. The public should be referred to the OPD online reporting system only if the child is brought back later than the appointed time. If the RP is reporting that the child is overdue and has still not returned, then the Officer should be dispatched. Note: the on-line reporting system should only be used when the child is brought back late and currently in the custody of the reporting party/custodial parent. (Added 9-2-2011).

415.08 NCIC Entries. The District Attorney's Office Child Abduction enters missing child cases into NCIC. Officers in the field should make NCIC checks on the child in question to see if the District Attorney's Office Child Abduction is already working an active case on the child. (Revised 7/20)

415.09 Temporary Restraining Orders. In some cases there will be a court order from another court action that may be involved in the case at hand. These orders should be handled under the guidelines of the procedures regarding Restraining Orders.

420 MEGANS LAW (See Volume I, §580)

420.1 Definitions: Department of Justice (DOJ) has categorized each sex offender as "serious, high risk, or other." PC 290 and PC 290.4, authorizes release of information to the public of serious and high-risk offenders. Members can identify the category of an offender by accessing the CD-ROM, CLETS, or contacting DOJ directly.

a. "Serious" Sex Offenders: "Serious" sex offenders are offenders convicted of a felony sex offense (except those listed in the "other" category), or of misdemeanor child molestation.

b. "High Risk" Sex Offenders: "High risk" offenders are "serious" sex offenders who have been identified by the DOJ as having a higher risk of re-offending and pose a greater danger to the public.
c. "Other" Registered Sex Offenders: "Other" registered sex offenders are misdemeanants (except misdemeanor child molestation per Penal Code 647.6 and 288(c)), and those felons convicted of repeated indecent exposure, pornography and related offenses, and spousal rape. Information on these individuals may not be released to the public.
d. Reasonable Suspect: A suspicion based on information provided by another peace officer or a member of the public, drawing when appropriate on the officer's training and experience, of a child or other person at risk of becoming the victim of a sex offense by a "serious" (including "high risk") sex offender.
e. Likely To Encounter: The entity or individual is in a location, or close proximity to a location, where the offender lives or is employed, or the offender visits or is likely to visit on a regular basis, and contact with the offender is reasonably probable.
f. At Risk: A person is or may be exposed to a risk of becoming a victim of a sex offense committed by the offender.
g. Exigent Circumstances: Circumstances which reasonably indicate to an officer, drawing upon the officer's training and experience, that a person is in imminent danger of becoming a victim of a sex offender if not immediately given notice of the presence of, or expected contact with, the sex offender, and that delaying notice pending supervisory approval will unnecessarily put the potential victim(s) at risk.

420.02 PUBLIC ACCESS TO INFORMATION ON "SERIOUS" AND "HIGH RISK" OFFENDERS.

420.03 "High Risk" Sex Offenders. The department may make a "General Release" to the news media on "High Risk" Sex Offenders. This will be accomplished by a review process in the Investigation Division.

420.03.1 Once it has come to the attention of the Investigation Division, Family Protection Unit that a "High Risk" Sex Offender resides in the City, an investigation will be initiated. This will include a background check, verification of address, current photograph, and an interview with the offender when possible. When the offender is contacted, the offender will be told that a release of identification information to the news media is possible. (Revised 7/20)

420.03.2 Investigators will prepare a press package for review by their supervisor. This package will be forwarded to the division commander (or designee) via the chain of command with a recommendation to release or not to release. The press package, once approved for dissemination, will be forwarded to the PIO for release to the general public. The PIO will release the following information:
a. Offender's full name and all known aliases;
b. Location by zip code, city or community where the subject resides;
c. Gender, race, and physical description;
d. Date of Birth;
e. Current photograph, if available;
f. Crimes and dates of crimes that resulted in registration pursuant to PC §290, but not unrelated crimes;
g. Type of victim targeted (optional);
h. Relevant Parole or Probation conditions;
i. Vehicle information, only if the vehicle was used as part of the offender's method of operation in a past sexual offense (without license number).

420.03.3 The offender's home address, business address and vehicle license number(s) will not be released unless deemed necessary by the FPU Sergeant, General Investigations Lieutenant or Investigations Division Commander for the proper protection of the public. In such circumstances, the FPU Sergeant, General Investigations Lieutenant or Investigations Division Commander shall document the reasons and necessity for release of such information in the particular case under consideration, such documentation to be maintained with the group disclosure form (see below). Such information must, in all cases, be verified prior to release. (Revised 7/20)

420.03.4 The PIO will notify the FPU Sergeant when the poster of a "High Risk" Sex Offender is released to the news media. A group disclosure form will be completed giving the release date to the press. This release date and poster information will be kept for a minimum of five years in the offender's file. (Revised7/20)

420.03.5 "Serious" Sex Offender. When a "Serious" Sex Offender who meets the criteria for disclosure (reasonably suspects/likely to encounter) comes to the attention of any member, the member will forward the information to the General Investigations Lieutenant. An investigation will be initiated in the Family Protection Unit, which will include:
a. Background check

b. Verification of address
c. Current photograph if possible
d. Interview with the "Serious" Sex Offender
e. Any witnesses or potential victims.
(Revised 7/20)

420.03.6 At the completion of the investigation, which meets the criteria for release, a recommendation of the scope of release will be forwarded through the chain of command to the Investigations Division Commander.

420.03.7 The FPU Sergeant will return the review package to the General Investigations Lieutenant with his/her comments and recommendations. The General Investigations Lieutenant will notify the PIO and coordinate the limited release using available resources. Group and individual disclosure forms will be used during disclosures. (Revised 7/20)

420.04 Proactive Disclosures in the Field

420.04.1 Officers may release information on "serious" and "high risk" sex offenders obtained from the CLETS Supervised Release File, Officer Notification System, or Violent Crime Information Network only with the approval of their Lieutenant.

When an officer has a reasonable suspicion, based on information which has come to his/her attention that a person might become a victim of a "serious" or "high risk" sex offender and the offender is likely to encounter that person:

a. The officer shall confirm the information to be released concerns a "serious" or "high risk" sex offender. This may be determined by querying the Supervised Release File, ONS, Violent Crime Information Network, or the CD-ROM. This information will be forwarded to the General Investigations Lieutenant as soon as possible.
b. Prior to the release of offender information, except in exigent circumstances, the officer shall articulate the reasons justifying the need for a public release of sex offender information in writing in an Officers Report or Crime Report and forward it to the Investigations Lieutenant.
c. Generally, and under "exigent circumstances," the officer may disseminate offender information to those persons determined by the officer to be at immediate risk of becoming a victim of the sex offender without prior supervisory approval. The request form and disclosure form (found on "J" drive) shall be completed and forwarded as indicated above as soon as reasonably practical following the release of sex offender information.
d. Anyone disseminating offender information should inform the person receiving the information that:
   "THE PURPOSE OF THE RELEASE OF THIS INFORMATION IS TO ALLOW MEMBERS OF THE PUBLIC TO PROTECT THEMSELVES AND THEIR CHILDREN FROM SEX OFFENSES. USE OF THIS INFORMATION TO COMMIT A CRIMINAL OFFENSE MAY SUBJECT YOU TO CRIMINAL SANCTIONS."
   The dissemination of this warning should be documented, listing the person or persons to whom such notice was given, the name and identification number of the officer disseminating the warning, and the date and time such warning was given.
e. The following information may be disclosed:
   1. The offender's full name.
   2. Aliases.
   3. Gender, race, physical description.
   4. Date of Birth.
   5. Photo, if available.
   6. Crimes that resulted in registration, but not unrelated crimes.
   7. Type of victim targeted in the past.
   8. Relevant parole or probation conditions such as no contact with children.
   9. Dates of crimes resulting in classification as a "serious" sex offender.
   10. Description of the vehicle(s) the offender is known to use, except for license number(s).
   11. Dates and release from confinement.
f. Residence and business addresses and vehicle license number(s) of a "serious" or "high risk" sex offender shall not be released unless approved by the FPU Sergeant, General Investigations Lieutenant, or Investigations Captain, and only after the accuracy of such information is verified.
g. When information is released, a disclosure form will be completed and will include the signature, if possible, from the person to whom the disclosure is made. The disclosure form shall be forwarded to the FPU Sergeant for evaluation and update as necessary. The FPU Sergeant shall forward either the original or a copy of the form to the FPU Investigator handling PC 290 files. It shall be filed in the master offender's file.

h. Definition of forms
   1. Agency or group Disclosure
   2. Individual Field Disclosure (exigent circumstances)

(Revised 7/20)

420.04.2 Patrol Lieutenant

a. If the section lieutenant approves the officer's request, it will be forwarded to the General Investigation Lieutenant for investigation. The investigation package will be forwarded to the Investigations Division Commander via the chain of command for review.
b. If the section lieutenant disapproves the request, the reason for the disapproval will be indicated and the form forwarded to the Family Protection Sergeant. A copy of the form will be returned to the officer or investigator initiating the request. (Revised 7/20)

420.04.3 Investigation Division Commander.

a. If the Investigation Division Commander approves the request, he/she will confer with the Press Information Officer, Patrol Supervisor, and General Investigations Lieutenant regarding method of release.
b. If the Investigation Division Commander denies the request, he/she will forward a copy of the denial to the Patrol Supervisor for review. The Investigation Division Commander will forward the original to the Crimes of Violence Sergeant. A copy of the form will be returned to the officer or investigator initiating the request.

420.05 General Discussion

a. Agencies or entities which MAY be notified concerning "serious" sex offenders includes, but are not limited to: public and private educational institutions, day care establishments, and organizations that primarily serve individuals likely to be victimized by the offender may be notified by the Department that a "serious" sex offender lives or works in, or otherwise frequents the area.
b. Law Enforcement Notification. The Department should, when under the circumstances it is feasible, practical and necessary, notify law enforcement agencies responsible for other jurisdictions of the presence and/or activities of a "serious" or "high risk" sex offender upon determining that the offender has relocated to, works in or otherwise frequents the other jurisdiction, and constitutes a risk to community members within the other jurisdiction.
c. The General Investigations Lieutenant is the designated "Notification Officer" for the department.
d. The department may notify community members at risk. For example, the department may choose to notify women who reside in the same block as a rapist; or the department may decide to notify parents of children living near a park that a "serious" sex offender is known to frequent.
e. To assure consistency department-wide, a uniform method of disclosing information will be coordinated through the Investigations Division Commander and the Public Information Officer.
f. The department should update information on "serious" or "high risk" sex offenders on a regular basis.
g. The department shall keep records of the disclosures of information. These records shall be maintained by the Family Protection.
h. Each public disclosure by the department of a "serious" sex offender must be accompanied by a statement that the purpose of the release of the information is to allow members of the public to protect themselves and their children from sex offenders and that the misuse of the information will subject the person to criminal sanctions.
i. The Department may request the Department of Justice to verify the classification of any individual.
j. Department members may not enter any information about sex offenders on the Internet.

(Added 10/98, Revised 7/20)

500 LESS-LETHAL WEAPONRY

501 Use of Oleoresin Capsicum (OC).

501.01 Precautions. The following precautions shall be strictly adhered to with regard to the application of OC:

a. OC should be used for officers' defensive purposes and overcoming resistance by hostile subjects.
b. OC should not be used in the immediate vicinity of infants since their respiratory systems are extremely sensitive.
c. Caution should be used prior to using OC on resisting suspects who engaged physically with other officers or who are not isolated from bystanders. This may be facilitated by giving a verbal notification, such as "GAS", and its acknowledgment by involved members prior to application.
d. Care should be given before using OC in windy conditions.
e. OC applicators should be shaken once a month to ensure that the active ingredient is properly mixed.
f. Care should be taken as to the type of applicator and its mode of carry to preclude accidental discharge.

g. OC contains flammable carriers and should not be used where exposure to open flame or spark (TASER devices) may cause ignition.
h. Officers should recognize the limitations of OC especially in situations in which attackers are armed.

501.02 First Aid. First aid provided in conjunction with the use of OC should always be administered as soon as possible and thoroughly documented in the Officer's Report on the incident.

501.02.1 Flush the area with water as soon as possible, which will reduce the symptoms and cause the agent to dissipate. To further facilitate recovery, a damp cloth may be used to blot (only) the agent from the affected area. Attackers are to be kept under direct observation until symptoms dissipate.

501.02.2 All symptoms should disappear within 15-45 minutes without after effects. Should the symptoms persist beyond this time limit, medical attention should be obtained as soon as possible and prior to booking.

501.03 Reporting. In all incidents involving the deployment of OC, the following reporting requirements will be completed.
a. Supervisor will be notified from the scene and respond to the scene. (Added 01/2007)
b. If a person is booked after being subjected to OC, that information will be noted on the booking slip and the jail will be notified of that fact.
c. Members who are contaminated by OC, and who require medical treatment, will complete the standard IOD form.
d. The Arrest Report will contain a notation that OC was utilized and a notation of the time first aid was provided.
e. If the circumstances do not permit the identification or arrest of subject(s) involved, the fact that OC was utilized will be documented in the major incident report, or in an incident report if a major incident report is not made.

502 Pepperball Less Lethal Weapons. This procedure authorizes the use of the pepperball less-lethal weapon as a proper response where lethal force would ordinarily be inappropriate and when deployed by those officers trained in its use. (Added 02/01)

502.01 Authorized Users of the Pepperball Less Lethal Weapons. Only qualified members who have been trained in the operation of these devices should use the pepperball devices. (Added 02/01) (Revised 08/04)

502.03 Targets to avoid intentionally hitting at minimum range are the head and eyes. (Added 02/01)

502.03.1 The pepperball projectiles are effective from three (3) feet to thirty (30) feet. (Added 02/01)

502.03.2 The upper body and legs should be the intended target. (Added 02/01)

502.04 Use of the pepperball is tactically appropriate under the following conditions:
a. Lethal force does not appear to be justifiable and reasonable at the moment, or
b. Attempts to subdue the suspect by other Department approved arrest and control techniques and/or self-defense techniques have been or probably will be ineffective, or
c. It is reasonable to expect that it will be unsafe for officers to approach within contact range of the suspect. (Added 02/01)

502.05 Authorized System. The only authorized pepperball system is the Jaycor PS-SA200 launcher and O.C. filled projectiles. On impact, the round breaks open. (Added 02/01)

502.06 Maintenance of Pepperball Less Lethal Weapons. The Firearms Training Unit is responsible for regular maintenance and inspection to ensure the pepperball device is in proper working condition. (Added 02/01)

502.07 Medical Treatment. First aid provided in conjunction with the use of OC should be administered as soon as possible and thoroughly documented in the officer's report on the incident. (Added 02/01)

502.07.1 Flush the area with water as soon as possible, to reduce the symptoms and cause the agent to dissipate. To further facilitate recovery, a damp cloth may be used to blot (only) the agent from the affected area. Attackers are to be kept under direct observation until symptoms dissipate. (Added 02/01)

502.07.2 All symptoms should disappear within 15-45 minutes without after effects. Should the symptoms persist beyond this time limit, medical attention should be obtained as soon as possible and prior to booking. (Added 02/01)

502.08 Reporting Requirements. In all incidents involving the deployment of OC, the following reporting requirements will be completed.

a. Supervisor will be notified from the scene and respond to the scene. (Added 01/2007)
b. A person booked after being subjected to OC, that information will be noted on the booking slip and the jail will be notified.
c. Members contaminated by OC, and require medical treatment, will complete the IOD form.
d. The Arrest Report will contain a notation that OC was used and note the time first aid was provided.
e. If the circumstances do not permit the identification or arrest of subject(s) involved, the fact that OC was utilized will be documented in the major incident report, or in an incident report if a major incident report is not made. (Added 02/01)

503 40mm Single-Shot Less Lethal Launchers. This procedure authorizes the use of 40mm single-shot less lethal launchers. (Added 05/19)

503.01 Authorized Users of the 40mm Single-Shot Less Lethal Launchers. Only qualified members who have been trained in the operation of these devices should use the 40mm launchers. (Added 05/19)

503.02 Targets to avoid hitting intentionally are the head, heart, neck and spine. (Added 05/19)

503.02.1 The authorized 40mm munitions are effective from five (5) feet to one-hundred twenty-five feet (125). (Added 05.19)

503.02.2 The extremities (legs and arms) and upper body should be the intended target. (Added 05/19)

503.03 Use of the 40mm single shot less lethal launcher is tactically appropriate under the following conditions:

a. Lethal force does not appear to be justifiable and reasonable at the moment or,
b. Attempts to subdue the suspect by other department approved arrest and control techniques and/or self-defense techniques will be ineffective, or
c. It is reasonable to expect that it will be unsafe for officers to approach within contact range of the suspect.

503.04 Authorized System. The only authorized 40mm single shot less lethal launcher is the Defense Technologies (Def-Tech) Single Launcher. (Added 05/19)

503.05 Authorized Munitions. The only authorized 40mm munition for patrol officers is the Def-Tech 40mm Smokeless Powder Sponge Round, “Exact Impact.” The minimum standoff distance for this round is 5 feet and the maximum range is 125 feet. (Added 05/19)

503.06 Maintenance of 40mm single shot less lethal launchers. The Firearms Training Unit is responsible for regular maintenance and inspection to ensure the launchers are in proper working condition. (Added 05/19)

503.07 Training. Prior to deploying the 40mm single shot less lethal launchers, members shall receive training from a certified department less-lethal instructor. The training will include a written test and a qualification. After receiving the initial training, officers will re-qualify with the launcher annually. (Added 05/19)

503.08 Reporting Requirements. Any incident where a subject is struck by 40mm less lethal round will be considered a reportable use of force. The use of force will be documented per the department’s use of force reporting procedure as outlined in the Administrative Processes Manual. (Added 05/19)

503.09 Medical Treatment. Officers should obtain medical treatment for all injured suspects.

505 “Bean Bag”/Flexible Baton Ammo. Officers requiring a “flexible baton” at an incident will request a “Code Sam”. (Refer to Volume I, Section 510)

505.01 Characteristics. The authorized 12-gauge CTS Super Sock is constructed of a two-inch long by one-half inch diameter cloth material containing #9 lead shot, and weighs 40 grams. The projectile has a muzzle velocity of approximately 300 fps and 110 foot-pounds of energy. The lead shot acts as a fluid medium, distributing the kinetic energy over a wide surface area. (Revised 07/01)

505.02 Risk Considerations. The chief concern with this particular force option is from blunt trauma by projectile impact. There are large areas of the body that can be hit with the bag with low probability of causing serious damage but a person shot at close range may sustain serious injury or even death, depending upon shot placement. (Revised 08/04)

505.02.1 Targets to avoid intentionally hitting at minimum ranges are the head, neck, heart, liver and spleen (upper abdomen) and the kidneys (lower back).

505.02.2 The CTS Super Sock flexible baton is considered hazardous within fifteen feet (15'). Therefore, the lower extremities should be the intended targets within this distance. (Revised 07/01)

505.03 Tactical Features. The CTS flexible baton has an operational range from fifteen feet (15') to fifty feet (50'). The ammunition is capable of hitting within a four-inch circle at a range of fifty feet. However, accuracy is dependent on velocity, suspect's actions, weather conditions, shooter's marksmanship, and weapon condition. (Revised 07/01)

505.04 Uses. The less-lethal "bean bag" ammunition is tactically appropriate for, but not limited to:
a. Prisoner escort and cell extraction.
b. Subduing a violent drunk, drugged, or mentally disordered person.
c. Warrant services and domestic violence interventions.
d. Breaking windows and subduing dogs on tactical assaults.
e. Breaking up hostile groups in civil disorder by incapacitating leaders or weapon wielding persons.
f. Controlling violent situations while protecting innocent victims or other safety personnel.
g. When a shotgun would cause collateral damage to resolve a hostage-taking incident by incapacitating the hostage to make him/her undesirable to the suspect.
h. Any other situation where such a level of less-lethal force would be appropriate to a reasonable and similarly trained police officer.

505.05 Weapon Safety. Generally, to minimize the danger of firing lethal shotgun ammunition instead of intended less-lethal "bean bag" rounds, only specially marked shotguns, stored in the trunks of the patrol supervisors' cars, will be used to load and fire the less-lethal ammunition. No lethal ammunition will be loaded in those specially marked guns.

505.05.1 "Bean bag" ammunition will not cycle semi-automatic shotguns.

510 Non-Lethal Control Device: TASER

510.01 Accessibility. Police officers have been trained in the use of the TASER. After training, each police officer is issued a TASER for field deployment. (Revised 5/98) (Revised 07/01) (Revised 12/04)

510.01.1 Only officers specifically trained in the use of a TASER-7 are authorized to fire the device. If an officer's TASER is not accessible or an additional TASER is required at a scene, the officer will notify dispatch and request a "Code Tom." (Revised 5/98 // 07/01 // 12/04, 1/20)

510.02 Safety Considerations. Due to the unique capabilities of a TASER-7, officers should use extreme caution and avoid standing near the suspect during its application. (Revised 07/01)
a. The AIRTASER® is equipped and capable of firing two sets of darts. For maximum effectiveness, it is necessary for both darts in the cartridge to maintain contact with some part of the suspect's clothing or body. (Added 07/01) (Revised 12/04)
b. A TASER should be aimed at a suspect's upper torso and, when tactically possible, should be aimed at the suspect's back. This provides a larger target and avoids possible injury to a suspect's eyes. (Revised 07/01)
c. A TASER is not considered to be 100% effective. Therefore, officers should obtain sufficient back-up prior to using a TASER to control the suspect. The officers should be deployed in such a manner that will enable them to use other appropriate means to subdue the suspect if a TASER is ineffective. (Revised 07/01)
d. Current will continue to pass through the wires and suspect as long as the trigger is being depressed. Although the darts may still be sparking, they present no immediate danger to officers when handcuffing the suspect. (Revised 07/01)

e. The range of the TASER 7 with a 12-degree cartridge is min 4 feet; however, the most effective range is 4 to 8 feet. The range of the TASER 7 with a 3.5-degree spread is min 11 feet; however, the most effective range is 11-20 feet. (Revised 07/01, 1/20)

510.03 Medical Treatment. A suspect may be incapacitated or temporarily dazed after a TASER is administered. It is also possible a TASER will cause the suspect to fall, resulting in an injury. Officers should obtain appropriate medical treatment for all injured suspects. (Revised 07/01)

510.03.1 Dart Removal. An officer should not attempt to remove TASER darts that are embedded in a suspect's skin. Authorized medical personnel should remove these darts. (Revised 07/01)

510.04 User Responsibilities.

a. Officers will have readily available a fully charged TASER and 2 cartridges. (Revised 5/98) (Revised 07/01) (Revised 12/04)

b. The TASER may be carried on the duty belt in a holster. When carried in a holster, the TASER shall be on the opposite side of the body from the duty firearm. Officers may carry the Taser 7 on their vest carrier in the designated pouch or in a holster attached to the vest in the Class C uniform. Officers who are wearing the class B uniform and do not have room on their belt, may carry the TASER 7 on the support side of the body in a drop-down holster. (Added 12/04, Revised 08/2007, 1/20)

510.05 Reporting Requirements. Any incident involving the use of a TASER as a drive/stun tool, when using the arc switch for de-escalation, or when the darts are deployed will be reported in the Arrest Report. If the subject is not arrested (e.g. W&I 5150 case), the use of a TASER shall be documented on an Officer's Report. A supervisor shall be notified from the scene and respond to the scene of the Taser usage. (Revised 07/01 // 12/04 // 02/2007)

515 Use of Cord-Cuff Leg Restraint. The "Cord-Cuff Leg Restraint" is a law enforcement tool, utilizing basic rope tying techniques. It can be used to control belligerent subjects, violent mentally disordered persons, and people under the influence of drugs. When properly used, it can significantly reduce the chances of injury to the officer and subject. The use of the cord-cuff leg restraint should only be used when a WRAP restraint system is unavailable. (Revised 9/2017)

515.01 Approved Type. The cord-cuff leg restrainer is 1/2" to 3/4" nylon webbing about 48" in length. It has a loop on one end and a snap hook on the other. Accepted colors are dark blue & black. The department authorizes officers to use the cord-cuff leg restrainer as described in this procedure. The cord-cuff is optional equipment and may be purchased by officers. Officers shall not wear or carry the cord-cuff in a manner conspicuously exposed.

515.02 Approved Procedures. Officers may use the leg restraint under the following conditions. The subject's hands must be handcuffed behind his/her back and double locked. Caution will be used when applying the cord-cuff leg restrainer. Under no circumstances shall an officer apply the cord-cuff leg restrainer to the head or neck of a subject. When possible, the subject shall be positioned in a prone or kneeling position while one officer applies the device and another officer maintains control of the subject. The restraint will not be used to tie the subject to a fixed object. Care will be taken to insure the restraint does not cut off the subject's circulation.

515.03 Approved Techniques in applying the Cord Cuff Leg Restrainer. The first technique may be applied to control movement of the feet and still permit the suspect to walk. The restrainer is looped once around one of the suspect's legs just above the ankle and pulled taut. The restrainer is then wrapped twice around the other leg above the ankle. Some of the remaining length is used in "figure eights" between the two legs. Those connecting bonds are then wrapped 2 or 3 times between the legs and the "hobble" is made secure by snapping the link over one of the strands. The suspect can then walk, but with limited mobility.

515.03.1 The second technique is used to control a suspect in the back seat of a police vehicle. The restrainer is looped around one leg just above the ankle and pulled taut. The restrainer is then wrapped around the other leg above the ankle. The restrainer is then continuously wrapped in a figure 8 pattern between the legs above the ankles. Once this is accomplished, the restrainer will be wrapped twice around the center of the figure 8. The suspect's legs will then be bent rearward at the knees and the snap hook attached to the handcuffs. The handcuffs should be double locked. Care shall be taken to allow sufficient length between the suspect's ankles and the handcuffs to restrict movement without impairing circulation. The suspect will then be placed on their side in the rear of the patrol car to avoid any difficulty in breathing and shall be monitored for physical distress. (Revised 08/04)

515.03.2 The third technique is used to prevent a suspect from slipping the handcuffs under the legs to the front position. The restrainer is looped around the suspect's waist and clipped to the double locked handcuffs. To make the restrainer taut, the restrainer can be wrapped around the handcuff chain. Each of these techniques may be modified according to the circumstances, but care shall always be taken to prevent injury to the suspect.

515.04 Reporting Use of Cord-Cuff. Whenever the cord-cuff leg restraint is utilized, a supervisor shall be immediately notified. The circumstances will be documented in the narrative of the Arrest Report. If there is no arrest, the circumstances will be documented in a numbered Officer's Report. (Revised 02/2007)

516 Use of Maximum Restraints. The use of maximum restraints is authorized for on-duty use by certified officers when it is necessary to immobilize a violent or potentially violent/combative subject who has been taken into custody.(Added 9/2017)

516.01 Authorized Maximum Restraints. The only maximum restraints authorized for use by officers of the Oceanside Police Department are:

a. WRAP Restraint device manufactured by Safe Restraints Incorporated
b. Department issued cord cuff (Vol III Sec 510.05)

No other types of maximum restraints are authorized for use without the express approval of the Chief of Police. (Added 9/2017)

516.02 Members Authorized to Carry and Use Maximum Restraints. No member, or other person associated with the Department in any manner, is authorized to carry or use the maximum restraints unless that person has successfully completed the required training, or has been otherwise certified by the Training Section in its use. (Added 9/2017)

516.03 Authorized Use. The two approved maximum restraints are to be used as temporary restraining devices. Used properly maximum restraints can increase officer safety and reduce the risk of liability due to injuries and in-custody deaths. Maximum restraints immobilize the body and restricts a subject's ability to kick or do harm to oneself and others. Therefore, officers are authorized to use maximum restraints under the following conditions:

a. Whenever a subject demonstrates behavior which indicates possible violent and/or combative behavior.
b. To immobilize a violent/combative subject.
c. To limit violent/combative subjects from causing injury to themselves or others.
d. To prevent violent/combative subjects from causing property damage by kicking.
e. When conventional methods of restraint are not effective.
f. In transportation of violent/combative subjects.
g. In order to facilitate a forced blood draw

Once the subject is properly placed in maximum restraints, they will be placed in a position that reduces the incidence of respiratory fatigue or positional asphyxia. At no time will the subject be left unattended while in maximum restraints. Members will only use maximum restraints in a manner which has been demonstrated and authorized by the Training Section. (Added 9/2017)

520. Forcible Entry Tools. Police officers frequently respond to "check the welfare," "disturbance," or other "crimes in progress" calls in which there may not be access to the residence, there is no key available and exigent circumstances necessitate entry into the residence. Absent other options, officers generally resort to using their feet/body to force doors open. Such actions may cause unnecessary injury to the officer and create an officer safety issue. Entry tools have been made available for use in the field when deemed appropriate by a supervisor and when all other reasonable options have already been considered. Each marked patrol supervisor vehicle is equipped with an entry tool kit generally consisting of a ram, Hallagan pry tool, bolt cutters, and a window break and rake.

Supervisor approval for use of the entry tools will be made on a case by case basis. Prior to using the entry tools, supervisors shall ensure personnel receive training on their proper utilization from qualified members of either SWAT or SES. The training shall be documented on a Roll Call Training form and forwarded to the Training Unit. (Added 07/09.) (Revised 07/11)

600 OPERATIONS

603. Lockdown Security Procedure. The lockdown procedure is intended to keep unarmed professional staff safe and prevent them from inadvertently interfering with the actions of sworn officers in their response to the emergency situation. The lockdown procedure can be initiated by any member when an immediate threat exists. An angry but otherwise non-violent citizen at the front counter would not be an example of an immediate threat, however, someone with a weapon and/or attempting to breach into any secured area would be. When an emergency situation or potential threat to employees exists at the station, the following procedure shall be initiated.

603.01. Dispatch will be notified of the need for a lockdown via the radio, telephone, or direct communication.

603.02. Dispatch will make an announcement over the public address system similar to: “Lockdown. Repeat, we are in lockdown.” The lockdown announcement should be followed with directions for sworn staff such as: “Any officers in the building report to the front desk ASAP” and the nature of the incident broadcast on the radio.

603.03. Once initiated, all professional staff members will go into the nearest office, lock the door and await further instruction.

603.04. When the watch Captain advises that the situation is now secure, dispatch will announce over the public address system: “The lockdown has been lifted. Repeat, the lockdown has been lifted.”

610 Acceptance of Security Keys, Codes, and Cards. We do not accept "emergency" keys, cards, or codes to gated apartments, complexes, individual residences, mobile home parks, and other controlled access communities. There is no practical method for us to make these keys, cards, and codes available to our members.

610.01 Knox Box. Property managers, landlords, owners, or residents should be advised that City Building Codes require such security entrances to be equipped with Knox boxes. A key for the latter has been issued to each field officer.

615 Communicable Disease Exposure Control Plan

a. Title 29 Code of Federal Regulations Part 1910 Section 1030
b. Title 8 California Code of Regulations Chapter 4 Section 5193
c. Health and Safety Code Sections 199.97 and 199.99
d. California Penal Code Sections 7500-7554
e. California Administrative Code Section 2500, including List of Communicable Diseases.

615.01 Procedure. To provide the safest working environment possible, the Department has developed this Communicable Disease Exposure Control Plan (CDECP) to reduce that risk for members.

615.01.1 This department requires the practice of universal protective measures outlined in this plan for all "at-risk" members to minimize occupational exposures to blood and other body fluids.

615.01.2 In situations where an occupational exposure occurs, the Department will assist members in obtaining appropriate medical assessment and follow-up. The Department will also secure any relevant medical information available about the source of the exposure and will assist the member in the legal steps available to secure court ordered testing, if necessary.

615.02 Purpose. This plan was developed to protect the members of this department who are considered to be "at-risk" from occupational exposure while meeting and/or exceeding the requirements of references (a) through (e). As used in this control plan, "at-risk" shall be defined as "reasonably anticipated exposure as a result of the performance of routine assigned duties". The specific job classifications identified as "at-risk" are as follows:

a. Sworn Personnel - Chief of Police, Police Captain, Police Lieutenant, Police Sergeant, Police Officer, Police Recruit, Reserve Police Captain, Reserve Police Lieutenant, Reserve Police Sergeant, Reserve Police Officer.
b. Non-Sworn Personnel - Beach Security Officers, Property/Evidence Technicians, and Community Service Officers.

615.02.1 This plan shall meet the guidelines of the Centers of Disease Control, as identified in the Guidelines for the Prevention of Exposure to HIV and HBV in Public Safety and Health Care Settings, published February 1989.

615.02.2 This plan shall be reviewed periodically by the Training Coordinator and changes will be made as appropriate to ensure that the information and procedures presented are current, accurate, provide optimum safety and are in compliance with governing regulations.

615.03 Definitions. The following definitions, as provided, were taken from references (a) and (b).
Blood borne Pathogen - Pathogenic microorganisms, which are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).
Body Fluids - any fluid secreted from the body.
Body Fluids Capable of Transmitting HIV - Blood, semen, vaginal secretions and/or any body fluid visibly contaminated with blood.
Communicable Disease - Any disease, which can be transmitted from one person or animal to another via the air, a body fluid, or other means.
Contaminated - The presence or the reasonably anticipated presence of blood or other potentially infectious materials on a surface or in/on an item.
Contaminated Sharps - Any contaminated object that can penetrate the skin including, but not limited to, needles/syringes, knives, razor blades, broken glass or glass pipes and tubes, and exposed ends of dental wire.
Decontamination - The use of physical or chemical means to remove, inactivate, or destroy blood borne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.
Emergency Response - The response by members who are designated by job classification or as designated by their employer as emergency response personnel, to fire, traffic collision, medical emergency, earthquake, explosion, or other incidents.
Exposure - Any time a fluid or substance capable of transmitting a communicable disease has direct contact with open cuts, breaks in the skin or with mucous membranes, such as the mouth, nose, or eyes.
Exposure Incident - A specific eye, mouth, nose, or other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious material that results from the performance of a member's duties.
Human Immunodeficiency Virus (HIV) - The causative agent of the Acquired Immunodeficiency Syndrome (AIDS).
Infectious Agent - Any virus, bacteria or other organism identified as the causative agent of any communicable disease.
Occupational Exposure - Any reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of a member's duties.
Other Potentially Infectious Materials - Includes the following:
Human Body Fluids -semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva, any other body fluid that is visibly contaminated with blood such as saliva or vomitus, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids such as an emergency response.
Tissue - any unfixed tissue or organ (other than intact skin) from a human (living or dead).
Cultures - HIV carrying cell or tissue cultures, organ cultures and HIV or HBV carrying culture medium or other solutions, blood, organs, or other tissue from experimental animals infected with HIV or HBV.
Parenteral - Piercing mucous membranes of the skin barrier through such events as needle sticks or injections, human bites, cuts and abrasions.
Personal Protective Equipment - Specialized clothing and equipment worn by a member for protection against a hazard.
Source Individual - Any individual, living or dead, whose blood or other potentially infectious materials may be the source of occupational exposure. Examples include, hospital and clinic patients, clients in institutions for the developmentally disabled, trauma victims, clients of drug and alcohol treatment facilities, residents of hospices and nursing homes, human remains and individuals who donate or sell blood or blood components.
Universal Precautions - An approach to infection control that treats all human blood and body fluids as if they are known to be infectious for HIV, HBV and other blood borne pathogens.

615.04 Communicable Disease Exposure Control. The following communicable precautions will be followed by all Department members when working with persons in the care and control of this department or where exposure to body fluid or other potentially infectious materials is likely. All persons, sharp objects and body fluids are, under universal precautions, to be considered to be capable of transmitting a communicable disease. Personnel shall provide emergency medical care, including CPR, whenever necessary, without regard to whether a communicable disease is involved.

615.05 Pre-Emergency Precautions:

a. As a self-protection measure, members are encouraged to keep all their vaccinations current, which include diphtheria, polio, tetanus, mumps, rubella (measles), rubella, and flu.
b. Members will keep all cuts and other openings on the skin covered with an appropriate bandage. Those with extensive lesions or dermatitis on hands, arms, neck or face will not participate in any emergency medical treatment, CPR, or assist Fire Department or medical personnel unless the affected areas are covered with a protective material or appropriate bandage. An appropriate bandage is one that will provide the member absolute protection from exposure to communicable disease.
c. Eating, drinking, smoking, chewing gum, applying cosmetics or lip balm and handling contact lenses is prohibited in any area where emergency medical treatment or CPR is currently being administered to a patient. These restrictions are additionally extended to any crime scene or area where body fluids and/or tissue is openly exposed, being collected, examined or presented in an unprotected environment.
d. Members of this department may be, involuntarily or at their own request, removed from duty and placed on appropriate leave status (i.e. sick leave) or non-field assignment if they possess a condition that might significantly decrease their ability to be protected from any communicable disease exposure. (Revised 8/2017)

615.06 General Precautions. The following procedures will be adhered to when working with or in close proximity to a person with a suspected communicable disease or where exposure to blood or other potentially infectious materials are likely.

615.06.1 Disposable Gloves. Standard safety gloves are available to all members and will be maintained in each patrol unit, department booking area and with property/ evidence handling supplies. Disposable gloves have been placed in the department booking area and in all Communicable Disease Protection Kits for use during situations where additional safety and protection is needed.

a. Disposable gloves shall be carried by members on their person while on duty.
b. Disposable gloves shall be worn when there is a possibility of exposure to blood, other potentially infectious materials, mucous membranes and non-intact skin.
c. Disposable gloves will be worn by ALL members during any search of a person, touching contaminated items or surfaces, and handling of any sharp objects.
d. Members shall not substitute the wearing of personal leather gloves for these tasks since porous leather can be a carrier for diseases. Those members who desire to wear leather gloves during these tasks for additional protection must do so under latex disposable gloves.
e. Disposable gloves shall be worn once and disposed of in an approved manner. If there has been body fluid contact, the gloves should be disposed of in a bag marked for contaminated material.
f. Disposable gloves will not be worn for longer than the time necessary to complete the task for which they were put on. In those incidents when protective gloves shall have to be worn for an unusually long period of time, members should change gloves to maintain their protection integrity and reduce health hazards associated with this type of activity.
g. Disposable gloves should be removed by pulling the glove off inside out. Members should never touch personal items or their face while wearing gloves.
h. Members shall wash their hands with soap and water after pulling off disposable gloves or at a minimum use either an anti-microbial wipe or gel until hand washing can be completed.
i. Members should not refuse to provide service or care to a person because they failed to carry disposable gloves. (Revised 8/2017)

615.06.2 Contaminated (i.e. used) syringes and needles are to be handled with care and shall NOT be recapped by hand. They are to be disposed of promptly in one of the approved methods:

a. Sharps containers carried in Oceanside Fire Department Units or other pre-hospital apparatus (i.e. ambulances) if the syringe has no evidence value; or
b. Sealed in a department sharps container (tube) and marked according to prescribed evidence handling procedures should the needle have evidentiary value.

615.06.3 Personal Protective Portable CPR Mask.

a. Protective CPR Masks with one-way valves shall be issued to each police officer trained in their use.
b. While not issued, officers are encouraged to procure and utilize protective mask carriers, so that they will have the mask with them at all times.
c. Officers shall not refuse to perform CPR with a protective mask because of their belief that there is a risk that the person may be infected with a communicable disease.

d. Officers may also choose to perform hands/compression only CPR. (Added 8/2017)

615.06.4 Micro Shield CPR Masks. "Micro Shield CPR Masks" for use by members when giving CPR to assist in avoiding exposure to transmittable illnesses. The following procedure is established for the handling and reissue of masks after use.
a. Members who use the mask will dispose of the mask within the guidelines of disposal of bio-hazardous materials.
b. The member will contact a Supervisor for re-issuance of another mask.

615.06.5 Disposable masks and goggles are to be used in situations where splattering of body fluid is anticipated or when body fluid spills are being cleaned up. Disposable masks and goggles that have body fluid contact should be disposed of in a bag marked for contaminated material. (Revised 8/2017)

615.06.6 Disposable facemasks should be placed on all arrestees who are actively coughing and will be worn by all members working with the arrestee in their immediate vicinity as well. In addition, members will wear disposable facemasks when dealing with any person known or suspected to have TB, measles, hepatitis or meningococcal meningitis.

615.06.7 Hand washing with soap and water or an approved substitute (e.g. anti-microbial wipe or gel) will be done after each physical contact with a subject. If the anti-microbial wipe is used by members on scene, as soon as possible, the members are to re-wash their hands with soap and water. Mucous membranes should be rinsed with warm water. (Revised 8/2017)

615.06.8 All equipment, which comes in contact with persons or bodily fluids, will be decontaminated prior to being placed back into service using the methods outlined in this plan.

615.06.9 Clothing contaminated by blood or other body fluids shall be immediately changed and placed into plastic biohazard bags for later disposal or decontamination as required for those specific circumstances (refer to decontamination procedures contained in this plan). (Revised 8/2017)

615.06.10 All contaminated supplies and equipment saturated with blood or other body fluids will be placed in red plastic biohazard bags. Syringes, needles, and contaminated glass shall be placed in approved sharps containers before being transported. (Revised 8/2017)

615.06.11 All exposures or suspected exposures will be reported to the member's supervisor as soon as possible in accordance this plan.

615.06.12 Standard precautions will be taken on all persons. (All blood and body fluids are treated as a medium for communicable disease.) (Revised 8/2017)

615.06.13 Communicable Disease Protection Kits will be worn by all members involved with emergency response to an incident where blood or other potentially infectious materials may be splashed, sprayed, or splattered onto the eyes, nose, mouth, skin or clothing. This includes situations such as childbirth, GI bleeding or where patients are vomiting or combative.

Note: The only allowable violation of this requirement is where "the member temporarily and briefly declines to use personal protective equipment when, under rare and extraordinary circumstances, it was the member's professional judgment that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-worker."

A written explanation of the situation, circumstances and methods of avoiding this problem must be submitted by the involved members to the Chief of Police, via their chain of command, within 48 hours of this occurrence.

615.07 Personal Protective Equipment & Exposure Control Supplies. The following communicable disease exposure control protective equipment and supplies have been identified for use by all emergency response members and are available.

615.07.1 Communicable Disease Protection Kits. Kits are required to be carried in all emergency response patrol vehicles in a quantity sufficient to outfit all members assigned in that unit. These kits shall contain:

a. Disposable gloves, both hi-risk and standard. (Revised 8/2017)
b. Facemask.
c. Disposable impervious paper gown (Tyvek).
d. Protective eye wear.
e. Red biohazard plastic bag for contaminated equipment or supplies disposal.
f. Approved sharps storage containers.

615.07.2 Approved Sharps Storage Containers. Approved containers are available with all property/ evidence supplies. These containers are:
a. Puncture resistant.
b. Labeled as a biohazard container.
c. Red labeling or red in color.
d. Leak-proof on the sides and bottom.

615.07.3 Biohazard Disposal Bags and Labeling. Approved bags for the disposal and/or transportation of contaminated equipment and supplies are contained in the Communicable Disease Protection Kits carried by all emergency response vehicles. These bags shall be of the approved color and have an approved warning label.

615.08 Handling of Contaminated Persons, Materials and Supplies. The following procedures will be adhered to by all members when working with persons, materials and supplies that are contaminated or suspected of being contaminated by blood or other potentially infectious materials.

615.08.1 Searches should be conducted in a manner that minimizes punctures or body fluid contacts.
a. Members should use discretion when conducting a search and evaluate each situation to insure their own safety.
b. Whenever possible, members should ask suspects or prisoners if they have any sharp objects on them and where they are located.
c. Whenever possible, suspects and prisoners should be told to remove sharp objects from their person or possessions.
d. The contents of purses and other containers should be emptied out prior to a search.
e. Members should never put their hands into places where they cannot see.

615.08.2 Members assigned to handle contaminated persons, supplies and equipment will be gloved or wearing high-risk gloves. If a splash hazard exists, then goggles and a paper gown will be worn while handling that person or material. An entire communicable disease protection kit will be utilized when appropriate. (Revised 8/2017)

615.08.3 Whenever possible, only one member should be directed to handle contaminated persons, supplies and equipment for the incident, rather than subjecting several members to an exposure risk. This member will set up a target area for contaminated supplies and ensure that other individuals do not come into contact with, or handle, the contaminated person, materials or supplies unless properly protected (an open disposable blanket or gown makes a good target area).

615.08.4 All contaminated disposable supplies must be properly bagged in an appropriately marked bag and sent to this department in order to be disposed of properly.

615.08.5 All non-disposable supplies and equipment (i.e. uniforms, leather gear, handguns and shotguns, handcuffs and restraints, etc.) must be properly bagged at the scene and transported to this department for proper decontamination as outlined in this plan.

615.08.6 At no time will contaminated sharps or other body fluid saturated material be disposed of in a regular trash receptacle. (Revised 8/2017)

615.09 Handling of Contaminated Needles and Other Sharps. The following procedures will be adhered to by all members when working with needles or other sharps, which are contaminated or suspected of being contaminated by blood or other potentially infectious materials.
a. All needles (whether for disposal or as evidence) shall be placed in the appropriate red approved puncture proof sharps container at the earliest possible moment and without transferring the needle from person to person.
   Note: The highest incidence of inoculation by contaminated needles occurs during recapping.
b. Sharp objects should never be handled by tips or sharp edges and should be properly secured.

c. Needles will never be broken, bent or otherwise tampered with by personnel.
d. Sharps containers will not be overfilled. Sharps containers which are used to store needles as evidence shall contain one (1) needle per container.
e. Once filled, the sharps containers are to be closed and taped to ensure the contents are not spilled. At no time will a member attempt to reach into a sharps container, which has sharps within it.
f. Filled sharps containers for disposal purposes are to be disposed of at the earliest possible time at, and in accordance with, this department's required disposal plan.
g. Broken glassware, which may be contaminated, shall not be picked up directly with the hands. Instead, a brush and dustpan or tongs must be utilized.

615.10 Decontamination Procedures. The following procedures will be adhered to by all members when they or their equipment is contaminated or suspected of being contaminated by blood or other potentially infectious materials.

615.10.1 Members. It is important to remember that the intact skin provides a very effective barrier against communicable diseases. In the event that blood or any other potentially infectious material comes in contact with a member's skin or mucous membranes, the following procedures will be followed:
a. Wash your hands with soap and water or an approved substitute (e.g. anti-microbial wipe) after every physical contact. If the anti-microbial wipe is used by a member on scene, as soon as possible, members are to re-wash their hands with soap and water.
b. Wash all areas contaminated with blood or other body fluids as soon as possible with regular or disinfectant soap for at least five minutes.
c. If blood or any other potentially infectious material comes into contact with a mucous membrane, the affected area is to be flushed with water as soon as possible.

615.10.2 Equipment. Equipment, which has been contaminated with blood or other potentially infectious materials, shall be decontaminated as follows:
Note: DO NOT use bathrooms or dining areas to decontaminate equipment.
a. Personnel involved in the decontamination of equipment will wear disposable gloves and, if necessary, other protective equipment.
b. Equipment such as handcuffs, restraints, facilities, firearms, and other durable items shall be washed with a disinfectant/detergent solution and hot water (140 degrees or above) and air dried immediately upon return to this department.
c. Delicate equipment such as radios, etc., shall be wiped down with a solution of chlorine bleach (1-10 solution of household bleach is recommended). This solution will not damage equipment.

615.10.3 Clothing. Clothing contaminated with blood or other potentially infectious materials shall be decontaminated immediately as follows:
a. Contaminated clothing should be changed as soon as possible, including uniforms. Uniforms should be washed using normal detergent in washing machines and then air-dried. Machine drying or air-drying assists in the decontamination process. If the manufacturer of the uniform recommends dry-cleaning, then that is also sufficient to decontaminate clothing. (Note: Do not use chlorine bleach on Nomex, nylon or Kevlar gear).
b. Personnel are required to use disposable gloves when handling contaminated clothing. (Revised 8/2017)
c. Boots, leather belts or leather gun belts, holsters and accessories may be brushed-scrubbed with soap and hot water to remove contamination.
d. Red plastic bags or bags labeled Biohazard will be used to transport contaminated items of clothing.

615.10.4 Vehicles. Vehicles that have been or could have been contaminated with blood or other potentially infectious materials shall be decontaminated immediately as follows:
a. Interiors of Oceanside police vehicles should be cleaned by the operator with a disinfectant/detergent solution or 1-10 solution of household bleach and water, rinsed thoroughly and air-dried immediately after contaminated with blood or other potentially infectious materials. These solutions will not damage equipment.
b. With the approval of a supervisor a Department authorized vendor may be contacted to decontaminate the vehicle. (Revised 12/03)

615.10.5 Body Fluid Spills. Spills of this nature should be cleaned up as soon as possible. Persons responsible for the cleanup should wear appropriate protective equipment
a. A solution of 1 part household bleach to 10 parts water is sufficient to decontaminate body fluid spills. This solution, if maintained in quantity, should be replaced every 24 hours to be effective.

b. Undiluted bleach should never be poured onto blood, urine or other body fluids as a toxic reaction may occur.
c. Any cleaning agent used in the jail is sufficient to decontaminate spills of body fluids.
d. Disposable towels used to clean up spills of body fluids should be disposed of in bags marked for contaminated materials.
e. Mops used to clean up spills of body fluids should be soaked in a cleaning solution after use to insure decontamination.

615.11 Exposure Reporting and Management. California State law requires law enforcement personnel to file specific forms when they have had an exposure to a body fluid capable of transmitting HIV. The state law further requires the County Health Officer to complete an investigation and determination about HIV testing the source of the exposure. When an exposure has occurred, the exposure should be assessed and member should be referred for appropriate medical follow-up. The following actions will be taken when a member is involved with an exposure incident.

615.11 Blood Borne Pathogen and Bodily Fluid Exposure Reporting and Management. Per California Health & Safety Code 121060 Any peace officer, custodial officer, a custody assistant, a nonsworn uniformed employee of a law enforcement agency whose job entails the care or control of inmates in a detention facility, a nonsworn employee of a law enforcement agency whose job description entails the collection of fingerprints, or emergency medical personnel who, while acting within the scope of his or her duties, is exposed to an arrestee's blood or specific bodily fluids, shall do the following.
a. For purposes of this section, “blood borne pathogen exposure” means a percutaneous injury, including, but not limited to, a needle stick or cut with a sharp object, or the contact of no intact skin or mucous membranes with any of the bodily fluids identified in subdivision (b), in accordance with the most current blood borne pathogen exposure definition established by the Federal Centers for Disease Control and Prevention.

b. “Bodily fluids” means any of the following:
(1) Blood.
(2) Tissue.
(3) Mucous containing visible blood.
(4) Semen.
(5) Vaginal secretions.

615.11.1 Blood Borne Pathogens, Bodily Fluids and Member Responsibility. All employees will notify their supervisor of all incidents in which they believe they have been exposed to any of the above bodily fluids. Members who are exposed to any blood borne pathogens or bodily fluids shall do the following:

615.11.2. Exposure. Any member who has been exposed or suspects he/she has been exposed should be seen at Work Partners during normal business hours, or by the attending ER physician at Tri-City Medical Center immediately following the exposure to determine:
a. Necessary prophylactic treatment.
b. Any appropriate tests that are needed.
c. Work status of the member.

1. If a blood draw is to be obtained from the exposed employee, a “tiger tube” must be used. If the treating medical facility does not have these tubes, they are stocked and available in the FET office.
2. Because no preservatives are used inside the required “Tiger Tube”, the blood needs to be spun in a centrifuge, transported and processed at the County Health Department as soon as possible. During holidays, after hours, or weekends the sample shall be refrigerated at OPD.
3. If the exposed officer has had the Hepatitis B booster series, they may request a new test to see if the hepatitis B antibodies are present in their system. If the antibodies are not present in their system, it is highly recommended that the exposed officer start the Hepatitis B series of shots.

615.11.3. Consent Blood Draw. Per health and safety code section 121060, prior to filling out a petition with the court, a licensed healthcare provider shall notify the arrestee of the blood-borne pathogen / bodily fluids exposure and make a good faith effort to obtain the voluntary informed consent from the arrestee; or obtain consent from the arrestee’s authorized legal representative to perform the test. The voluntary informed consent must be in writing, or recorded via BWC.

615.11.4 Court Ordered Blood Draw. If the suspect refuses consent to a blood draw, a court order may be attained. The exposed member or his/her assigned designee will fill out a petition for a search warrant and request to have the results of the blood draw a released to the exposed employee.
a. The search warrant affidavit will be completed *(a copy of this document is contained on the Police: J drive*).
b. The petition must include a written attachment or verbal statement of certification by a healthcare professional that an exposure, including the nature and extent of the exposure has occurred (*a copy of this document is contained on the Police: J drive*).
c. Once the court order has been approved, the exposed officer or designee will hand carry the court order to the jail or medical facility where the suspect is being held.
d. Once the suspect's blood is drawn, it needs to be spun in a centrifuge. If the blood draw is obtained at TCMC, staff will walk the officer with the sample to the lab to be spun.
e. During normal business hours the sample and a completed HHSA Test Requisition form (*a copy of this document is contained on the Police: J drive*) will be transported to the ***San Diego County Public Health Department laboratory located at 3851 Rosecrans St. room 716 San Diego California.***
f. On holidays, weekends or after hours, the sample should be placed in the OPD refrigerator located in the booking area with a note advising sample is for the Public Health Department.
g. The Sergeant overseeing the incident is responsible for ensuring all of the proper paperwork is completed, that risk management is noticed and the notifications are made to ensure the sample is transported to the Public Health Agency on the next business day.

615.11.5 Documentation. The following information will be obtained and documented on a Department "Officers Report".
a. Oceanside Police Report Number.
b. Source of exposure's name, age, and sex.
c. Nature of exposure.
d. Form WC-01 (Employees Report of Work Injury) and Supervisors Accident Investigation Report shall be completed and submitted to the appropriate Supervisor by no later than the end of the shift in which the exposure incident occurred.

615.11.6 County Public Health Responsibility.
a. Copies of the test results shall be sent to the arrestee, each peace officer, nonsworn uniformed employee of a law enforcement agency and if the arrestee is incarcerated or detained, to the officer in charge and the chief medical officer of the facility where the person is incarcerated or detained.
b. The person whose sample was tested, shall be advised that he or she will be informed of the hepatitis B, hepatitis C, and HIV test results only if he or she wishes to be so informed. If the person consents to be informed of the hepatitis B, hepatitis C, and HIV test results, then he or she shall sign a form documenting that consent. The person's refusal to sign that form shall be construed to be a refusal to be informed of the hepatitis B, hepatitis C, and HIV test results.
c. All medical confidentiality requirements regarding medical records shall apply to the test results obtained.

615.11.7 Appeals. CA Penal Code § 7515 (2017)
(a) A decision of the chief medical officer made pursuant to Section 7511, 7512, or 7516 may be appealed, within three calendar days of receipt of the decision, to a three-person panel, either by the person required to be tested, his or her parent or guardian when the subject is a minor, the law enforcement employee filing a report pursuant to either Section 7510 or 7516, or the person requesting testing pursuant to Section 7512, whichever is applicable, or the chief medical officer, upon his or her own motion. If no request for appeal is filed under this subdivision, the chief medical officer's decision shall be final.

615.12 Follow-up Procedures After Exposure Incident. Testing and follow-up procedures will be taken when a member is involved in an exposure incident:

615.12.1 Medical Evaluation and Testing. The Oceanside Police Department will ensure that a confidential medical evaluation and follow-up will be made available to the member. This evaluation and follow-up will include, at a minimum, the following items:
a. Documentation of the routes of exposure and the circumstances under which the exposure occurred. (The fluid or substance was capable of transmitting a communicable disease, and there was a portal of entry such as a break in the skin or contact with the mucous membranes.)

b. Identification and documentation of the source individual, unless it can be documented that the identification is infeasible or prohibited law.
c. The source will be informed of the incident and tested for HIV, HBV, and HCV infections after consent is obtained. If the source is already known to be infected with HBV, HBC or HIV, viral load testing of this individual may be indicated. The results of this testing will be made available to the exposed member after advising them of the laws and regulations concerning disclosure of the identity and infectious status of the source individual. (Revised 8/2017)
d. If the source individual's consent for a HIV/HBV/HCV blood test is refused or if the source patient tests positive, the member shall be evaluated clinically and receive HIV antibody testing if indicated as soon as possible. The member may also be advised to report and seek medical evaluation of any acute febrile illness that occurs within 12 weeks after exposure. HIV seronegative workers shall be retested 6 weeks post-exposure and on a periodic basis thereafter (12 weeks and 6 months after exposure). (Revised 8/2017)
e. The exposed member's blood should be collected for baseline testing as soon as feasible. If a member does not want to have his/her blood tested, then consent can be refused and an entry will be made into the member's personnel record outlining the refusal. In addition, if the member consents to having the blood drawn, but declines to have it tested, it will be held for 90 days. If, at the end of the 90 days, the member still does not want the blood tested, the sample will be destroyed and the declination noted in the member's personnel record.
f. A written copy of the medical opinion of the healthcare professional who saw the member.
g. Whenever possible, the Chief of Police should request specific medical information regarding communicable disease about the source of the exposure from the County Health Officer. The request should be made pursuant to Department policy.

615.12.2 Post-Exposure Prophylaxis. Appropriate post-exposure prophylaxis, when medically indicated, will be provided to the exposed member. This will be provided in accordance with CDC guidelines regarding HIV, HBV, and HCV post exposure prophylaxis. (Revised 8/2017)

615.12.3 Member Refusal of Testing. If a member refuses to submit to any of these procedures, when such procedures are medically indicated, no adverse employment related actions will be taken on that basis since the procedures are designed for the benefit of the exposed member. However, all refusals will be documented and noted in the member's personnel file.

615.12.4 Exposure Record Keeping. The City of Oceanside will establish and maintain an accurate record for each member with an occupational exposure for a period of 30 years from the date employment ends. This record will include the following: (Revised 8/2017)
a. Name, social security number, and member ID number of the member.
b. A copy of the member's Hepatitis B vaccination status, including the dates of all the Hepatitis B vaccinations, pre-vaccination and post-vaccination blood screens and any medical records relative to the member's ability to receive the Hepatitis B vaccination.
c. A copy of all results of examinations, medical testing and follow-up procedures performed due to the exposure incident.
d. A copy of the healthcare professional's written opinion regarding the exposure incident.

615.13 Training and Education. The Department commenced training in HIV/AIDS and Communicable Diseases for all "at-risk" members before June 4, 1992. The Department will continue to conduct training and education programs on infectious diseases that pose a potential occupational health risk for all members who are identified by job description as "at risk" upon hire and annually thereafter. (Revised 8/2017)

615.13.1 Training Program Content. The training program shall include the following items:
a. A review of the Oceanside Police Department's Communicable Disease Exposure Control Plan, reference (a), "Occupational Exposure to Blood borne Pathogens", reference (b), "Blood borne Pathogens", references (c) through (e), DHS 8457 Report of Request for Appeal for HIV Testing and DHS 8459 Report of Request and Decision for HIV Testing. The review will also include information on where these documents are located and the timeframes for reviewing and updating.
b. A general explanation of the epidemiology and symptoms of communicable diseases, including, but not limited to, Meningitis, childhood communicable diseases, Herpes viruses, Hepatitis A (HAV), Hepatitis B (HBV), Hepatitis Non-A/Non-B Hepatitis C (HCV), Human Immunodeficiency Virus (HIV), Tuberculosis (TB), Lice, and Scabies.
c. An explanation of the modes of transmission of blood borne pathogens.

d. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials.
e. An explanation of the proper use of personal protective equipment including selection, decontamination and disposal.
f. An explanation of the use and limitations of methods that will prevent or reduce exposure including appropriate engineering controls, work practices and personal protective equipment.
g. Information on the Hepatitis B vaccine, including information on its efficiency, safety, method of administration and the benefits of being vaccinated (and that the vaccine and vaccination will be offered free of charge).
h. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.
i. Information on the post-exposure evaluation and follow-up provided to the members by this Department following an exposure incident.
j. An explanation of the signs and labels associated with contaminated bio-hazardous waste.
k. An explanation of the proper methods for decontaminating and disposing of contaminated articles and medical waste.

615.13.2 Initial/Refresher Training. All members identified as "at risk" will attend the above identified training program within the first 10 days of being assigned to their duties and then annually thereafter.

615.13.3 Record Keeping. These records will be maintained for three (3) years following the date of the course. Records showing the following information will be maintained in the Training section files:
a. The dates of the training session.
b. A summary of the training session.
c. The names and qualifications of instructors
d. The names and job titles of all members attending the training session.

625 Care and Maintenance of First Aid Kits. Marked police units are equipped with a first aid kit. The kit contains supplies that will allow the first responder to aid injured parties until the arrival of paramedics.

625.01 Contents of First Aid Kit. Each kit will contain the following items: one disposal blanket, one trauma compress, ten 4" X 4" Gauze Pads, one roll of adhesive tape, two rolls of gauze, and four alcohol wipes.

625.02 Use and Re-supply. When a member breaks a seal on a first aid kit he/she is responsible to see that the kit is replaced with a new kit as soon as possible.

700 PATROL PROCEDURES

701.1 Service Condition One. When initiated, all Patrol' officers assigned to Patrol will follow the following protocol:
a. Complete the present call in an expeditious manner.
b. Refrain from actively pursuing self-initiated enforcement activity. Officers must still take action on observed felonious conduct, in-progress events, potentially life-threatening acts, or emergencies.
c. Be prepared to respond to calls outside their designated area of assignment. (Added 10/01)

701.1.1 Officers involved in activity requiring continued attention must obtain an exemption from the on-duty Lieutenant or Field Sergeant initiating the Service Condition response. Participation and compliance with the Service Condition protocol is mandatory, absent a specific waiver from the initiating authority. (Added 10/01)

701.1.2 The on-duty Lieutenant or the Field Supervisor(s), after consultation with the Dispatch Supervisor, shall decide when normal field activity may resume. When this determination has been made, the following shall be broadcast over the primary and secondary channels: "Service Condition One is cancelled. Resume normal field activity". (Added 10/01)

703 Hate Crimes. When an officer determines an incident is a hate or bias-related incident, the following procedures will be activated to achieve a thorough investigation and a sensitive response to the victims and the community. (Vol I,§565)

703.01 Whenever any incident, identified as hate or bias-related, comes to the attention of a department member, the incident will be immediately reported to the on-duty Field Supervisor.

703.02 Responding/Reporting Officers. Responding/reporting officers shall:
a. Respond in a way sensitive to the feelings and needs of the victim(s).
b. Preserve the crime scene and facilitate the processing the crime scene.
c. Immediately take all investigative and enforcement action.
d. Notify the Field Supervisor.
e. Prepare a detailed report marking the "Hate Crime" box on the Crime Report.
f. Assure the victim this department is doing everything reasonable to prevent recurrence of related incidents and to apprehend the suspect.
g. Contact Trauma Intervention Program to provide assistance to victims in those incidents requiring it.

703.03 Field Supervisors. The Field Supervisor shall:
a. Respond immediately to the scene of all hate crime related incidents.
b. Ensure that the crime scene is protected.
c. Ensure that Field Evidence Technicians have been notified for evidence collection and that the scene is properly processed.
d. Call out Investigation members when the nature of the incident warrants.
e. Notify the appropriate elements in the Chain of Command when the incident warrants.
f. Accumulate pertinent information for disclosure to the media/press. This disclosure may occur on scene, or in the form of a press release. Should the nature of the incident warrant, the Field Supervisor may have the PIO called to the scene for media/press relations.
g. Visit the victims as soon as possible, assuring them the investigation will be actively pursued.
h. Arrange for extra patrol throughout the affected area. If, in the judgment of the Field Supervisor, there exists the potential for further acts of violence, officers should be specifically assigned to the location in a manner to deter recurrence or aid in apprehension of the suspect(s). Supervisors are <u>not</u> to make assurances of protection and thus create a "special relationship" wherein liability could occur for any injuries the person sustained due to having relied to their detriment on those assurances.
i. Ensure all remains of the incident are removed after processing. If the remains cannot be removed (i.e. paint on walls), the Supervisor shall attempt to impress upon the building or property owners the need for complete and speedy restoration as soon as possible. Referral to the Graffiti Hotline may assist them in this process.
j. Ensure the report contains full data on the incident such as materials used (cross, literature, paint etc.), size, construction, wrappings, plus the method of removal and disposition of the remains.
k. Provide the Neighborhood Policing Team Crime Prevention Specialist with all information concerning the incident so contact with community leaders concerning the progress of the investigation can be initiated and maintained.
l. Provide assistance to Trauma Intervention Program personnel as necessary.

703.04 Investigations Division. The Investigation Division shall:
a. Coordinate on-scene investigation (as applicable).
b. Conduct the investigation of the hate crime.
c. Contact appropriate state, federal and/or local agencies for assistance with major cases.
d. Maintain liaison with federal, state and local agencies for intelligence information exchange.
e. Keep the Public Information Officer, victim, and other parties informed as to the status of the case.
f. Update or assist in updating any press releases concerning the incident.

705 Responses to Disturbances of the Peace, Cost Recovery Procedures.

705.01 Generally. This establishes guidelines for responding to a Disturbance of the Peace complaints on private property, which involve loud music or groups, and/or parties. It also establishes guidelines for responses to private parties where minors are consuming alcohol. Generally, responding officers will deliver to the responsible person a "Notice of Violation: First Response". This "Notice" indicates to the responsible person "they will be charged for all city personnel and equipment expenses incurred as a result of any second or subsequent response to this location for a continuation of the disturbance." Such cost recovery is in OCC, Chapter 17, Article IV - Disturbance Abatement, §17.37 through §17.43. If minors are consuming alcohol on the premises, the responsible person is subject to arrest and the process for cost recovery will be initiated on the first response. Such cost recovery and authority to arrest is in OCC, Chapter 20 §20.27 through §20.31.
Recoverable costs for “enforcement services” include:
a. Salaries and benefits of officers or code enforcement for time spent responding.
b. Administrative costs attributed to the incident

c. Cost of treatment to injured police officers or code enforcement personnel
d. Cost of repairing damage to city property
(Revised 07/03)

705.01.1 This procedure establishes guidelines for the recovery of costs incurred in making a second police response to "disturbance" calls that violate PC §415 and also establishes guidelines for recovery of costs that involve responses to disturbances involving minors consuming alcohol. A "second response" is defined as any police response to handle a "disturbance" call within eight-hours of a prior response. (Revised 07/03)

705.02 Procedure. When a call is received regarding a noise complaint that involves loud music or groups, and/or parties, or minors consuming alcohol, the member receiving the call should make every attempt to identify the caller. This will include name, address, phone number, and whether the reporting party is willing to sign a citizen's arrest should the noise continue and a second response is necessary. In a case where minors are reportedly consuming alcohol, the identity of the caller is equally important but the necessity for a citizen's arrest does not apply. (Revised 07/03)

705.02.1 Generally, officers will not be dispatched to anonymous calls involving loud music, groups, and/or parties, but they will be dispatched if there is a report of minors consuming alcohol. If a disturbance call is not dispatched, the call will be broadcast as "information only" via the radio. (Revised 07/03)

705.02.2 Identifying information as to the reporting party should not be given out over the radio, unless absolutely necessary. In the case of a noise complaint, If the reporting party is reluctant to be contacted at his/her residence, upon a second response, an officer should meet him/her at a mutually agreed upon place somewhere away from the location of the noise. Officers will be dispatched to a first response of a noise complaint, as long as the reporting party is identified, and understands that a complaint must be signed, before a second response will occur. (Revised 07/03)

705.03 Responsibilities of Officers Responding to Related Disturbance Calls. The following actions will be the responsibilities of police personnel.

a. Determine the identity of the "responsible person" at the scene of the disturbance. A "responsible person" is defined as:
   1. the person who owns the property where the disturbance or party is occurring or, rents, leases, or otherwise has control of the premises or;
   2. the person in charge of the premises where the disturbance or party is occurring or;
   3. the person who organized the event which is causing the disturbance or party. If it is determined that the "responsible person" is a minor, then the parents or guardians of such minor will be jointly and severally liable to the City for the recovery costs.
b. In cases involving disturbance of the peace, after discussing with the "responsible person" the nature of the call serve that person with a "Notice of Violation - First Response".
c. In a case involving minors consuming alcohol, the "responsible person" is subject to immediate arrest (City Code 20.28) and immediate cost recovery (City Code 20.29: The disturbance notification procedures may still be in effect as a separate matter.
d. In cases involving disturbing the peace, upon clearing the call, notify Dispatch that the "responsible person" has been served a "Notice of Violation - First Response" and that a second response will constitute a cost recovery incident.
e. The primary responding officer will be responsible for assessing the scene and determining what action to take, if any, based upon the following:
   1. type of party or noise,
   2. whether any violations of law exist such as curfew, minors with alcohol, or narcotics activity,
   3. level of cooperation from the responsible party,
   4. availability of cover officers,
   5. willingness of a citizen to sign the complaint,
   6. potential for violence.
f. In cases involving disturbing the peace, prior to clearing the first response, the primary responding officer will brief Dispatch with regard to their assessment. In the event that the primary responding officer advises that there are clearly violations of law taking place, there is a potential for violence, and/or the type of party would indicate that gang members are in attendance, a Field Supervisor will be dispatched to further assess what actions should be taken.

g. In cases involving disturbing the peace, the primary officer assigned to a second response will be responsible for obtaining a signed citizen's arrest, prior to contacting the "responsible party". Officers will, on conclusion of handling the second response, prepare a brief Officer's Report indicating the nature of the incident, the fact that it was a "second response" and the disposition. The officer will notify the dispatcher that it is a "cost recovery disturbance" (CRD) incident. In the event the second response results in an arrest(s), then this information may simply be included in the Arrest Report. The reporting officer will obtain a case number as soon as possible so it can be placed in CAD. On all related reports the words "cost recovery disturbance" will be written on the top of the first page of the report.
h. In a case involving minors consuming alcohol, the reporting procedures are essentially the same. The investigating officer will prepare an officer's report indicating the nature of the incident, the facts supporting the case for cost recovery and the disposition. The officer will notify the dispatcher that it is a "cost recovery minor" incident (CRM). If an arrest is made, the facts of the case can be articulated in the arrest report in lieu of a separate officer's report. The reporting officer will obtain a case number as soon as possible so it can be placed in CAD.

(Revised 07/03)

705.04 Communications Section Responsibilities. The following actions will be the responsibilities of the Communications Center.

a. Generally, anonymous calls of disturbances will not be responded to, but Dispatch will advise officers in the field of the disturbance via a B.O.L., if the disturbance involves loud music, groups, and/or parties. If there are reports of minors consuming alcohol, officers will be dispatched to investigate.
b. In the event a Field Supervisor is not dispatched to a first response, Dispatch will be responsible for ensuring that a Field Supervisor is dispatched, whenever the initial responding officer advises that there is a potential for violence, there are clear cut violations of law taking place, there are gang members in attendance, or at the discretion of the officer.
c. In the event it is necessary to make a second response, Dispatch will notify responding officers that this is a cost recovery incident.
d. After dispatching officers to a "second response", Dispatch will write "C.R.D." on all CAD entries for units sent on the call. The "time cleared" will be noted when each officer indicates he/she has completed all facets of handling the call, (i.e. report writing, booking, etc.). Dispatch will note CRD in the final disposition.
e. After dispatching officers to a party call involving minors consuming alcohol, Dispatch will note "CRM" on all CAD entries for units sent to the call. The "time cleared" will be noted when each officer indicates he/she has completed all facets of handling the call. If an officer advises a response is a cost recovery minor incident, the dispatcher will note "CRM" in the final disposition.
f. When Dispatch is advised by an officer on a first response that notice has been given, a CAD entry for the incident will be printed out. This will ensure that oncoming shifts are aware of the incident.

(Revised 07/03)

705.05 Records Section Responsibilities. It shall be the responsibility of the Records Section to:

a. Process the completed report as soon as possible.
b. When Records processes a case to which a "Notice of Violation - First Response" is attached or the words "cost recovery minor" are written on the top of the report, a copy of the case will be forwarded to the Neighborhood Police Unit in charge of "415 Second Response and minor consumption Recovery". (Revised 07/03)

705.06 Support Operations Personnel Responsibilities. The following are responsibilities of the Support Operations personnel.

a. Review the Officer's Report/Arrest Report regarding the second response.
b. Obtain copies of CAD printouts.
c. Prepare the emergency response cost statement.
d. Prepare a demand letter to the "responsible person" indicating the dollar amount due the City for costs incurred in the second response or the minor alcohol consumption incident. This letter will be forwarded to the Support Operations Captain for signature.
e. Forward the signed demand letter to the Finance Department for invoicing and billing.

(Revised 07/03, 1/20)

707 Vehicle Repossession. This establishes the department's involvement in the repossession of motor vehicles by licensed repossessors. All portions of this procedure conform to Chapter 11 of the Business and Professions Code. This chapter regulates licensed repossessors in the state.

Although repossession disputes most generally concern automobiles, the rules are the same whether the item to be repossessed is an automobile or a television set. The dispute, without fail, results from a default on a conditional sales contract.

707.01 Responsibilities of officers responding to calls involving property repossession. If the registered owner or debtor is not present or does not object to the repossession and the licensed repossessor is not in violation of any criminal law, the repossessor must be allowed to proceed with the repossession.

707.01.1 If the registered owner or debtor is present and objects to the repossession prior to the repossession being completed, then the repossessor must leave. If a repossessor fails to leave, he/she may qualify for arrest for one or more of the following:

a. PC 415 Disturbing the Peace
b. PC 602 (N) Refusal to Leave Private Property
c. PC 242 Battery
d. PC 594 B (4) Vandalism Under $1,000.00
e. PC 602.5 Entering private property without consent.

707.01.2 In the event the officer is confronted with a registered owner or debtor who objects to the repossession, then the repossessor will be advised to get a court order for repossession and enlist the aid of the San Diego Sheriff's Department in enforcing the court order.

707.01.3 Officers responding to calls involving repossessors and debtors will demonstrate neutrality.

707.02 Responsibility of Member Receiving Notice of Repossession. Members who receive notification of a vehicular repossession will immediately complete the "Oceanside Police Department Vehicle Report". This report will be given a case number and filed with the Records Section. Records members will enter the Notice of Repossession into the "CLETS" system.

710 CCW Permit Violations. This procedure is established for dealing with private citizens who violate the restrictions and/or conditions imposed on their permit to carry a concealed weapon (CCW license).

710.01 Background. Under certain conditions police officers have the right to seize a license to carry a concealed weapon. When a member of the public is issued a license to carry a concealed weapon, he/she assumes the responsibility to abide by any and all restrictions, and/or conditions, of that license.

710.02 Restrictions. In addition to the restrictions that may be noted on the license itself, basic conditions which constitute cause for immediate revocation apply to all CCW licenses. These include:

a. Consumption of any alcohol and/or drug while carrying or transporting a concealed weapon;
b. Abusing this privilege by any unjustified display of a deadly weapon;
c. Impeding officers in the pursuit of their duties;
d. Refusing to display a license, or surrender a firearm to any officer for inspection upon demand;
e. Violating any law of this State or County;
f. Carrying concealed any weapon other than that listed on the license.

710.03 Procedure. If an officer encounters someone in possession of a valid CCW license issued by the San Diego County Sheriff's Department, and any of the preceding conditions exist, the officer will take possession of that license and immediately forward it to the Sheriff's License Division, PO Box 1111, San Diego, California, 92112. Any weapon in possession should be made safe and secured.

710.03.1 A written report of the incident or a copy of the Arrest Report, if applicable, will accompany the confiscated license. The decision to return the license will be made by the Sheriff's Department.

710.04 Inquiries. Inquiries relating to CCW licenses should be directed to the License Supervisor, San Diego County Sheriff's Department.

713 Alcohol/Drugs and Driving. This establishes guidelines for processing persons suspected of driving under the influence of alcohol and/or drugs, or under twenty-one years old driving after consuming alcohol.

713.01 Field Sobriety Tests. Officers will use the National Highway Traffic Safety Administration (NHTSA) approved Standardized Field Sobriety Tests as listed on the OPD "Driving while Under the Influence" report, and document the results. (Revised 11/2016)

713.02 Arrests/Vehicle Disposition. If the person is found to be under the influence, s/he will be arrested and transported to the County Jail or the Department for chemical testing. The arrestee's vehicle may be stored, legally parked, or locked and left at the scene. The vehicle may also be released to a licensed party at the owner's request. Obtain the name, address and phone number of the party to whom the car is released and include this information on the booking slip and DUI arrest report. (Revised 12/19)

713.03 Required Testing. Any person arrested on suspicion of driving under the influence of alcohol and/or drugs shall be transported to the County Jail or the Oceanside Police Department unless the person appears injured, sick, or otherwise in need of immediate medical assistance. All persons arrested for DUI of an alcoholic beverage shall be admonished pursuant to CVC §23612 of their duty to submit to a blood, or breath test to determine the alcohol content of their blood. (Revised 11/2016, 1/20)

713.03.1 Required Testing any Drug or Combination Alcoholic Beverage and any Drug. If the person is arrested for DUI of any drug or combined influence of an alcoholic beverage and any drug, the person has the choice of whether the test shall be of his/her blood, breath, or urine, and the officer shall advise the person that s/he has that choice. A urine test is available only if the person is afflicted with hemophilia or using an anticoagulant medication. (Revised 10/04, 1/20)

713.03.2 Refusal. If the arrestee refuses or fails to complete a chemical test after proper admonition, the officer shall sign a sworn statement of such refusal or failure pursuant to the requirements of CVC §13353, Department of Motor Vehicles DS 367, Chemical Test Refusal. (Revised 11/2016)

713.04 Compulsory Testing. If the arrestee refuses to take a chemical test and the officer has probable cause to arrest for a violation of CVC §23140, 23152, 23153, or PC § 191.5, the officer will obtain a search warrant for the blood draw. (Revised 11/2016)

713.04.1 A lieutenant or sergeant shall oversee the compelled extraction of a blood sample from the arrestee provided it can be accomplished in a medically reasonable manner by a person duly qualified to administer such a test and without the application of excessive or unreasonable force. No such test shall be compelled where it cannot be safely administered or where the supervisor has reason to believe that disabling, traumatic, or other serious injury may result from compelling or attempting to compel the arrestee to submit to such a test.

713.04.2 Exemptions to the forced blood draw: Persons who are hemophiliacs, or who have a heart condition and are using a prescribed anticoagulant. A statement by the person to that effect will be sufficient for officers to assume that the subject qualifies for exemption. It is recommended that officers make this determination early in the arrest procedure so as not to alert the subject of any exemption should it become necessary to forcibly withdraw a blood sample. (Revised 10/04)

713.05 Test Administration. Blood tests will be administered only by a physician, nurse, technologist, or other qualified person described in CVC §23158(a). Breath tests may be administered by the arresting officer, CSO, or other personnel, if they are certified in the use of the machine. Urine tests shall be administered and/or witnessed by a police officer or CSO of the same gender as the arrestee. (Revised 10/04)

713.05.1 The arresting officer or transportation officer will witness the breath or blood test(s), initial evidence containers from any test, and document the results in the DUI Arrest Report.

713.06 Chemical Test at Camp Pendleton. Any police officer desiring a chemical test from the driver of a vehicle involved in a traffic collision in Oceanside, and who has been transported to the U. S. Navy Regional Medical Center, will adhere to the following procedure:

a. Telephone the Officer on Duty, through their Dispatch Center, and advise him/her of the circumstances surrounding the request. The Officer on Duty will complete a form letter based on the information received and determine if the blood draw will be granted. If the subject refuses a chemical test for intoxication, the requesting

police officer will be so advised and may proceed to the U. S. Navy Regional Medical Center and complete the refusal form required by the DMV. (Revised 11/2016)

b. If the subject is unconscious, personnel of the U.S. Navy Regional Medical Center will draw blood for testing if the request has been granted through PMO as outlined above. (Revised 11/2016) In felony cases where the subject at the U.S. Navy Regional Medical Center refuses a chemical test for intoxication, the requesting police officer will be so informed. Personnel of the U.S. Navy Regional Medical Center are not authorized to withdraw blood against the will and consent of the individual, however, they will permit the police department to bring a civilian technician to the U.S. Navy Regional Medical Center to draw blood from the individual against his/her will and consent.

c. In felony cases where the subject at the U.S. Navy Regional Medical Center refuses a chemical test for intoxication, the requesting police officer will be so informed. Personnel of the U.S. Navy Regional Medical Center are not authorized to withdraw blood against the will and consent of the individual, however, they will permit the police department to bring a civilian technician to the U.S. Navy Regional Medical Center to draw blood from the individual. The Officer on Duty may authorize the blood draw on a refusal as long as the subject is compliant. A search warrant should be obtained for the refusal per our department policy as the traffic collision would have occurred within the jurisdiction of San Diego County. It should be understood that the warrant for a forced blood draw is not enforceable on Base/government property. If the subject refuses consent to the blood draw the Officer on Duty will deny the blood draw. (Revised 11/2016)

d. Once drawn, the blood sample can either be released to the police officer or analyzed at U.S.N.R.M.C. It is necessary to advise the Military Police Watch Captain which you desire at the time of the request. It is recommended that the police officer retain custody of the sample and book the blood sample into evidence at OPD. (Revised 11/2016)

713.07 Reports. The arresting officer will complete the OPD "Driving Under the Influence Supplemental Report" and sign it. If the arrestee refuses to take the required chemical test, the "refusal" section on the back of the "Officer's Statement" form (DS367) will be completed and signed by the member who actually received the refusal. (Revised 11/2016)

713.08 Hospitalized Persons Suspected of Driving Under the Influence. "Hospitalized" for the purpose of this section, means the suspect will not be treated and then released in a reasonable amount of time. Absent such a release, the question of custody and guards become a problem. Therefore, the following procedures will apply:

a. The defendant is to be arrested for the appropriate subsection of CVC §23152, misdemeanor driving under the influence. That arrest is sufficient to justify taking of blood or other physical evidence relative to the offense. On refusals, a search warrant will be obtained. (Revised 11/2016, 12/19)

b. The defendant shall be cited and given a date to appear, if he/she is able to sign the citation. If he/she is not able to sign the citation, a warrant affidavit will be submitted with the police report. The date of appearance should be at least three weeks from the date of the arrest to permit evaluation of the case and return of blood results. (Revised 11/2016)

In the case of a pending felony, the District Attorney's Office will be notified in order for their office to facilitate an on-site arraignment at the hospital or complete the PC 849(b) form and submit a warrant affidavit with the arrest report. (Revised 11/2016)

713.09 Preliminary Alcohol Screening (PAS) Test. To use the Preliminary Alcohol Screening device (PAS), an officer must complete a course of instruction on the operation and proper use of the device. (Revised 11/2016)

713.09.1 The Traffic Services Unit is responsible for the training of officers in the operation and use of the PAS device. (Revised 11/2016)

713.10 Assignment of Preliminary Alcohol Screening Devices. Preliminary Alcohol Screening devices inventory is controlled by the Traffic Services Unit. (Revised 11/2016)

713.11 Maintenance and Calibration of PAS Devices. Each operator shall be familiar with the correct operation of the PAS device. Accuracy and calibration checks will be completed by a member of the Traffic Services Unit qualified in the calibration of the PAS devices. (Revised 11/2016)

713.11.1 Operators are responsible for assuring that PAS devices are returned to the Equipment Room for weekly accuracy checks and calibration. (Revised 11/2016, 12/19)

713.11.2 Upon completion of accuracy/calibrations checks, PAS devices will be returned to the Equipment Room by the calibrating officer. The Traffic Services Unit will keep an up-to-date list of officers assigned PAS devices. (Revised 12/19)

713.12 Use of PAS Device in Field Sobriety Test (FST). The PAS device may be used by the officer as an investigative tool, CVC 23612(h). It is highly recommended that the Standardized Field Sobriety Tests be administered prior to use of the PAS. If the PAS device is used as part of the FST, the below listed procedures shall be followed. (Revised 11/2016)

a. The subject shall be admonished per CVC §23612 (i) as to their right to refuse to take the PAS test.
b. The subject shall be kept under continuous observation for at least fifteen (15) minutes prior to testing. This will ensure that the subject has not ingested any alcoholic beverages or other fluids, regurgitated, vomited, eaten, or smoked.
c. Two breath samples shall be collected, with sufficient time between samples to ensure the PAS device is clear from the first sample taken. The two samples shall be within .02 of each other (i.e., .09 and .11)

Each use of the PAS device shall be recorded on a "PAS Device Usage" log assigned to that device.

713.12.1 Admonishment. Officers shall obtain consent from the subject before testing. Admonition with the "RIGHT TO REFUSE" shall be given as follows:
"I am requesting that you take a preliminary alcohol screening test to further assist me in determining if you are under the influence of alcohol. You may refuse to take this test; however, this is not an implied consent test and if arrested, you will be required to give a sample of your blood, breath, or urine for the purpose of determining the actual alcoholic and/or drug content of your blood."

713.12.2 When the PAS device is used, the following information shall be recorded on the DUI supplemental form: (Revised 11/2016)

a. Temperature
b. Zeroed
c. Serial number
d. Test times
e. Results
f. Officer giving test

713.13 Administrative Per Se Procedures (APS). APS is the prompt administrative suspension of the driving privilege for the offense of driving under the influence of alcohol (DUI), independent of court action.

713.13.1 Reports. The "Officer's Statement" and the "Order of Suspension" must be submitted to the Department of Motor Vehicles within five working days of the arrest. Officers shall submit arrest reports prior to the end of their respective shifts. (Revised 11/2016)

713.14 Admin Per Se (21 Years of Age & Older) DS 367. When a driver is arrested for driving under the influence of alcohol and the above criteria are met, the arresting officer will serve an "Order of Suspension" on the driver and confiscate any California driver license. For drivers with out-of-state licenses, serve the "Order of Suspension" but do not confiscate the license. The arresting officer shall issue the driver the pink copy of the Temporary Driver License and advise them it will expire 30 days from the issue date. The hearing information is included on the Suspension/Revocation Order and Temporary Driver License copy. (Revised 11/2016)

713.14.1 Officer's Sworn Statement. This is the officer's 13353, 13353.1 and 13353.2 CVC advisory form. The Officer's Statement form is completed if the arrestee:

a. Refuses to submit to, or fails to complete, a chemical test to determine the blood alcohol concentration level; or
b. Takes a breath test which shows an immediate blood alcohol concentration of 0.08% or higher; or
c. Takes a blood or urine test and the officer believes that subsequent test results will show a blood alcohol concentration of 0.08% or higher.

713.14.2 Order of Suspension. The APS Order of Suspension form contains three copies; DMV, Law Enforcement, and Driver. This form also provides the driver with specific information regarding the administrative licensing action. This form is completed if the arrestee: (Revised 11/2016)

a. Refuses to submit to, or fails to complete, a chemical test to determine the blood alcohol concentration level; or
b. Takes a breath test which shows an immediate blood alcohol concentration of 0.08% or higher; or

c. Takes a blood or urine test and the officer believes that subsequent test results will show a blood alcohol concentration of 0.08% or higher.

The first and second copies, DMV and Law Enforcement, of the form will be turned in with the report, along with the arrestee's confiscated California driver license. The third copy, Driver, will be given to the arrestee and will serve as an "Order of Suspension" and, if applicable, a 30-day temporary driver's license. (Revised 11/2016)

713.14.3 Officer's Statement, Page 2. This form is completed when an arrest is made and is the probable cause statement for the Department of Motor Vehicles (DMV). (Revised 11/2016)

713.14.4 Hearing Information. The arresting or serving officer shall give this form, Pink Driver copy, to a driver when serving an APS Order of Suspension. (Revised 12/19)

713.15 Admin Per Se (Under 21 Years Of Age). CVC §23136 makes it unlawful for a person under 21 to drive with a BAC of 0.01% or greater. There are no criminal sanctions associated with this violation and is it administrative in nature. The 0.01% BAC will be determined through the use of a PAS device. (Revised 11/2016)

713.15.1 When an officer contacts a driver under 21 years of age, who the officer suspects has consumed an alcoholic beverage, shall conduct a thorough investigation. As the last FST, the driver shall be advised of the requirement to submit to a PAS device test. (Revised 11/2016)

713.15.2 As described in CVC §23612 (h), a PAS Device is an instrument designed and used to measure the presence of alcohol on a breath sample. An evidentiary breath machine may be used for enforcement of this section if "immediately available". (Revised 11/2016)

713.15.3 CVC §13388 allows officers to use chemical tests, if a PAS device is not “immediately available” to test blood alcohol concentration of a driver under the age of 21 years, who is suspected of having a 0.01% or greater blood alcohol concentration. “Immediately available” means in the officer’s general location or within a reasonable distance. Officers shall use professional judgment determining “immediately available” and “reasonable distance”. (Revised 11/2016)

713.15.4 At the conclusion of the FSTs, the driver shall be admonished that they are required to submit to a PAS device test. The admonishment is located on the Officer's Statement. If the driver submits to a PAS test, and the results show 0.01 percent BAC or greater, or if the driver refuses to take the PAS test, they will be told a suspension or revocation of their driving privilege will be for a period of one to three years. (Revised 11/2016)

713.15.5 If a PAS reading of .01 percent or greater is obtained and no violation of CVC §23140, 23152, or 23153 exists, the officer shall take possession of the driver's California driver license, issue a temporary driver license, and complete an Officer's Statement, DS367m. (Revised 11/2016)

a. When arrest is not an available option, the officer shall use sound professional judgment in determining the appropriate release disposition for the driver.
b. A case number will be entered in the “Law Enforcement Agency Case No.” block only if an arrest is made or citation is written by the officer. (Revised 11/2016, 12/19)

713.15.6 Per CVC §22651(h)(2) a police officer may remove a vehicle after serving a notice of an order of suspension or revocation of a driver’s license pursuant to CVC §13388 or 13389. (Revised 11/2016)

713.15.7 If a minor driver is arrested for driving under the influence, and after a breath test, is determined not to be under the influence, the evidentiary test may be considered a PAS test for purposes of sections 23136 and 13388. (Revised 11/2016)

713.15.8 When officers encounter drivers under 21 years of age who have been drinking, and enforcement action is taken per CVC §23140, 23152, or 23153, the following paperwork shall be completed:

a. For violation of §23136, the officer shall take possession of the driver license, issue a temporary driver license, and complete the DS 367M. The BAC 0.01 box shall be checked when a person under 21 years of age has a BAC in excess of 0.01. (Revised 11/2016)
b. For violation of §23140, 23152, or 23153, the officer shall take possession of the driver's California driver license, issue a temporary driver license, and complete the DS 367M. (Revised 11/2016)

713.16 DUI Emergency Response: Cost Recovery Procedure. The following establishes guidelines for the recovery of the costs incurred for Police and Fire emergency responses to DUI (alcohol/drugs) related traffic collision incidents as provided for in California Government Code 53155. DUI Cost Recovery incidents are defined as occurring when any person who is under the influence of alcohol or drugs, whose negligence or wrongful conduct with regard to the operation of a motor vehicle proximately causes a collision resulting in an emergency response.

713.16.1 Responsibilities of the Investigating Officer at the Scene. Determine that DUI is the proximate cause of the incident, and advise Dispatch to log the incident for cost recovery. (Revised 11/2016)

713.16.2 Responsibilities of the Dispatch Center. Upon receiving information from the officer (re: DUI), Dispatch will log the dispo as CR. (Revised 11/2016)

713.16.3 Responsibilities of the Records Section. Process the completed report as soon as possible and forward a copy of the complete report to the attention of the person in charge of DUI cost recovery.

713.16.4 Responsibilities of the Support Operations Member Assigned to DUI Cost Recovery.

a. Check the Records Management System (RMS) weekly to locate DUI related traffic collisions. (Revised 11/2016)
b. Prepare the emergency response cost statement based on information obtained from the printout of the incident.
c. Forward the cost statement to the Support Operations Captain for approval. (Revised 11/2016, 12/19)
d. Forward a copy of the cost statement along with the prepared letter to the responsible party to the Finance Department for billing.

715 Utilization of Laboratory Technicians for Blood Tests. Persons who are arrested for DUI, alcohol and/or drugs, will be offered the opportunity to take a blood or, breath test according to legal requirements and according to department policy. (See "Driving Under the Influence" for details.) (Revised 11/2016)

715.01 A nurse/phlebotomist may be available at the Vista Detention Facility. When feasible utilization of this service is desirable. (Revised 11/2016)

715.02 Exception. If it is impossible to take the person to the County Jail due to injuries or other reasons, it may be necessary to call out a laboratory technician who will perform the tests. Officers will make the request through Dispatch for a phlebotomist to be called out. (Revised 11/2016)

715.03 Laboratory Technician Qualifications. Only persons specified in CVC §23158(a) and who have been added to the department's call-out list will be utilized to draw blood for evidentiary purposes. (Revised 11/2016)

715.04 Call Out. The call out list will be kept in the dispatcher's office. Officers needing a laboratory technician will call the dispatcher who will, in turn, call a laboratory technician.

715.05 Recording/Witnessing Test. The arresting officer should witness the chemical test, complete the evidence label to be affixed to the evidence envelope, and record the location, date, time of the test and name of the laboratory technician in his or her report. This information will be noted on the DUI Supplemental report, arrest report, and the DS367. (Revised 11/2016)

715.06 Evidence. Evidence in DUI cases will be retained by the witnessing officer who will see that the blood sample is properly marked, logged, preserved, and booked into evidence. (Revised 11/2016)

715.07 Supplies. It will be the responsibility of the Support Operations Division to make appropriate supplies available to laboratory technicians.

717 Crime Scene/Incident Scene Procedures

717.01 Command of the Scene. The senior patrol officer at the scene of a crime, traffic accident, or other police incident will assume command until the arrival of a supervisor. The supervisor will then assume these duties. If a higher-ranking supervisor decides to assume command of the scene, he/she will formally advise the supervisor. In no event is the mere presence of a higher-ranking supervisor to be construed as an assumption of command. The scene Captain will direct all police personnel in a manner to assure the most orderly and efficient accomplishment of the police task.

717.02 Duties of Officers Assigned to the Scene. The first officer(s) to arrive at a crime scene, accident scene or incident scene will:

a. Summon medical assistance or administer first aid as necessary to save lives.
b. Arrest violators.
c. Preserve the scene and identify witnesses.
d. Coordinate the response of other units until relieved of command.
e. Make the preliminary investigations and reports.
f. Notify appropriate member for follow-up investigations.

717.03 Follow-Up Investigations. Follow-up investigations are usually conducted by crime investigators, detectives or accident investigators as appropriate. The patrol supervisor is responsible for the overall police operations at a crime, accident or incident scene, but the investigations supervisor will be responsible for the follow-up portion of the investigation.

717.03.1 Supervisors from different units or divisions at the scene will coordinate their efforts to ensure efficient operations. Supervisors are authorized to use Senior Volunteers as necessary and appropriate to assist with outer perimeters, road closures, and miscellaneous functions. See Volume II Sections 1310.02 and 1310.03 for use and deployment of Senior Volunteers. (Revised 03/04, 12/19)

720. Missing Persons. This policy provides guidance for handling missing person investigations. The Oceanside Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Oceanside Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

720.1 Definitions

At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

Child - State law defines a child as any person under 18 years of age (Cal Pen Code §14215(c)). Federal law defines a missing child as any person under 21 years of age. (42 U.S. Code § 5779 also known as "Suzanne's Law")

Unidentified Person - A person, living or deceased, whose identity the local investigative agency is unable to determine. (Cal Pen Code §14215(f))

Living Doe - A person who is living and unable to ascertain his or her identity (for example: an unconscious person, an infant, etc.)

720.2 Required Forms and Biological Sample Collection Kits

The Investigations supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing person school notification form
- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

720.3 Acceptance of Reports. Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

720.3.1 Communications Center

- Dispatch all Missing Persons calls regardless of jurisdiction or amount of time reported missing.
- Missing Persons reports can be taken over the phone or in person unless missing person is under the age of 12.
- Query all names prior to dispatching call; If subject shows as missing, Dispatch will confirm with reporting agency.
- Ensure BOL is broadcast by Dispatch or responding officer if Missing Person is determined to be under 21 years of age or at risk. Note that BOL has been broadcast in the call.
- If Dispatch receives a CLETS Administrative Message regarding a Missing Person who may be in our jurisdiction, the dispatcher will enter a “BOL”. If specific location is provided for the missing person, a CAD incident will be created and dispatched.
- When a Patrol Supervisor requests a statewide Amber Alert, the Communications Center will notify the California Highway Patrol, the agency authorized to initiate such alerts, and request their assistance. Under no circumstances will an Amber Alert by requested from the CHP without the Watch Commander’s notification.

720.4 Initial Investigation. Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

a. Respond to a dispatched call for service as soon as practicable.
b. Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
c. Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
d. Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).
e. Ensure that entries are made into the appropriate missing person networks as follows:
    1. Immediately, when the missing person is at risk.
    2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
f. Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
g. Collect and/or review:
    1. A photograph and a fingerprint card of the missing person, if available.
    2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush) if missing person is determined to be at risk.
    3. Any documents that may assist in the investigation, such as court orders regarding custody.

4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

h. When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
i. Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
j. Complete CPS referral (per PC 11166K) or APS referral (per W&I 15630(b)(1)) when appropriate
k. Direct reporting/responsible party to enroll qualifying missing adults in the Take Me Home program

720.5 Report Procedures and Routing. Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

720.5.1 Supervisor Responsibilities. The responsibilities of the supervisor shall include, but are not limited to:

a. Reviewing and approving missing person reports upon receipt.
    1. The reports should be promptly sent to the Records Section.
b. Ensuring resources are deployed as appropriate.
c. Initiating a command post as needed.
d. Ensuring applicable notifications and public alerts are made and documented.
e. Ensuring that records have been entered into the appropriate missing persons networks.
f. Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction. Assure that the correct offense of "Courtesy Report" is selected to signal Records personnel to forward the report promptly.

720.5.2 Records Section Responsibilities. The receiving member shall:

a. As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211). The case report shall remain open and assigned until receiving agency acknowledges receipt and enters missing person under their department ORI.
b. Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).
c. Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
d. Forward a copy of the report to the General Investigations Section.
e. Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

720.6 General Investigations Section Follow-Up. In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

a. Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
    1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
    2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.
b. Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.
c. Should consider contacting other agencies involved in the case to determine if any additional information is available.
d. Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
e. Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

f. Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
g. Should make appropriate inquiry with the Medical Examiner.
h. Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.
i. Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).
j. Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
k. In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

720.7 When a Missing Person is Found. When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.
The Records Manager shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213): (current P&P 720.08 says these need to be done but does not specify that they are the responsibility of the Records Manager)

a. Notification is made to California DOJ.
b. The missing person's school is notified. (Records will not do this but probably needs to be a mgmt. decision on how to reword this responsibility)
c. Entries are made in the applicable missing person networks. (applicable networks would include CA DNA database and NAMUS, also not addressed by OPD Records Division)
d. Immediately notify the Attorney General's Office.
e. Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

720.8 Unidentified Persons. Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

a. Obtain a complete description of the person.
b. Enter the unidentified person's description into the NCIC Unidentified Person File.
c. Use available resources, such as those related to missing persons, to identify the person.
d. Assign a point of contact and consult with DOJ MUPS.

720.9 Case Closure. The General Investigations Section supervisor may authorize the closure of a missing person case after considering the following:

a. Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.
b. If the missing person is a resident of Oceanside or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
c. If this department is not the lead agency, the case can be made inactivate if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.
d. A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

720.10 Training. Subject to available resources, (the Senior Management Analyst?) should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

a. The initial investigation:
    1. Assessments and interviews
    2. Use of current resources, such as Mobile Audio Video (MAV)
    3. Confirming missing status and custody status of minors
    4. Evaluating the need for a heightened response
    5. Identifying the zone of safety based on chronological age and developmental stage

b. Briefing of department members at the scene.
c. Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
d. Verifying the accuracy of all descriptive information.
e. Initiating a neighborhood investigation.
f. Investigating any relevant recent family dynamics.
g. Addressing conflicting information.
h. Key investigative and coordination steps.
i. Managing a missing person case.
j. Additional resources and specialized services.
k. Update procedures for case information and descriptions.
l. Preserving scenes.
m. Internet and technology issues (e.g., Internet use, cell phone use).
n. Media relations.

720.11 Missing Person Report Types.

Catastrophic Missing: Missing person is possibly a victim of a disaster (e.g. boating accident, plane crash, earthquake, flood, fire, terrorist act, etc.).
Dependent Adult: Adult who has physical or mental limitations which restrict his or her ability to carry out normal activities (e.g. Alzheimer's disease, dementia, autism, etc.).
Lost: Missing person who has strayed away and whose whereabouts are unknown.
Parent/Family Abduction: Child who is taken, detained, concealed, enticed away, or retained by a parent/family member or person at the request of the parent.
Runaway: Any child under 18 years of age who is voluntarily missing.
Stranger Abduction: Missing person taken or kidnapped by a stranger (includes cases of a known abductor who is not a family member).
Suspicious Circumstances: Circumstances which give rise to the belief that "foul play" may have been involved; the disappearance is out of character for the individual, and no known reason can be determined.
Unknown Missing: Child or adult who is reported missing, but there are insufficient facts to determine the circumstances.
Voluntary Missing: Missing adult who has left on his or her own free will.

720.12 At Risk Alert Systems.

720.12.1 Amber Alert. A child abducted by a stranger is in grave danger. Though such incidents are rare, a rapid response and the public's assistance locating the child are critical to improving the victim's chance of survival. AMBER alerts are only used for the most serious child abduction cases, when authorities believe a child is in imminent danger of serious bodily injury or death, not for runaways. The Emergency Alert Systems may be used to notify the public of child abduction if:

- There is a confirmed abduction, or a child has been taken by anyone, including but not limited to a custodial parent or guardian (e.g. witness verification, alternative explanations for a child's absence eliminated).
- The victim is 17 years of age or younger, or an individual with a proven mental or physical disability.
- The child is in imminent danger of serious bodily injury or death.
- Information is available that, if disseminated to the general public, could assist in the safe recovery of the victim (vehicle information is not a requirement to activate an AMBER Alert.).

The Emergency Alert System is not intended to be used for abductions resulting from custody disputes that are not reasonably believed to endanger the life or physical health of a child

To issue a child abduction AMBER Alert:
1. The Watch Commander will determine that the circumstances surrounding the report of a missing child meet the criteria for activation
2. The Communications Center Watch Commander shall be notified of the requested alert activation. If a statewide alert is deemed necessary, the Watch Commander shall be notified of the AMBER Alert activation by the Communications Center.

3. The Watch Commander will prepare a brief (less than 2 minutes) announcement that will be transmitted to the SDSO Communications Center Watch Commander via fax or email (per established local Activation plans). The synopsis should include:
    - A child has been reportedly abducted
    - Where the abduction took place
    - When the abduction took place
    - A description of the child
    - A description of the abductor
    - A description of any vehicle involved
    - The last known direction of travel
    - The telephone number to public response
    - A statement that no action should be taken other than to inform police
4. The Watch Commander will telephone the SDSO Communications Center Watch Commander at (858)565-5025 and request to activate an AMBER Alert.
5. A phone "hotline" to handle tips should be designated, PIO should be advised to handle press

720.12.2 Silver Alert. The purpose of the Silver Alert program is to establish a quick response system designed to issue and coordinate alerts following the unexplained or suspicious disappearance of an elderly or developmentally disabled person. The goal of a Silver Alert is to provide immediate information to the public about the missing person, including images or descriptions and the time and location last seen to speed the process to locate the person and return them to safety.

After receiving a report of an adult missing person, it is the reporting officer's responsibility to conduct a preliminary investigation and determine if the missing person meets the Silver Alert activation criteria.

A request to activate a Silver Alert shall be made when ALL of the following exist:

- The missing person is 65 years of age or older, developmentally disabled (W&I 4512), or cognitively impaired (W&I 14522.4).
- The investigating law enforcement agency has utilized all available local resources *NEED TO ARTICULATE IF THIS INCLUDES TRACKING CANINES*
- The law enforcement agency determines that the person has gone missing under unexplained or suspicious circumstances.
- The law enforcement agency believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril. AND
- There is information available that if disseminated to the general public could assist in the safe recovery of the missing person.

California Government Code §8594.10

If the handling officer believes an incident meets the Silver Alert criteria, s/he shall notify the Watch Commander to request activation of the Silver Alert System. If the Watch Commander determines that the requirements above are met, the agency may request the Department of the California Highway Patrol to activate a Silver Alert. If the Department of the California Highway Patrol concurs that the requirements of subdivision (c) are met, it shall activate a Silver Alert within the geographical area requested by the investigating law enforcement agency.

720.12.3 Notification Concerning Found Missing Person. The law enforcement agency that initiated the AMBER/Silver Alert is responsible for notifying the Sheriff's Communications Center Watch Commander when the missing person is located. The Sheriff's Communications Center Watch Commander is responsible for notifying surrounding agencies that the missing person has been found.
(Revised 5/2020)

723.01 Definition of Mentally Disordered Persons. On occasion, officers contact persons whose actions are deemed unusual but who constitute no immediate custody concern. These non-emergency situations are more fully described in section 723.12 entitled "Non-Emergency Evaluations." (Revised 02/01)

723.01.1 A person who, as a result of a mental disorder, is a danger to others or to themselves, or gravely disabled, may present an emergency custody situation. Some pertinent points of discussion are: (Revised 02/01)

723.01.2 A "mental disorder" may result from other than strictly psychiatric or emotional reasons. Mental incompetence may also have been induced by head trauma, hypovolemia (shock due to blood loss), alcohol or drug ingestion or withdrawal, and metabolic diseases (diabetes, liver or kidney diseases), for example. The appearance and mechanisms of these possibilities should be familiar to the officer through mandated emergency medical training. (Rev 02/01)

723.01.3 "Danger to self or other" may, but need not be, extreme overt acts to qualify a mentally disordered person for emergency custody. Recent episodes of dangerous behavior combined with verbal threats may constitute danger. (Revised 02/01)

723.01.4 "Gravely disabled" means a condition in which a person, as a result of a mental disorder, is unable to provide for his/her basic personal needs for food, clothing, and shelter (W&I 5008(h)). A person of any age may be "gravely disabled" under this definition. An officer should not feel burdened with differentiating between mental retardation and other instances of mental incompetence, as the diagnosis is actually a medical one that should occur upon intake by the psychiatric staff. Mental retardation, epilepsy, or other developmental disabilities, alcoholism, other drug abuses, or repeated antisocial behaviors do not, by themselves, constitute a mental disorder. If a person is a danger to others or to themselves, or gravely disabled as a result of the use of narcotics or restricted dangerous drugs, they may also constitute an emergency custody situation (W&I 5342). If the disabling condition is a result of alcohol ingestion or withdrawal, custody may similarly be affected (W&I 5170). (Revised 02/01)

723.02 Emergency Commitment Procedures. The authority for assuming custody of certain mentally disordered persons is W&I 5150, which states in part that: "When any person, as a result of mental disorder, is a danger to others or to themselves, or gravely disabled, a peace officer, member of the attending staff, as defined by regulations, of an evaluation facility designated by the county or other professional person designated by the County may, upon probable cause, take or cause to be taken, the person into custody and place them in a facility designated by the County and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation."

723.02.1 If the dangerous or disabling condition is the result of the use of controlled substances (referred to in Division 10, commencing with Section 11000, of the Health and Safety Code), custody is authorized under W&I 5343; for alcohol disability, the authority is W&I 5170. (Revised 02/01)

723.03 Discussion. Not all physicians, psychiatrists, or mental health professionals are "persons designated by the County" and therefore may not be authorized to order involuntary evaluation of a mentally disordered person. Even those persons who are designated may not have the means of exercising adequate control during the restraint and transportation phases of custody. All emergency room physicians in San Diego County do have the authority to effect involuntary commitments as defined by W&I 5150.

An officer or other designated person must base the emergency detention upon probable cause to believe the person is a danger to himself or others, or he/she is gravely disabled as a result of a mental disorder. It is not necessary for the officer to personally observe the dangerous or disabling behavior. While paramedics, mental health professionals, physicians, and ordinary psychiatrists may not necessarily be authorized to order the emergency commitment, probable cause may well be developed from information provided by those persons as a result of their own observations or professional expertise. The officer must have enough recent facts to believe a person needs evaluation, and those facts may come from any credible source, including laypersons such as relatives or knowledgeable neighbors. If the probable cause is based on the statement of a person other than the officer, member of the attending staff, or professional person, such person shall be liable in a civil action for intentionally giving a statement that he or she knows to be false. If a mental health professional "designated by the County" as defined in W&I 5150, requests emergency detention assistance and the Shift Supervisor determines not to render that aid, the requester may advise them of probable consequences of their failure to act. (Revised 02/01)

723.04 Detainment Advisement. As soon as practical after being taken into custody, the disordered person should be read the "Detainment Advisement." A format is provided in the upper right corner of the "Application for 72-hour Detention for Evaluation and Treatment" (MH 302). While the disorder may prevent some persons from fully comprehending the nature of the advisement, the officer must make a good faith effort to make the advisement (W&I 5157). (Revised 02/01)

723.05 Care of Property. At the time a person is taken into custody for evaluation, or within a reasonable time thereafter, unless a responsible relative or the guardian or conservator of the person is in possession of his/her personal property, the officer shall take reasonable precautions to safeguard it (W&I 5210), and document the disposition of it in the narrative section of the "Mental Health Supplemental Report". This is advantageous when the patient's residence or vehicle will be unattended, or when the Humane Society has impounded the patient's pet animals. (Revised 02/01)

723.06 Confiscation of Firearms, Firearms Parts, Ammunition, and Other Deadly Weapons. Firearms and other deadly weapons shall be confiscated from any person involuntarily detained for psychological evaluation (W&I 8102). A deadly weapon includes guns, knives, and any other item that is illegal to possess pursuant to Penal Code Section 12020. (Revised 02/01)

723.06.1 Upon confiscation, the detainee shall be notified of the legal procedures for seeking to have the items returned (W&I 8102). This notification shall be made by completing the form entitled "Notice of Procedures Regarding Return of Weapons Confiscated from Persons Detained For Mental Examination." The officer and the detainee both sign the form in the spaces provided. A copy of the fully completed and executed form shall be given to the detainee. The officer shall also complete a numbered property/ evidence form to be attached with the case. (Revised 02/01)

723.06.2 The officer shall complete the confiscated weapons section of the DHCS 1801 form, "Application for 72-Hour Detention for Evaluation and Treatment". The officer should note that this information is requested twice on the form. The request in the "Notifications To Be Provided To Law Enforcement Agency" section at the very bottom of the form is used when criminal charges may be filed against the person. If not, then the appropriate section to be completed is immediately above the aforementioned section. (Added 02/01, 1/20)

723.06.3 Any confiscation made pursuant to W&I 8102 shall be assigned to the Crimes of Violence Sergeant for further processing and review. The sergeant shall make every effort to determine when the person is released from detention. This sergeant shall promptly notify the City Attorney's Office of the person's release and recommend as to whether the department should file a legal action seeking to prevent the firearm or other weapon from being returned. (Revised 02/01)

723.07 Transportation and Application for Detention. Once the mentally disordered person has been taken into custody, he or she will be transported to a facility designated by the County for evaluation and treatment. It is recommended that admission be verified in advance by calling the intake personnel.

723.07.1 The officer should stay at the facility no longer than is necessary to complete documentation of the detention and a safe and orderly transfer of physical custody (W&I 5150.2).

723.07.2 If the patient is found to need mental health services, but isn't admitted to the facility for any reason, the facility should assure that the immediate needs of the patient are met appropriately prior to referring or transferring the patient to another facility. The referral and transfer of the patient is the responsibility of the assessing facility. (Revised 02/01)

723.07.3 When an officer detains someone pursuant to W&I 5150, the officer should transport the person, or arrange for the transportation of the person, to the closest facility designated by the County for the mental health evaluation. This is to minimize the amount of time the officer is out of service. For adults this would normally be the Palomar Hospital, Pomerado Hospital and County Mental Health. For juveniles this would be either Rady's Children's Hospital, Emergency Screening Unit, Aurora Behavioral Health Care or Sharp Mesa Vista Hospital. The closest hospital may not always be the best choice due to an extended wait at the facility, bed availability and insurance coverage; therefore, officers should familiarize themselves with the list of facilities designated by the County for the mental health evaluations. (Refer to the LPS informational cards provided by the departments PERT Team.) This list will be provided to Dispatch. It will be the responsibility of the PERT officer to ensure that the information on the list is current. For Military Veterans, active duty military personnel and their dependents, officers should refer to the procedures outlined in Field Procedures section 723.15. (Added 2/01, Revised 1/20)

723.08 Liability. The detaining officer shall not be civilly or criminally liable for any action by a person released before the end of 72 hours (W&I 5154(c)).

723.09 Reporting. Each mental health facility requires the original RHCS 1801 (06/18) (Application for 72-hour Detention for Evaluation and Treatment) written in ink. In all cases, the "Oceanside Police Department Mental Health Supplemental Report" shall be filled out. A case number will be affixed to all reports. (Revised 1/99) (Revised 02/01)

723.10 Alleged Mentally Disordered Person Suspected of Felony. If an apparently mentally disturbed person is suspected of committing a felony, he/she will be arrested and booked. The County of San Diego's Vista Detention Facility (VDF) and the Central Detention Facility (CDF), located in downtown San Diego, will accept suicidal persons. If needed, both of these facilities have safety cells, which can be used to house the person until an evaluation by a psychiatrist can be performed. The person will not be transferred to a mental health treatment center without prior approval of the General Investigation Lieutenant. Sanity is judged by the judicial process and not the Police Department. The rationale for this procedure is that the felony suspect may feign a mental disorder in an attempt to raise an insanity defense at the trial. If taken to a treatment facility soon after arrest, it could add weight to his/her plea of insanity at the time of the crime.

The PERT Team can assist by providing a PERT MENTAL HEALTH SCEEN FOR DETENTION evaluation and form. (Revised 02/01, 1/20)

723.11 Special Instructions. Generally, in San Diego County, a person admitted to a facility will be detained for a maximum of 72 hours (W&I 5151). The person may be released prior to 72 hours if the mental health professional determines they no longer require treatment (W&I 5152). Therefore, if a suspect is admitted to an evaluation facility as a patient, with a criminal investigation pending, it is important that the officer complete "Notifications To Be Provided To Law Enforcement Agency" section at the bottom of the form, so that the department will be notified if the patient/suspect is released early (W&I 5152.1). The officer shall write the following in this section, "Crimes of Violence Sergeant (760)435-4900". (Revised 02/01)

723.12 Non-Emergency Evaluations.

723.12.1 Voluntary. Persons seeking voluntary treatment and not defined by W&I 5150, 5170, or 5343, should be referred to their own physician, and provided a copy of the OPD Mental Health and Crisis Intervention Pamphlet. (Revised 02/01, 1/20)

723.12.2 Involuntary. Officers must guard against attempting to interpret the provisions of the emergency commitment authority of W&I 5150, 5170, or 5343 for purposes of solving needy but non-qualifying situations. Persons who are not dangerous or disabled may not be involuntarily committed. However, if a person's behavior appears to warrant psychiatric evaluation, the officer should complete a PERT Referral Form describing the circumstances. OPD's PERT will interview the person and other involved parties. If necessary, the PERT Team would refer to the In-Home Outreach Team would assess eligibility for Assisted Outpatient Treatment (AOT) under Laura's Law, a court ordered treatment program. (Revised 02/01, 1/20)

723.13 Juveniles. Admission to treatment facilities described above is not dependent upon age. If a juvenile is found in any public place suffering from any sickness or injury that requires care, medical treatment, hospitalization, or other remedial care, an officer may take them into custody (W&I 305c). In other settings, if the officer has reasonable cause to believe the juvenile is described in W&I 300 (in need of proper and effective parental care or not provided with the necessities of life, or who is physically dangerous to the public because of a mental disorder), the juvenile may also be taken into custody (W&I 305a). (Revised 02/01)

723.14 Military. Mentally disordered veterans, active duty, or retired military personnel and their dependents may be managed in the same manner as civilians. At the officer's discretion, and where no life-threatening medical conditions warrant otherwise, active duty or retired military personnel (That are insured with Tri-Care for life) and their dependents may be transported to the U.S. Naval Regional Medical Center in San Diego (commonly known as Balboa Naval Hospital), where the patient will be evaluated in the emergency room. The hospital does not have a psychiatric unit to treat children and adolescents, however, the staff conducts the evaluation of them for in-patient treatment. If needed, the hospital arranges for treatment at another facility. Veterans with Veterans Administration benefits, may be transported to the Veteran's Administration Hospital in La Jolla. (Revised 02/01, 1/20)

723.14.1 U. S. Naval Regional Medical Center is located at 34800 Balboa Center Dr. in Balboa Park. The officer should call the emergency room, and advise them of the situation. Let them know if the person is detained pursuant

to W&I 5150 so military police will be available to meet you when you arrive. They will want to know how long it will take you to reach the hospital (usually 45 minutes to one-hour drive time).

723.14.2 The officer should provide the following: name of sponsor (military personnel), sponsor's birth date, sponsor's military identification number, and sponsor's social security number. (Added 02/01)

723.14.3 If the patient is a dependent, the following information is also needed: name of dependent, dependent's birth date, and dependent's social security number. (Added 02/01)

723.14.4 If the officer has any difficulties, the officer can ask to speak with the "Officer of the Day." (Added 02/01)

724 Psychiatric Emergency Response Team (PERT). This procedure is to be used by members as a general guideline related to the Psychiatric Emergency Response Team (PERT). For additional information related to mentally disordered persons and W&I 5150 status refer to Volume III, Section 723. (Added 02/01)

724.01 Background of PERT. PERT combines the resources of a uniformed police officer with a licensed clinician in responding to the assistance of a mentally disordered person. PERT advises patrol officers on psychiatric issues and assists in the evaluation, transportation and processing of individuals in need of psychiatric treatment. (Added 02/01)

724.01.1 PERT is intended to provide humane and beneficial outcomes for mentally disordered persons who have come to the attention of law enforcement. PERT provides rapid response to field officers' requests for assistance with mentally disordered persons or people in crisis. The PERT program is designed to return officers to patrol duties as quickly as possible. PERT will complete an initial evaluation and assessment of the subject, and if appropriate, make a referral and/or transport to a community-based resource or treatment facility. (Added 02/01)

724.02 Requests for PERT Assistance. The department's PERT is part of a regional program designed to provide PERT services throughout San Diego County. Under some circumstances, a PERT team may be utilized in a jurisdiction outside that team's primary jurisdiction. (Added 02/01)

724.02.1 Requests for OPD's PERT assistance should go through Communications. If PERT is contacted directly, PERT shall advise Communications prior to agreeing to respond. The Shift Supervisor shall have final authority over a PERT response out of the City of Oceanside. (Added 02/01)

724.02.2 Officers desiring a PERT response should notify Communications. If OPD's PERT is not on-duty, Communications can attempt to locate another agency's PERT to respond if the officer desires it by contacting the other agency's Communications unit. The PERT Office provides a link to Communications with the monthly schedule for all PERT Teams in San Diego County. Communications should refer to this when trying to determine which agency to contact. (Added 02/01, 1/20)

724.02.3 OPD's PERT should be dispatched to all calls in Oceanside involving known or suspected mentally disordered persons. (Added 02/01)

724.03 Procedures. The procedures related to emergency detentions pursuant to W&I 5150 by PERT are identical to those outlined in Volume III, Section 723.02, however, PERT has additional resources available which may assist in determining the most appropriate care for the person. (Added 02/01)

724.03.1 PERT will attempt to admit the person to the most appropriate facility. This is based upon, but not limited to, the following factors:

a. Funding Source: Insurance coverage, Medical, Medicare, other funds, or indigent.
b. Bed Availability: Both in the facility's initial screen area (emergency room) and its lock-down unit.

724.03.2 The PERT Officer will be assigned the following "Less-Lethal" equipment: the beanbag shotgun and taser. The officer will utilize the equipment in a department approved manner. (Added 02/01)

724.04 Circumstances when PERT may be used. (Added 02/01)

724.04.1 Provide assistance to field units on calls or contacts dealing with people in need of a mental health assessment or intervention. (Added 02/01)

724.04.2 Provide necessary follow-up on calls and contacts regarding previous PERT cases. (Added 02/01)

724.04.3 Allow officers to remain in service by providing transport when requested and necessary, to the appropriate agency or facility. Officers should use good judgment and discretion when making these requests. (Added 02/01)

724.04.4 When requested, and unless unavailable, PERT shall respond with the Crisis Negotiation Team (CNT) on all suicidal subject incidents for which CNT is activated. (Added 02/01) (Revised 12/03) (Revised 11/09)

724.04.5 To provide collaboration and consultation for appropriate Community Oriented Policing (COP) projects. (Added 02/01)

724.05 PERT Follow-up Investigation. As part of the proactive philosophy of PERT, the team may be required to follow-up on certain individuals that require additional help and resources. An officer desiring a PERT follow-up will submit a PERT Referral as outlined in Volume III §724.06. These circumstances may include the following. (Added 02/01)

724.05.1 If a person does not meet the W&I 5150 criteria, but the officers believe that the person would benefit from contact with a clinician and possible referral information. (Added 02/01)

724.05.2 A person who has been hospitalized in a psychiatric facility a number of times, and the officer is familiar with the subject believe that PERT may be effective in limiting future hospitalizations by utilizing PERT resources proactively to prevent another crisis. (Added 02/01)

724.05.3 A person who requested information on psychiatric issues that PERT may be able to provide. (Added 02/01)

724.06 PERT Follow-up Investigation Procedures. An officer desiring a PERT follow-up must complete the "PERT Referral Form". This form is confidential and the contents of the form will only be disseminated to team members and those individuals the team may utilize to assess and/or assist the referred person. These forms are available in the report writing room. Completed forms should be placed in the PERT mailbox. (Added 02/01)

724.06.1 Upon receipt of the PERT Referral Form, PERT will attempt to identify any safety concerns. This will include a check of the ARJIS and County/SUN systems. PERT shall request additional officers if needed for safety reasons before contacting the person. (Added 02/01)

724.06.2 Communications will be advised of all PERT follow-up contacts. (Added 02/01)

724.06.3 Once the follow-up is completed, the team will add comments to the referral form and complete all appropriate reports. (Added 02/01, 1/20)

724.07 PERT Officer's Responsibilities. (Added 02/01)

724.07.1 Provide safety for the community, clinician, and the person contacted. The officer should be aware of the possible fluctuating behavior of the person being contacted. Consequently, the officer shall ensure the team handles the situation with tact, professional demeanor, and persuasiveness with a constant vigilance toward the possibility of unpredictable behavior. (Added 02/01)

724.07.2 Shall make the initial contact with the subject, and allow the clinician to approach the person for the evaluation only when it is reasonably safe to do so. (Added 02/01)

724.07.3 Control those persons detained by the team pursuant to W&I 5150. If restraint is necessary, officers shall use Department approved holds and/or equipment. (Added 02/01)

724.07.4 Maintain knowledge of the current legal and ethical issues related to mental illness and law enforcement. (Added 02/01)

724.07.5 Ensure that the team follows the Department's guidelines for the detention and transportation of those persons detained by the team pursuant to W&I 5150. (Added 02/01)

724.07.6 Assure completion of required reports: the "Application for 72-Hour Detention for Evaluation and Treatment" and the "Oceanside Police Department Mental Health Supplemental Report" for people meeting the W&I 5150 criteria, or crime and arrest reports for people the team arrests. (Added 02/01)

724.07.8 Participate in various PERT training sessions and meetings when possible. (Added 02/01)

724.07.10 Provide training as needed regarding mental health/law enforcement issues. (Added 02/01)

724.07.12 Perform the typical duties of a patrol officer when not performing PERT related duties and complete any required reports. (Added 02/01)

724.07.13 Provide the Shift Supervisor's office with a list of facilities designated by the County for mental health evaluations, and to ensure that it is updated when needed. (Added 02/01)

724.08 PERT Clinician Responsibilities. The PERT Clinician is not an employee of the City (employed by Community Research Foundation). The Department does have certain expectations of people acting as its agents. (Added 02/01, 1/20)

724.08.1 Maintain requirements related to the licensing of PERT clinicians. (Added 02/01)

724.08.2 Maintain knowledge of the criteria for psychiatric disorders according to the Diagnostic Statistic Manual V and current legal and ethical issues as they relate to mental illness. (Added 02/01, 1/20)

724.08.3 Remain a safe distance from the scene until the PERT Officer advises that it is safe to approach. The PERT Clinician should avoid physical confrontations. If the clinician feels the evaluation cannot be done safely, the clinician shall inform the PERT Officer, who is responsible for the team's safety. (Added 02/01)

724.08.4 Conduct mental health evaluations and assessments of the people contacted by the team. (Added 02/01)

724.08.5 Formulate an appropriate disposition supporting the subject's needs and safety. (Added 02/01)

724.08.6 Consult with the PERT Officer regarding disposition of the subject. (Added 02/01)

724.08.7 Ensure that the Department's guidelines for the detention and transportation of those persons detained by the team pursuant to W&I 5150 are followed. (Added 02/01)

724.08.8 Provide documentation to the PERT Officer supporting the decision to detain and transport the person pursuant to W&I 5150. (Added 02/01)

724.08.9 Observe the person during transportation. (Added 02/01)

725 Persons Refusing Medical Aid. Officers will ensure medical attention is provided for all persons injured or ill. Persons refusing medical aid or treatment will be cared for in accordance with current law.

725.01 Juveniles. If a juvenile needs emergency or medical care and refuses such assistance, or his/her parents refuse to allow such care, or are incapable of actually exercising such care, the juvenile will be taken into custody.

725.01.1 Authorization for Medical Treatment. When parents of the juvenile, or the juvenile, refuses proper medical attention, authorization of treatment will be provided by a Probation Officer at Juvenile Hall.

725.02 Adults. Competent adults who are conscious and refuse medical treatment based upon religious beliefs or other reasons will not be forced to accept treatment. In those cases, an attempt should be made to locate a responsible party to care for the victim.

725.02.1 Incompetent adults who cannot rationally consent to emergency treatment will be handled according to Departmental Policy involving "Mentally Disordered Persons."

725.02.2 If a person is unable to communicate with the officers or medical personnel due to unconsciousness, mental disorders, etc., the law implies his/her consent of treatment, even if objections are raised by a relative.

730 Disabled Motorists. Whenever practical, members should stop and inquire as to the needs of disabled motorists. Even if the safety of the motorist is not of concern, common courtesy should be shown by offering whatever reasonable assistance we can.

730.01 Members who are not in uniform should immediately identify themselves as Oceanside Police in order to allay any fears the motorist might have.

730.02 Notification Assistance. When the notification of another party will suffice, police members should offer assistance in making such notification. Use of the police radio is authorized for this purpose.

730.02.1 Notification is not sufficient when it would be hazardous to the citizen to leave him/her alone while he/she awaits the response of the assisting party. In such a circumstance, the member should also address the matter of the citizen's interim well-being.

730.03 Transportation. When the safety of the person necessitates, members are authorized to transport citizens to the police station or other place of security within a reasonable distance. Transportation shall be in accordance with department procedures.

730.03.1 Members shall not transport persons outside the City limits without the approval of their supervisor.

730.04 Voluntary Acceptance by Citizen. We cannot require that a citizen accept our protection, nor can we require that they comply with our directions. If, after reasonable efforts have been made to explain the hazards and the assistance we are able to provide, a citizen declines our assistance, further action on the part of the member is not necessary.

733 Foreign Nationals and Undocumented Foreign Nationals. The Oceanside Police Department offers assistance and aid to all foreign nationals within our city. The 1963 Vienna Convention states that law enforcement agencies are required to help foreign nationals communicate with their consular posts and that the law enforcement agencies are to make various notifications to consular posts.

733.01 Communication and Contact with Foreign Nationals. Diplomatic officials and foreign nationals are entitled by treaty to certain rights. In the event of a contact with a person claiming diplomatic immunity or privilege, contact a supervisor immediately.

733.01.1 Current information as to the appropriate office to notify in case of arrest, detention, imprisonment, or death of a foreign national may be obtained from any State Department Office or calling 202-736-7559 during working hours or 202-647-1512 after working hours. (Revised 01/00)

733.01.2 Consular officers shall be free to communicate with nationals of their country and to have access to them. Foreign nationals shall have the same freedom to communicate with, and access to consular officers.

733.01.3 Upon the arrest and booking, or detention of a foreign national for more than 2 hours, the officer shall advise the arrested or detained foreign national that he/she has a right to communicate with an official from the consulate of his/her county. If the arrested or detained foreign national is from one of the countries listed in Penal Code section 834c(d), that country shall be notified of the subject's arrest or detention without regard to any request by the subject. (Revised 01/00) (Revised 12/01)

733.01.4 If the arrested or detained foreign national chooses to exercise that right, the officer must make the appropriate notification to foreign national's consulate. The officer must ensure that an arrestee is allowed to communicate with, correspond with, and be visited by, a consular officer of his/her country.

733.01.5 Consular officers shall have the right to visit a national of their country who is in custody or being detained, to converse with them and to arrange for legal representation. Consular officers shall refrain from taking action on behalf of a national if the national expressly opposes such action.

733.02 Notification Regarding Death or Serious Injury to Foreign Nationals. The following will be made for all Foreign Nationals.

a. The Investigations Division/Crimes of Violence Unit Supervisor will be responsible for notification in the event of serious injury through non-traffic cases.
b. The Department Accident Investigator will be responsible for notification in the event of serious injury through traffic cases.
c. The Coroner's Office will make notification in the event of death.

733.02.1 Mexican Consulate. A treaty signed by the United States and Mexico in 1943 requires that local officials notify within 24 hours the nearest Mexican Consular official in the event of death or serious injury to a Mexican National. Notification may be made by telephone to any employee of the Mexican Consulate at 225 Broadway, San Diego.

733.03 Authorization Needed for U.S. Law Enforcement Activity in Mexico. The Mexican government implemented rules for foreign law enforcement officials conducting investigations in Mexico. The changes are a result of a U.S. Supreme Court decision that permits U.S. officials to kidnap U.S. fugitives abroad and bring them to the United States for trial. Although the rules apply primarily to the Drug Enforcement Administration, they also are applicable to all U.S. law enforcement officials who conduct investigations or liaison duties in Mexico. Mexican authorities require strict compliance with the new procedures.

733.03.1 U.S. law enforcement officers must contact Mexican Immigration for authorization prior to entering Mexico to conduct any law enforcement activity. The contact person is Licenciado Victor Manual Meza Ezqueda, Regional Delgado, Mexican Immigration, Tijuana, Baja California, telephone 0-11-52-66-82-48-55.

733.03.2 This procedure applies to all matters including interrogations, obtaining declarations, arrests, liaison activities, search and seizures, expulsion/deportation, inducement efforts involving Mexican nationals or foreign third parties, or requests for expulsions/deportations or arrests of U.S. fugitives must be made in writing to the headquarters of Servicios Migratorios, via the Regional Delgado. Once the request is approved, the Mexican Immigration Service will coordinate the requested action with U.S. authorities in accordance with Mexican law. Any of the official acts described above involving Oceanside Police Department members require supervisory approval. Further information on these matters can be obtained by contacting the California Department of Justice, Bureau of Investigation.

733.04 Requests for Asylum by Foreign Nationals. It is the policy of the United States Government that foreign nationals who request asylum in the United States (that is, ask for protection or ask to remain in the United States because of persecution) should be given an opportunity to have their requests considered on their merits. The United States also has an obligation under a treaty to prevent the forcible removal of refugees from the United States. In order to carry out these obligations and policies, the following procedures should be followed when the Department receives a request from a foreign national for asylum in the United States.

733.04.1 Non-Emergency Requests. If the person requesting political asylum is not in immediate fear of his/her life or safety, he/she should be told to go to the nearest U.S. Immigration Services Office and request the appropriate forms to fill out. The address is:

U.S. Immigration Service
1st Floor
880 Front Street
San Diego, CA 92188

733.04.2 Emergency Requests. If the asylum seeker is in immediate fear of his/her life or safety, he/she should be placed in protective custody. If necessary, reasonable force may be used against attempts to forcibly return the refugee to his/her homeland. The U. S. Bureau of Immigration and Customs Enforcement (BICE) should be notified immediately and arrangements should be made to transfer the case to BICE as soon as possible. Telephone the service at 557-5645 during business hours or 428-7162 after 1700 hours and ask for a CAPO (Consenting Alien Protection Officer). When it becomes available, the following information should be given to the CAPO:

a. Name and nationality of the person seeking asylum.
b. Date, place of birth, and occupation.
c. Description of any documents shown.
d. What foreign authorities, if any, are aware of his/her seeking asylum.
e. Circumstances surrounding the request for asylum.
f. Exact location. If aboard vessel or aircraft, ETA at next intended port or airport.

g. Reason for claiming asylum.
h. Description of any criminal charges known or alleged to be pending against the asylum seeker.
The CAPO will make arrangements to pick up the subject. In rare cases where this is impossible, the subject will be transported for the CAPO. The Immigration Service will make all further required notification to the U.S. State Department, Secret Service, FBI or other agencies as appropriate.

734 Immigration Violations – Added 6/1/18, Effective 7/1/18

734.1 Purpose and Scope. The purpose of this policy is to provide guidelines to members of the Oceanside Police Department relating to immigration and interacting with federal immigration officials.

734.2 Policy. It is the policy of the Oceanside Police Department that all members make personal and 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 national origin or immigration status.

734.3 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 to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity or national origin or in any way that would violate the United States or California constitutions.

734.4 Immigration Inquiries Prohibited. Officers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

734.5 Detentions. An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6).
An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 UCS § 1326(a) (unlawful reentry) that may be subject to enhancement (due to conviction of specified aggravated felonies) may detain the person for a reasonable period of time to contact federal immigration officials to verify the suspected violation or whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved. If the officer determines the aforementioned violation has occurred and the penalty may be subject to enhancement, he/she may arrest the individual for that offense (Government Code § 7284.6).
An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).
An officer shall not detain any individual, for any length of time, for any other criminal violation of federal immigration laws (Government Code § 7284.6).

734.5.1 Supervisor Responsibilities. When notified that an officer has arrested an individual for violation of 8 USC § 1326(a), the supervisor should refer to policy 734.7.4 to determine whether it is appropriate to:
(a) Transfer the person to federal authorities.
(b) Transfer the person to jail.

734.6 Federal Requests for Assistance. Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

734.7 Information Sharing. No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):
(a) Sending information to, or requesting or receiving such information from federal immigration officials
(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state or local government entity
No member shall provide immigration authorities with personal information, as defined in Civil code section 1798.3, including but not limited to name, home or work addresses, and social security or telephone numbers, unless this information is otherwise made "available to the public" by the Department. Nothing in this policy restricts sharing information that is permissible under the California Values Act.

734.7.1 Immigration Detainers. No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).
Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 7284.6):
(a) The individual has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).
(b) The individual has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary.
(c) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
(d) The individual is a current registrant on the California Sex and Arson Registry.
(e) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

734.7.2 Notice to Individuals. Individuals in custody shall be given a copy of documentation received from U.S. Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer request along with information as to whether the Oceanside Police Department intends to comply with the request (Government Code § 7283.1).
If the Oceanside Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

734.7.3 ICE Interviews. Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Oceanside Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1. An individual who is otherwise ready to be released will not be further detained for the sole purpose of facilitating such an interview. Where feasible, it is recommended that the City Attorneys' Office be consulted upon receipt of any civil interview request.

734.7.4 Transfers to Immigration Authorities. Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist:
(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.
(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
(c) The individual is a current registrant on the California Sex and Arson Registry.
(d) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

734.7.5 Access and Assistance. Members shall not provide office space at the Department exclusively dedicated for immigration authorities. Members shall not use immigration authorities as interpreters for law enforcement matters

734.8 U Visa and T Visa Nonimmigrant Status. Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).
Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).
Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the General Investigations Section supervisor assigned to oversee the handling of any related case. The General Investigations Section supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).
(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.
(e) Inform the victim liaison of any requests and their status.

734.8.1 Time Frame for Completion. Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).
Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 90 days of a request from the victim or victim's family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

734.8.2 Reporting to Legislature. The General Investigations Section supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

734.9 Training. The Senior Management Analyst should ensure that all appropriate members receive training on immigration issues.
Training should include:
(a) This Policy.
(b) Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

734.10 Joint Task Forces. The Oceanside Police Department may allow officers to conduct enforcement or investigative duties associated with a joint law enforcement task force, including the sharing of confidential information with other law enforcement agencies for purposes of task force investigations, so long as the following conditions are met:
(a) The primary purpose of the joint law enforcement task force is not immigration enforcement, as defined in subdivision (f) of Section 7284.4.
(b) The enforcement or investigative duties are primarily related to a violation of state or federal law unrelated to immigration enforcement.
(c) Participation in the task force by a California law enforcement agency does not violate any local law or policy to which it is otherwise subject.

734.10.1 If the Oceanside Police Department chooses to participate in a joint law enforcement task force, for which the Oceanside Police Department has agreed to dedicate personnel or resources on an ongoing basis, it shall submit a report annually to the Department of Justice, as specified by the Attorney General. The Oceanside Police Department shall report the following information, if known, for each task force of which it is a member:
(a) The purpose of the task force.
(b) The federal, state, and local law enforcement agencies involved.
(c) The total number of arrests made during the reporting period.

(d) The number of people arrested for immigration enforcement purposes.
All law enforcement agencies shall report annually to the Department of Justice, in a manner specified by the Attorney General, the number of transfers pursuant to paragraph (4) of subdivision (a), and the offense that allowed for the transfer, pursuant to paragraph (4) of subdivision (a).

734.10.2 All records described in this subdivision shall be public records for purposes of the California Public Records Act (Chapter 3.5 (commencing with Section 6250)), including the exemptions provided by that act and, as permitted under that act, personal identifying information may be redacted prior to public disclosure. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be disclosed.

734.10.3 If more than one California law enforcement agency is participating in a joint task force that meets the reporting requirement pursuant to this section, the joint task force shall designate a local or state agency responsible for completing the reporting requirement. To the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation, or would endanger the successful completion of the investigation or a related investigation, that information shall not be included in the Attorney General's report. (Cal Gov Code § 7284.6)

734.10.4 Department personnel may send to, or receive from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or request from federal immigration authority's immigration status information, lawful or unlawful, of any individual, or maintain or exchange that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

735 California Victim Compensation Board (CalVCB). These procedures provide for notifying victims of violent crimes of their rights under CalVCB.

735.01 Qualifying Crimes Under CalVCB. Victims of the following crimes can receive assistance:
Assault, Child Abuse, Domestic Violence, Drunk Driving, Elder Abuse, Hate Crimes, Homicide, Human Trafficking, Online Harassment, Robbery, Sexual Assault, Stalking, and Vehicular Manslaughter.

735.02 Procedure. Every officer taking a Crime Report, of any kind, will provide the victim an OPD Victims' Survival & Resource Guide. The OPD case number shall be written on the front of the pamphlet in the space provided.

735.03 Liaison Officer. The Crimes of Violence sergeant is named as the department's CalVCB liaison officer. It shall be the responsibility of this sergeant to respond in detail to inquiries from interested person(s) concerning the procedure for filing a "Victims of Violent Crime" claim under the statute.

735.04 Marsy's Law. Victims' Bill of Rights falls under CA Constitution, Article 1, Section 28(b) and Penal Code Section 679.026.

735.05 Procedure. Every officer taking a Crime Report, of any kind, will provide the victim with an OPD Victims' Survival & Resource Guide. The OPD case number shall be written on the front of the pamphlet in the space provided and the officer will document in his/her report that a guide covering Marsy's Law was provided to the victim.

736 Information to be given to Victims. Penal Code 293 and 293.5 require officers to advise victims of certain crimes that the victim's name will become a matter of public record unless they request otherwise.

736.01 Admonishment. An officer shall advise the victim of his/her right to anonymity and complete the PC 293(a) – Victim Admonishment form, which is to be added to the case file. The fact that the admonishment has been given to the victim will be documented within the officer's report.

736.02 Procedure. Officers will use the victim's true name when completing their crime report, arrest reports, property tags, hospital records, etc. These records are a necessary part of a criminal investigation and do not become "public record" in a criminal prosecution.

736.03 Definition. For purposes of this section, victims of the following crimes are to be admonished:

PC 220, 261, 261.5, 262, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75, 646.9.

743 Asset Seizures. State seizures are administered by the San Diego County District Attorney's Office and an Assistant United States Attorney administers Federal seizures. As a general rule, if our department has seized property as part of an ongoing State criminal investigation and the criminal defendants are being prosecuted in State court, the forfeiture action should also be pursued in State court. Circumstances may make Federal forfeiture appropriate. A Special Enforcement Section sergeant will make this decision.

743.01 Seizure. California Health and Safety Code 11470 and its subsections allow for the seizure of cash and assets under the following conditions. (Revised 12/2016)

a. 11470(b) Equipment of any kind used or intended to be used, in making or delivering any controlled substance.
b. 11470(d) All records, books, computers, software, etc. used or intended to be used to violate narcotic laws.
c. 11470(e) Autos, boats, planes if used in any manner to facilitate possession for sale or sale of 7.125 gr. heroin or cocaine or 14.25 gr. Methamphetamine.
d. 11470(f) Cash and negotiable instruments furnished or intended to be furnished in exchange for a controlled substance or which can be shown to be proceeds of a narcotics transaction.

743.01.1 Cash and assets can be seized only if probable cause exists at the time the person is relieved of his/her property. Developing probable cause after the property has been seized is not acceptable. However, an arrest and/or conviction is not absolutely necessary for a seizure.

743.02 Value. The minimum amount of cash that can be seized is $750.00. This is per individual and cannot be a cumulative amount from different subjects. Example: If two suspects are arrested in a narcotics transaction and one suspect has $500.00 and the other has 251.00, the $751.00 cannot be seized. In all cases a receipt will be given to the individual from whom the money is taken at the time of seizure.

743.02.1 Vehicle Value. Vehicles seized must have a net equity of at least $2,000.00. This means that if a vehicle is financed, the debt must be subtracted from the actual value of the vehicle to determine if it meets the criteria to be seized.

743.03 Procedure. When an officer comes upon a situation in which he/she believes there is a justifiable seizure, the officer should advise Dispatch to call out an SES narcotics investigator. The narcotics investigator will evaluate the circumstances and make a decision on whether to proceed with the seizure. The narcotics investigator will provide written "notice of seizure" to the property owner and complete all applicable seizure paperwork. The originating officer is responsible for completing his/her related reports. The narcotics officer is responsible for filing the seizure paperwork with the Major Narcotics Unit of the San Diego County District Attorney's Office.

743.03.1 If an SES investigator is not available, the officer shall follow the procedures below and notify the SES Senior Office Specialist via voice mail.

743.03.2 Cash. All cash seized shall be placed into Evidence following evidence procedures. The SES supervisor will remove the cash from Evidence and deposit it in the District Attorney's Asset Seizure account using the deposit slips provided by the DA's office.

743.03.3 Vehicles. When a vehicle is impounded, a CHP 180 Impound Form is to be completed listing the impound authority as H&S 11470(e) seized. The location stored is Oceanside Police Department. It should be driven or towed to the Oceanside Police Department for processing. After the vehicle is processed, it will be moved to our storage facility at the City Operations Center. All property located inside the vehicle having no evidentiary value should be released to the registered owner. If they are unable to take custody of the property, it should be placed into bulk property per appropriate procedures. This eliminates claims of lost or stolen property or the need to return the property at a later date. The vehicle is to be photographed. Photos should be taken of the interior and exterior, including all four sides and any damage. The keys and a copy of the report should be forwarded to the SES Senior Office Specialist.

743.04 Reporting. Time is of the essence when submitting the paperwork for a seizure. The officer conducting the seizure will forward a copy of the Arrest and/or Crime Report to SES. If no arrest is made, the details of the seizure should be documented on an Officer's Report. The reports should include the circumstances surrounding the seizure including how the officer believes the vehicle or cash was derived from the sales of narcotics or how it was used to

facilitate narcotics transactions. This information should include large cash purchases, employment or lack of, dominion and control, etc.

743.05 Case Tracking. All seizures will be recorded and tracked by the Special Enforcement Section Supervisor to ensure that the paper flow is done in a timely manner. The supervisor will also ensure that all vehicles are properly stored until final disposition.

745 Impounding Animals. Members are responsible for the care and safety of animals they impound.

745.01 When to Impound Animals. Animals will be impounded when the owner is arrested, injured or otherwise unable to care for the animal and no one else accepts responsibility, if they are being uncared for or maltreated, if they are loose and causing a hazardous condition, or otherwise in need of care.

745.02 Procedure. During normal working hours, the Humane Society Officer will be called to the scene and the animal released to their care. After normal working hours, the animal will be placed into one of three "holding" pens at the Humane Society Shelter. The officer will notify the dispatcher, who in turn will notify the on-duty Humane Officer, giving them the animal owner's name and address (if known). The duty Humane Officer will come to the shelter to put up the animal. Stray dogs that are not injured can be placed into a holding pen and the duty Humane Office need not be notified. They will be notified if the animal is injured.

753 Reporting Arson Cases.

753.01 Only arsons that meet the elements of Penal Code Section 451 and 452 will be reported on Crime Reports. These crimes involve the willful and malicious setting of a fire of any structure, forestland or property; and the reckless setting of such fires. If the elements of willfulness, maliciousness or recklessness are absent, there is no arson. Fires of accidental or unknown origins will not be classified as arsons.

753.01.1 If the fire is of a "suspicious" nature, but the elements are not clearly present, the details should be documented on an Incident Report as opposed to a Crime Report.

753.02 Arson statistics shall be taken from Crime Reports only, and not from Incident Reports or Fire Department Logs.

753.03 Officers will respond to fire scenes as dispatched, or at the request of the Fire Department when they feel they have an arson. The officer will evaluate the situation and document it on a Crime Report or on an Incident Report according to the above guidelines.

757 Fraud/Forgery Reporting Procedures. This procedure provides general guidelines to members for the preliminary documentation and investigation of fraud-based crimes. These include:

a. PC 470.2 - Forgery.
b. PC 475 - Possession of forged/counterfeit bills, checks, etc.
c. PC 476 - Making, uttering fictitious instruments.
d. PC 476a - NSF/Account Closed checks.
e. PC 484g - Credit Card fraud.
f. PC 488f - Forgery of access card.

757.01 Task Organization. Patrol Division has primary responsibility for the preliminary documentation and investigation of fraud-based crimes.

757.01.1 Automated Information Services has primary responsibility for entering fraud data into the Automated Worthless Document Index (AWDI) and notifying Investigations Division personnel of AWDI generated leads.

757.01.2 Investigations Division has primary responsibility for:

a. Conducting follow-up investigations.
b. Conducting liaison with the District Attorney's Office.
c. Conducting liaison with outside law enforcement agencies.
d. Determining threshold amount for assigning cases for investigation.
e. Maintaining liaison with the local business community.

757.02 Procedures for Non-Custody Calls for Service with the Suspect Not Present at the Scene. Calls regarding non-custody PC 476a, 470, 484g, 475, 487f, and 476 should be referred to the front desk and handled by CSOs.

757.02.1 For PC 476a (NSF/Account Closed checks) cases, with loss in excess of $1500, the PSO/CSO should use the following procedure:
a. A Crime Report will be completed. This report may be taken over the telephone.
b. Evidence shall be collected in these cases, when available.
c. A case number will be drawn.

757.02.2 For PC 470, PC 475, and PC 476 (Fictitious Instrument) cases, the PSO/CSO should:
a. Ask the victim to bring the involved documents to the front desk.
b. Complete a Crime Report and assign it a case number.
c. Collect and process any evidence that is immediately available.
d. In those cases where the victim is able to identify specific property that the suspect obtained, list it on the Crime Report.
e. Attach copies of documentary evidence to the report.
f. Forward the report through standard report processing channels.

757.02.3 PC 484g Credit Card Fraud cases should be handled in the same manner as PC 470 and PC 487f cases.

757.03 Procedures when the Suspect is Present or being Detained. Calls for service when the suspect is being detained or is present should be handled by police officers. The reporting procedures outlined above should be followed and the investigating officer should use his/her judgment regarding an arrest. Such cases almost always require extensive and time-consuming follow-up and, because of this, frequently cannot be completed within constitutionally mandated deadlines.

757.03.1 Generally, an arrest should be made if:
a. the victim insists and signs a citizen's arrest,
b. the suspect cannot be adequately identified,
c. the suspect is likely to flee the jurisdiction, or
d. there is some other circumstance which makes it prudent to book the suspect.

757.03.2 In all arrest cases, the Property Crimes and Financial Crimes Unit should be notified as soon as possible.

758 Identity Theft Procedure. This procedure standardizes the reporting of identity theft cases and provides the procedures for members when investigating and processing identity theft complaints. Refer to PC §530.5 for background and definitions (Added 10/2004)

758.01 Patrol Responsibility. Documentation of Identity Theft is the responsibility of the law enforcement agency having jurisdiction of the victim's residence. During the initial documentation members are responsible for the following:
a. Pursuant to PC 530.7, members shall prepare an initial identity theft crime report listing PC 530.5 Identity Theft in the "Code Section/Description" line for any victim who residing in the City of Oceanside. Those residing outside the City of Oceanside will be referred to their agency, or a courtesy report may be taken if the jurisdiction is outside the local area.
b. An Identity Theft report should contain all known incidents of fraudulent activity (e.g., Visa Card account number applied for in the victim's name, when the victim never applied for such a card).
c. If the victim has made reports to other agencies, those reports shall be referenced in the initial crime report with case numbers if known.
d. Members shall give the victim a copy of the department's Victim's Guide to Identity Theft. This shall be documented in the initial crime report.
e. Members shall recommend to the victim that s/he register as a victim of identity theft with the Federal Trade Commission (www.ftc.org).
f. In cases where the identity theft occurred over the internet the victim should be encouraged to file a report to the U.S. Department of Justice FBI website at (www.IC3.gov)

758.02 Report Review Responsibilities. Report Review members shall ensure:

a. The initial crime report is properly completed.
b. The officer has documented that the victim has been provided with the departments "Victims Guide to Identity Theft".

758.03 Records Section Responsibilities The Records Section shall:
a. Forwarding all reported cases of identity theft to General Investigations.
b. Pursuant to PC 530.6, upon request, the Records Section shall provide, without cost, one copy of the initial crime report to victims of identity theft.

758.04 Investigations Division Supervisor. Upon receipt of an identity theft (or related) report, a General Investigations supervisor will evaluate the case for assignment.

758.05 Assigned Investigator. The assigned investigator:
a. Shall investigate all practical leads within the department's jurisdiction. While our department may investigate the violation of PC 530.5, this does not necessarily mean it will investigate the entire case. Per PC §530.6, if the suspect(s) are committing other crimes in the name of the victim in other jurisdictions, those respective law enforcement agencies are responsible for initiating a report and investigating the separate offenses. For example, if a victim resides in Oceanside and discovers someone has used his or her personal identifying information to apply for a credit card, and that credit card was mailed to and used in the City of San Diego the following applies: Oceanside Police Department will take a Courtesy Report for the theft of the personal identification information. The case will be forwarded to the San Diego Police Department who will be responsible for investigating the unlawful use of the credit card and for documenting the violation. Conversely, if the victim resides in the City of San Diego and their personal identifying information was used to obtain and use a credit card in the City of Oceanside, The San Diego Police Department would initiate the report, and our Department would investigate the unlawful use of the access card.
b. Should consider jurisdictional issues, secondary and /or related crimes, and victims.
c. Will access the solvability of the case. If the crime occurred outside our jurisdiction and there is no criminal nexus to Oceanside, the investigator shall write a follow-up report recommending the case be forwarded to the agency with jurisdiction of the crime.

760 Pawn Shop, Secondhand Dealer Procedures.

760.01 Definitions.
"Pawnbroker": Every person engaged in the business of receiving goods in pledge, as security for a loan is a pawnbroker. Pawnbrokers and pawnshops are required by state and local law to be licensed.

"Secondhand Dealer": Any person, partnership, firm, or corporation whose business is buying, selling, trading, taken in pawn, accepting for sale on assignment, any secondhand personal property. Secondhand dealers are required by state and local law to be licensed. Coin dealers are excluded from this definition.

760.02 Procedures. Absent exigent circumstances, members generally will not seize property from pawnshops or secondhand dealers. Members may place property on 90-day holds, but must comply with the procedures set forth in B&P 21647(a) and as outlined below. If an officer does seize property from a pawnshop or secondhand dealer, the procedures outlined below must be followed.

760.03 Ninety Day Holds. An officer may place a 90-day hold on an item if he/she has probable cause to believe the item is stolen (except for coins, monetized bullion, or "commercial grade ingots" as defined in B&P 21627(d)).

760.03.1 Documentation.
a. Officers may place verbal holds on property but must immediately forward a written Officer's Report documenting the action to the Property Crimes Sergeant. The Property Crimes Sergeant will either assign the case, or route the report to the Detective already assigned to the case. The detective will make formal notification of the hold. When an officer places a hold on the property, the officer shall give the pawnbroker, secondhand dealer, or coin dealer a written notice at the time the hold is placed, describing the item or items to be held.
b. When possible, department form notices should be used for both holds and releases. The original should be delivered to the pawnbroker and a copy retained for Records. If the form is not available, a handwritten or typed notice may be delivered to the pawnbroker/secondhand dealer. It will contain the following, at the minimum:
    1. A statement that the officer represents the Oceanside Police Department.

2. The seizing officer's name and ID number.
3. The name of the involved pawnbroker/ secondhand dealer.
4. A description of the property on which the hold is placed.
5. The date and time the hold is placed.
6. The assigned case number.

c. A Crime Report, Officer's Report or Follow-up Report will be completed and forwarded, with the OPD copy of the "hold notification" form to the Property Crimes Sergeant. This report will include a witness list and an evidence list, as necessary.

760.03.2 Required Follow-Up Actions. At the end of 90 days, the detective assigned to the case must notify the pawnbroker/secondhand dealer as to the status of the case and property. When the property is no longer needed in a criminal investigation, the Detective assigned to the case must notify the owner, if known, of the location of the property and authorize its release. The pawnbroker must also be notified.

760.04 Seizures - No Warrant. Officers encountering stolen property in plain view in pawnshops or secondhand businesses may seize this property provided that the officer gives the pawnbroker a receipt for the property. The seized property must be of evidentiary value in a criminal proceeding and not taken merely to resolve a conflict over ownership.
Absent exigent circumstances, officers encountering suspected stolen property in the possession of a pawnbroker/secondhand dealer should place a 90-day hold on the property in lieu of seizing it.

760.05 Release/Disposition of Property Seized Without a Warrant: Seized property will not be released without following the procedures outlined below.

760.05.1 Criminal Complaint Filed.

a. If the case goes to trial and the property is actually introduced as evidence, the magistrate is responsible for disposing of the property and determining ownership. In these cases, property owners should be referred to the San Diego County District Attorney's Office Victim Aid Section. The court is responsible for notifying the person from whom the property was seized.
b. If the case goes to trial, but the property is not introduced as evidence, the Detective assigned to the case is responsible for notifying the interested parties and releasing the property. See procedure outlined under "No Complaint Filed."
c. If the case does not go to trial, the investigator is responsible for releasing the property, and must still make the notifications. Notification must be made to both the pawnbroker/secondhand dealer and the owner.

760.05.2 No Criminal Complaint Filed. Prior to releasing seized property, the officer who seized the property shall notify the owner and the pawnshop or secondhand dealer from whom the property was seized of the location of the property and the method by which it may be obtained, and that an administrative hearing is available if ownership is in dispute. A copy of this notification must also be forwarded to the Property/Evidence Supervisor.

a. Non-contested release: If no response is received from the involved pawnbroker/secondhand dealer within fifteen (15) days, the OPD Property/Evidence Supervisor may release the property to the claiming owner.
b. Contested release: If the pawnbroker/second-hand dealer contests the release, the Property/Evidence Supervisor must allow him/her to voice his/her claim. The results of this hearing should be recorded on an Officer's Report or appropriate form and filed with the applicable Crime Report.

760.06 Seizure - With a Warrant: Utilization of a search warrant to seize property from a pawnbroker/secondhand dealer is recommended:

a. When the property is evidence in a serious crime, or
b. If the pawnbroker is suspected of illegal transactions and the property is to be used as evidence against him/her;
c. If the pawnbroker refuses to release stolen property to the rightful owner, or
d. When the pawnbroker is located in another jurisdiction, or
e. If the property being seized is of high dollar value.

760.07 Release/Disposition - Property Seized With Warrant. If the case goes to trial, the magistrate is responsible for both notification and disposition of the seized property.

760.07.1 In the event that the case does not go to trial, the magistrate is still responsible for releasing the property, but the officer must make the notifications, a copy of which must be forwarded to the OPD Evidence/Property Supervisor.

760.07.2 Documentation of Evidence/Property Disposition. All officer actions regarding the disposition/release of seized property should be documented on an Officer's Report and processed through the standard report channels. These reports will be given the same case number as the involved Crime Report.

760.08 Seizure Documentation. All seizures will be documented and the report will be processed through standard channels. All reports documenting seizures will be given an OPD case number. If the property was originally reported as stolen to OPD, that case number should be used.

760.08.1 The pawnbroker/secondhand dealer will be provided with a handwritten receipt for any and all seized property. A standard OPD form should be used. If the form is not available, the receipt will contain, at the minimum:
a. A statement identifying Oceanside Police Department as the represented agency.
b. The seizing officer's name and ID number.
c. A description of the seized property.
d. Date and time of the seizure.
e. The name of the pawnbroker.
f. The assigned case number.

760.09 Seizures/90 Day Holds Placed Outside City of Oceanside. Officers placing 90 day holds with pawnbroker/secondhand dealers outside Oceanside should follow the procedures outlined above.
a. Property detectives of the law enforcement agency responsible for the involved jurisdiction should be notified as soon as possible.

760.09.1 Officers seizing property in pawnshops/ secondhand dealers located outside Oceanside should coordinate the seizure with the local law enforcement agency having jurisdiction over that area.
a. Local procedures should be complied with, if possible.
b. Generally, the OPD procedures outlined above should be complied with.
c. Conflicts will be resolved in a manner consistent with law, the needs of the court, and the legitimate interests of the involved pawnshop/secondhand dealer.

760.09.2 These seizures will be documented according to the procedures in Vol III §760.08.

765 Trauma Intervention Program. The Trauma Intervention Program provides a service to citizens of the community who are suffering emotional or psychological trauma or stress as the result of being victims of crimes, accidents, or family problems.

765.01 Objective. The objective of the Trauma Intervention Program is to provide immediate assistance to persons suffering emotional or psychological trauma or stress to resolve the problem quickly and efficiently so officers can return to field duties as soon as possible and not have to return to the scene on future calls.

765.02 Generally. The Trauma Intervention Program is a joint endeavor by the Department and the San Diego County Department of Mental Health. The Training Sergeant is the coordinator and liaison officer within the Department. Trauma intervention situations may be divided into two categories, cases that will require follow-up through the court system and cases that generally do not result in prosecution, but may involve referrals to trained counselors or volunteers.

765.03 Cases That Are Not To Be Referred To The Trauma Intervention Program. To insure the safety of volunteers participating in the Trauma Intervention Program, volunteers will not be called in cases of seriously mentally disturbed persons or in cases where the person is still under the influence of alcohol or drugs.

765.04 Procedure.
a. An officer(s) will respond to the initial call for assistance and assess the situation.
b. If the responding officer(s) can resolve the problem, they should do so and then resume their duties.

c. If it appears the person is in need of counseling, the officer will advise the citizen of the Trauma Intervention Program and of the help that is available. If the person is agreeable to counseling, the officer will call for such assistance.
d. Chaplains and Trauma Intervention personnel will be assigned to a call out list. Officers need simply call the dispatcher and request the services.
e. If a counselor is called, the officer will remain at the scene until both the officer and the counselor are satisfied that the officer can leave the counselor alone with the persons involved.
f. If the person does not desire counseling, the officer will handle the case as the circumstances dictate. In cases of stress, the person should be encouraged to call for assistance if needed.

765.05 Utilization of the Program. Members are encouraged to watch for opportunities to offer this assistance to persons in need. By doing so, the member can help the citizen while, at the same time, freeing himself/herself from having to spend lengthy amounts of time at the scene or returning.

770 Check the Welfare Calls (Added 09/03)

770.01 Check the Welfare Calls For Service. Periodically, the Department is called upon to handle 'check the welfare' calls for members of the community. Requests may come from those who live or work in Oceanside, or from people living outside the city limits, or out of state. This section shall also apply when members are contacted in the field and asked to check the welfare.

770.02 Dispatcher Responsibility. When the Communications Center receives a request to check someone's welfare, the dispatcher shall:
a. Insure the call is on a recorded telephone line, if not have the call transferred to one.
b. Determine if the information given meets exigent guidelines for sending officers to check the welfare calls (imminent danger, threat of serious bodily harm, known life threatening medical conditions).
c. Initiate a CAD incident and document the name, address and phone number of the reporting party.
d. Enter the name, address, and phone number of the person whose welfare is to be checked.
e. Identify the relationship between the caller and the person whose welfare is to be checked and enter the information into the CAD incident history.
f. Document the caller's reason(s) for the welfare check. If circumstances indicate the call meets the exigent guidelines, the call will be dispatched. Additionally, prior to conducting a welfare check and whenever possible and reasonable, Dispatch should conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System to determine whether the person is the registered owner of a firearms. (Added 11/15)
g. If the call does not meet the exigent guidelines, the information will be entered into CAD for documentation purposes only, but the call will not be dispatched.
h. A Patrol Supervisor will be notified of any check the welfare calls that are unusual or may warrant a supervisor response. (Revised 09/2012)

770.03 Member Responsibility. In all cases, members shall ensure they are acting in compliance with the Fourth Amendment of the Constitution of the United States. There are three situations in which a police officer may enter a private residence or area not accessible to the general public: (1) when judicial authorization (a warrant) has been obtained, (2) when valid consent is granted, or (3) when an exigent circumstance exists. Unless one of these three conditions is present, officers shall not make entry. As it relates to check the welfare calls, exigent circumstances exist when the member reasonably believes the person within is in need of immediate aid. Such situations include, but are not limited to, imminent danger, threat of serious bodily harm, or known life threatening medical conditions.

Once on scene, members may make entry under the exigency theory for an emergency if all of the following factors exist:
a. Preservation of life or protection against serious bodily injury.
b. The search must not be primarily motivated by intent to arrest and seize evidence.
c. There is a reasonable basis, approximating probable cause, to associate the emergency with the area or place to be searched.
d. Approval is given by a Supervisor.
The entry, and any search, must be limited to only those areas necessary to respond to the emergency.

772 Tarasoff Notifications. The California Supreme Court ruled that psychotherapists had a duty to warn potential victims of serious threats of violence made by one of their patients, which is based on Tarasoff v. The Regents of the University of California. (Added 05/04)

772.01 Dispatcher Responsibility. When the Communications Center receives a request for a Tarasoff notification, the dispatcher shall:

a. Insure the call is on a recorded telephone line, if not, have the called transferred to one.
b. A CAD entry will be made on all Tarasoff notifications using the call type TARAS, including the notifications that are out of our jurisdiction. The CAD entry should include information regarding the threat, reporting party, intended victim(s) and the suspect, including the suspect's last known address if available. (This information "must include": the psychotherapists' first and last names, phone number and full address. Victim's and Suspect's first / middle / last names, DOB, driver's license number and Social Security Number If available)
c. A Patrol Supervisor will be advised of all Tarasoff notifications. The Supervisor will evaluate the potential of danger and determine if a response is necessary. However, in any case a Tarasoff report and DOJ form must be completed. Refer to P&P Section III 772.02. (Added 05/04) (Updated 03/08)

772.02 Procedure. The following are the mandates and guidelines for initial response and follow-up to Tarasoff Warning. Members will:

a. Accept any Tarasoff report, as defined by Section W&I 8100(b)(1) and Civil Code 43.92(a),
b. The reporting officer **MUST** complete a written report and the DOJ Firearms Prohibition Form.
c. The report will be completed, approved, processed and submitted to DOJ without delay. (Added 03/08)

780 Graffiti Reporting and Response Procedures (Added 09/09)

780.01 Graffiti in progress or graffiti that is **threatening** in nature and/or **offensive** to the public shall be handled in the following manner:

780.01.01 Communications Responsibilities: Communications will dispatch officers to the scene when (1) Suspects are on scene (2) suspects are identified by description and reasonably believed to still be in the area (3) the graffiti is threatening in nature or offensive to the community. Officers will be dispatched to the scene as soon as possible in accordance with exiting dispatch protocols. If the graffiti is on private property and out of public view, do not call the Graffiti Hotline. (Added 09/0)

780.01.02 Responding Officer Responsibilities:

a. No Arrest
    1. In instances where officers are unable to locate the suspect(s) and/or do not have sufficient cause to take suspect(s) into custody, officers will document the incident and have an FET collect evidence and process the scene.
    2. The responding officer or FET shall then call the Oceanside Graffiti Hotline at 1-760-435-4466 to have the graffiti removed. This shall be documented in the crime report prepared by the officer relative to the incident.
    3. Upon completing the report, the officer shall place a copy of the approved report in the NPT box located in the report writing room.
    4. If the graffiti is located on private property and not in public view, ie; inside a residence or a location not viewable by the public, an Officer/FET will respond and document the graffiti on a crime report. Photographs of the graffiti are to be taken and placed into evidence. Do not call the Graffiti Hotline. (Added 09/09)
b. Suspect In custody
    1. In instances where an arrest is made, officers will have an FET collect evidence and process the scene.
    2. The responding officer or FET shall then call the Oceanside Graffiti Hotline at 1-760-435-4466 to have the graffiti removed. This shall be documented in the crime/arrest report prepared by the officer relative to the incident.
    3. If the suspect is willing to submit to an interview, the officer shall report this to his/her supervisor. The supervisor will then make a determination, based on the totality of the circumstances, whether or not to contact the NPT sergeant and request the NPT officer(s) assigned to the graffiti detail to complete the interview and follow-up investigation.
    4. If the suspect is unwilling to talk, the arresting officer will complete the investigation and place a copy of the report in the NPT box located in the report writing room.

5. In instances where officers are unable to locate the suspect(s) and/or do not have sufficient cause to take suspect(s) into custody, officers will document the incident and have an FET collect evidence and process the scene.
6. If the graffiti is located on private property and not in public view, ie; inside a residence or a location not viewable by the public, the responding Officer/FET will follow all of the procedures outlined above but will not call the Graffiti Hotline. (Added 09/09)

780.01.03 Field Supervisor Responsibilities:

a. Insure a detailed investigation is conducted and all evidence is properly collected and preserved.
b. Make a determination, based on the totality of the circumstances, whether or not assistance from the NPT Graffiti Officer(s) is needed.
c. Insure a copy of the arrest report is placed in the NPT box located in the report writing room prior to the officer's end of shift.

780.02 Reports of Graffiti not in progress shall be handled in the following manner:

780.02.01 Communications Responsibilities:

a. Determine if the graffiti is on public or private property and/or threatening or offensive in nature.
b. If the graffiti is threatening or offensive, follow the steps outlined above under "in progress" reports of graffiti.
c. If the graffiti is on **public property** and not in progress or offensive/ threatening in nature, the dispatcher will call the Oceanside Graffiti Hotline at 760-435-4466 and report it. The dispatcher should provide at a minimum the location, a description of the Graffiti and call back information for the R/P. The dispatcher shall also inform the R/P that the information will be forwarded to the Graffiti hotline for follow-up and removal. The Graffiti hotline number should be provided to the R/P for future use.
d. If the graffiti is on **private property** and not in progress or offensive/threatening in nature and the caller is the victim, the dispatcher will ask the victim if he or she is willing to sign a waiver and allow the city to become the victim for prosecution purposes. If the victim agrees to this the city will assume responsibility for removal of the graffiti. Code Enforcement will bring the waiver with them when they arrive to remove the graffiti. The graffiti will not be removed until the waiver is signed. The dispatcher should make the caller aware of this information and provide them with the Graffiti hotline number before concluding the call.
e. If the caller/victim **refuses to agree to the waiver**, the dispatcher shall dispatch an officer and/or FET to document the incident, in accordance with exiting dispatching protocols.
f. If the graffiti is on **private property** and not in progress or offensive/threatening in nature and the caller is not the victim, the dispatcher will request the caller contact the Graffiti hotline directly to report the violation. If they agree the dispatcher will provide caller with the graffiti hotline number. If the caller is not willing to do this, the dispatcher will take the pertinent information and report the information to the hotline.
g. If the graffiti is located on private property and not in public view, ie; inside a residence or a location not viewable by the public, the dispatcher shall dispatch an officer and/or FET to document the incident, in accordance with exiting dispatching protocols. Do not call the Graffiti Hotline. (Added 09/09)

800 REPORTING

801 Preparation and Processing of Reports. To ensure all reports by department members are prepared correctly, reviewed immediately, and processed promptly, the following procedure is established.

801.01 Duty to Document All Police Incidents. Members are required to document all police incidents on the appropriate report form. This applies to incidents resulting from citizen calls for service and to incidents resulting from the officer's personal observation.

801.01.1 Members will not tell citizens to call or wait for another member to take a report. It is every member's duty to provide timely and efficient service to the citizen as part of our Mission.

801.01.2 If the incident is of such a minor nature that a report is not required, the officer shall ensure a CAD Incident is generated to document the matter. (Revised 11/15)

801.01.3 Crime Reports will be made whenever a crime is reported. Other cases may be reported on an Incident Report.

801.01.4 Reports will be taken at the time the citizen reports the incident.

801.02 Reports Taken By Station Members. Members working the station can take two types of reports: telephone reports and counter reports.

801.02.1 Telephone Reports. Reports with a known suspect, suspect in custody, injuries or victim requesting an officer will not be taken over the telephone. Battery reports can be taken if filed 24 hours after the occurrence. All other minor reports will be taken over the telephone. Examples are: Petty theft, malicious mischief, annoying phone calls, etc.

Major reports will not generally be taken over the telephone. Cases of “insurance only, documentation only” with no follow-up or no prosecution would a major report be taken over the telephone. Examples are: auto burglaries and grand thefts.

801.02.2 Counter Reports. All reports that require in-depth investigation or enforcement action will not be taken by professional members in the station. Examples are: child abuse, check and forgery crimes (except NSF and account closed), extensive loss of property, traffic investigations, Arrest Reports, etc. Police officers, because of their training, may be requested to handle counter reports requiring in-depth investigations. Station members can handle all other types of reports at the counter.

801.03 Reports Taken By Field Personnel. Professional members should be utilized in taking reports to free up police officers' time for crime suppression activities. Professional members will not take reports in the field requiring in-depth investigation or enforcement action. Examples of these are: child abuse, check and forgery crimes (except NSF and account closed), extensive loss of property, traffic investigations, etc. Police Officers are able to handle all types of reports.

801.04 Crime Reports Involving Police Members. Any member desiring to make a criminal complaint where the member has a personal or monetary interest in the outcome shall prepare an Officer’s Report and submit it via the chain of command for evaluation. This may include a review by the Department's legal counsel.

801.04.1 This procedure is not to be interpreted so strictly that a member is prohibited from filing Crime Reports which come about during the course and scope of his/her routine duties. For example, the officer who becomes the victim of an assault during the course of an arrest will be required to complete the appropriate Crime Report. Conversely, for example, when the member is off-duty and becomes the victim of a burglary, the on-duty patrol supervisor will assign an uninvolved officer to complete the necessary reports and investigation.

801.05 Falsifying Reports. No member shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false or improper information on records of the Department. No member of the department shall remove, alter or destroy any official police records of the department, except those records which by their nature are no longer required to be retained. No member shall copy any official police record except for authorized police purposes.

801.06 Courtesy Reports. "Courtesy Reports" are written by OPD members to document crimes which have occurred in another jurisdiction. They will only be written to reduce victim trauma and to expedite the investigatory or arrest process. Courtesy reports, except for CVC 10851, will be given a case number, forwarded to the Shift Supervisor for approval, and then forwarded to Records Services Unit.

801.06.1 Auto Theft Reports. Auto Theft courtesy reports will not be taken unless pre-approved by the Shift Supervisor. With the potential liability of making a false arrest, every effort should be made to ensure that the involved jurisdiction is going to investigate and follow-up the CVC 10851 courtesy report. If there is any doubt, the person should be sent to the jurisdiction where the CVC 10851 occurred to file the report.

801.06.2 The Records Section will email or fax a copy of the Courtesy Report to the jurisdictional agency where the crime occurred and file the original copy. The information will be entered into the Stolen Vehicle system, in the miscellaneous field, the following shall be entered: "Courtesy Report for (agency)."

801.07 Crime Reports in Addition to Arrest Reports. Crime Reports will be made in addition to Arrest Reports:
a. In all cases involving felonies.
b. In all cases involving misdemeanors when there is a victim to the crime other than the "State of California".
c. In all PC 148 cases.

801.07.1 When a Crime Report is made in addition to an Arrest Report, the narrative will be written on the Crime Report. The following areas of the Arrest Report do not have to be completed if the information is already written on the Crime Report:
a. Arrestee description
b. Evidence
c. Companions
d. Victims/witnesses
The Arrest Report must be filled out completely when used alone.

801.08 Priority and Solvability of Reports. When a member completes a Crime Report or a CHP 180, he/she will indicate on the bottom of the report its priority and solvability. The priority solvability matrix can be found in the Officer's Resource Notebook and the P.I.M. Manual. When a Crime Report or a CHP 180 report is received in Record, those with “Priority 1” will be processed first and forwarded to the Investigations Division.

801.09 Preparation of Reports. Reports prepared by Patrol Division members will be hand written or typed by the officer. Members will dictate the narrative of lengthy reports, memoranda, or other administrative reports as required. (Revised 01/01)

801.10 Case Numbers. Members will obtain a case number and write this number on the report and on all attachments and supporting forms prior to the conclusion of their shift.

801.11 Report Accountability. Reports will be completed and approved before the reporting member is released from duty, or has supervisor’s approval to hold the report. Reports shall be accounted for in one of the following ways:
a. The Report Approval Specialist or on duty supervisor is authorized to approve any report. (Revised 08/08)
b. A supervisor may delegate to an oncoming supervisor the authority to approve on his/her behalf those reports still being written at the end of shift. The oncoming supervisor will review the report and have it corrected, if necessary, before the member leaves duty.
c. Generally, supervisors should not approve their own reports. (Revised 08/08)
d. Sensitive issues requiring oversight review, timely notification of command staff to crime trends, and the occurrence of major incidents necessitate the tracking of pending reports. To insure the timely and accurate flow of information, members shall do the following when a crime, arrest, or other report requiring a case number is initiated:
    1. Team sergeants will meet with each member of their team mid-shift and end of shift to audit reports pending, projects in work, and activity for the day.
    2. During these meetings, the team sergeant will assess the need to assign members to complete pending reports and reallocate resources to allow for relief.
    3. A copy of the face sheet of any report that is not complete at the end of shift will be posted on an RTF (Report To Follow) board in the Sergeants’ Office in the main police facility. Reports will be posted on the RTF board only with the approval of a supervisor. The reporting officer upon completion of the report will remove the face sheet from the RTF board.
    4. Any report that is returned for rewrite or additional information will have a “Report Review” form attached indicating the reason for the return. This form, along with the report, will be delivered to the supervising sergeant for assignment back to the reporting member(s).
    5. After making the necessary corrections, the reporting member will return the corrected report, with the “Report Review” form attached, to the person who assigned the report back for correction. If that person is unavailable, another supervisor may review the corrected report.
    6. Sergeants will review the weekly late report list. Any report more than two weeks old requires an email message to the members respective Lieutenant for inquiry by the Division Captain. Any report older than 30 days will be investigated and cleared for cause immediately. (Revised 01/01)(Revised 12/02)

801.12 Submission of Reports. Members are required to complete, submit, and receive supervisory approval of all reports. The following reports must be completed and approved prior to securing from duty:

a. Missing persons.
b. Domestic Violence.
c. "Vehicle Reports" and all related reports.
d. Crime Reports when a Probable Cause for Arrest Declaration is issued.
e. In-Custody (arrestee was booked into jail) cases.
f. Other serious cases directed by a supervisor.

801.12.1 All other reports must be submitted within five days of the reporting of the incident.

801.13 Supervisory Responsibility. Supervisors are responsible for proper report writing by subordinate members. A supervisor may delegate to another supervisor the authority to approve reports by their members, but cannot delegate the responsibility to ensure subordinates comply with department policies and procedures. Supervisors are to be evaluated on the quality of reports submitted by their subordinates.

801.14 Rejected Reports. If a report is rejected, the supervisor will return the report to the member via RMS, with any notes necessary to provide instructions to make the necessary corrections. Depending on the seriousness of the errors/omissions, and the priority of the case, the supervisor may recall the member for an immediate correction. (Revised 01/01, 11/02, 2/20)

801.15 Jail Inmate Intake Slips. The Jail Inmate Intake Slip will be brought back to OPD and a case number affixed. It will be forwarded to Records.

801.16 Records Process. When a report is received in Records, the report will be processed and distributed according to priority and according to established procedures.

801.17 Late Reports. Records staff will check the Report Master Control Log to determine if case numbers have been obtained but the case has not been received. If the report has not been received, Records staff will send an email to all Supervisors. The Supervisor will immediately contact the officer and see that he/she submits the report, and shall report the matter to the Division Captain for administrative action, if warranted.

801.18 Checking Out Original Cases. Original reports in Records will not be removed from Records, except under the following circumstances:
a. In compliance with a court order.
b. By order of the Chief of Police.
c. The Records Supervisor on duty may check out an original report to a member when it is not possible for the report to be reviewed in the Records area.

801.18.1 The Records Supervisor does not relinquish responsibility for the accountability of the report and must ensure the report is properly returned to file prior to going off duty. In no event will an original report be checked out and allowed to leave the building.

805 Standard Report Writing Format. Uniformity in report narratives simplifies the documentation and investigative process. Standard format reporting facilitates complete reporting by reducing the potential for omitting important information, discourages the inclusion of unnecessary information, enables the elements of crimes to be located for the reviewing supervisors, investigators and the District Attorney, and provides the reporting officer with a structure for the orderly development of the report.

805.01 Procedure. The report narrative format will be used by members to standardize crime and incident documentation where there are leads, suspect information, witnesses or evidence. The heading of each element will be numbered and underscored. When details for a particular heading are not applicable, the heading will not be omitted, and the explanation "Not Applicable," "None Available," etc., will be used to indicate that section of the format was not inadvertently omitted. The reporting member may recognize clarity can be enhanced by the addition of headings in this format. Additions appropriate to the unique circumstances of the incident being reported are authorized. The first person narrative will always be employed.

805.02 Report Format By Number And Heading.

1. Origin. State whether this report is written in response to a radio call or as a result of an observation while on routine patrol. If you stop and arrest suspects as a result of a general radio broadcast, you must include the time of the broadcast, who originated same, etc. This is required to substantiate probable cause.
2. Officer's Observations & Actions. Indicate in this section all relevant observations made by yourself during your investigation and what actions you took at the scene.
3. Statements (Victim, Witness, Suspect, Reporting Party). Chronological narrative of what they told you. Example: Victim states essentially as follows: Victim came home and found her house had been broken into. The back door glass had been broken. Victim claims that she didn't touch anything and immediately phoned the police. The investigating officer should carefully record the existence of all witnesses and the essence of what these witnesses have said so the follow-up detectives can expand upon this information.
4. Property Loss. The most convenient way to list property reported as stolen or missing is to assign an item number to each article, quantity of each article in parenthesis, complete description of the article including serial number and the estimated value of the item. Indicate the basis for arriving at the estimated value, i.e. owner's estimate, officer's estimate, etc.
5. Injuries. If the report involves an assault case, an injury section should be included in the report stating the extent of the injuries. The doctor's name, the hospital, and whether the patient was admitted or treated and released should also be recorded. Attempt to obtain the extent of the injuries from the doctor and a summary of his/her treatment. Example: Fractures were cast, lacerations required 5 sutures, etc.
6. Evidence. List all evidence that was found in this section with a description of each item. Give each item a number, following in sequence, so the list will appear organized. If several items are to be listed, use a separate sheet for administrative purposes.
State the exact location that each item was found and who discovered the evidence unless it is listed in another section (Officer's Observations or Victim's Statement).
Also state whether the evidence was logged into the evidence locker at the station or photographed and released. When released, record the person to whom the property was released with an explanation. When logged, the evidence tag number should be listed.
7. Witness List. This area is required by the District Attorney's Office. A witness list form may be attached to the report. In all cases, the witness list should include names, complete addresses (business, military or residential), telephone number of residence and business, social security number if known, date of birth and hours of work. A witness list is required for all felony arrests. This list is to include the name of an officer with at least five years' experience, or the name of an officer who has received POST Proposition 115 training. The number "115" encircled is to be placed to the left of the officer's name. Ideally, this officer will be the arresting or other witnessing officer.

805.03 Pre-Printed ARJIS-2 Forms. Pre-printed forms may be used on the following reports if there are no leads, no suspect information, no known witnesses and no evidence. Use these forms for reports of bicycle theft, vandalism, petty theft, and car prowls.

805.04 Death Investigation Report (See Volume III, Section 1070 for further information and direction)

805.04.01 PURPOSE AND SCOPE The investigation of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The need for thorough death investigations cannot be over emphasized. (Added 3/15)

805.04.02 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). A supervisor shall be notified in all death investigations. (Added 3/15)

805.04.03 DEATH SCENE DOCUMENTATION
All deaths caused by suicide, homicide, accident, overdose, and undetermined means shall be photographed by a Field Evidence Technician or the investigating officer. Deaths that are presumed to be natural and where a medical examiner’s waiver has been obtained shall also be photographed. A death investigation report shall be completed by the investigating officer documenting the circumstances of the death. Death reports shall be completed prior to the end of shift, barring approval from the on-duty watch Captain.

805.04.04 SUPERVISOR’S DEATH INVESTIGATION RESPONSIBILITIES

A supervisor shall respond to ALL death investigations to provide oversight and to ensure that the proper death scene investigation protocols are being followed. The responding supervisor will be responsible for insuring that all necessary notifications have been made (Investigations, medical examiner, watch Captain, etc.).

805.04.05 MEDICAL EXAMINER REQUEST
Government Code § 27491 and Health & Safety Code § 102850 direct the Medical Examiner to inquire into and determine the circumstances, manner, and cause of certain deaths. Within the County of San Diego, the Medical Examiner shall be called in any and all death cases. It is the responsibility of the investigating officer to contact the Medical Examiner's office and make notification. The body shall not be disturbed or moved from the position or place of death without permission of the Medical Examiner. The Medical Examiner may, at his/her discretion, decline to respond to the scene of a death investigation and may, instead, issue a Waiver number. Whenever the Medical Examiner issues a Waiver number for a death investigation, the investigating officer of this department shall document that Waiver number in their incident report.

Government Code § 27491 outlines a number of circumstances that require the Medical Examiner to make an inquiry into the death. These circumstances include:
a. Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all death outside hospitals and nursing care facilities.).
b. Deaths where the deceased has not been attended to by either a physician or a registered nurse, who is a member of a Hospice care interdisciplinary team, as defined by subdivision (e) of section 1746 of the Health and Safety Code in the 20 days prior to death.
c. Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal death when the underlying cause is unknown.
d. Known or suspected homicide.
e. Known or suspected suicide.
f. Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.
g. Related to or following known or suspected self-induced or criminal abortion.
h. Associated with a known or alleged rape or crime against nature.
i. Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.
j. Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.
k. Accidental poisoning (food, chemical, drug, therapeutic agents).
l. Occupational diseases or occupational hazards.
m. Known or suspected contagious disease and constituting a public hazard.
n. All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.
o. In prison or while under sentence. Includes all in-custody and police involved deaths.
p. All deaths of unidentified persons.
q. All deaths of state hospital patients.
r. Suspected Sudden Infant Death Syndrome (SIDS) deaths.
s. All deaths where the patient is comatose throughout the period of the physician's attendance. Includes unresponsive patients admitted to hospitals who expire without regaining consciousness. (Added 3/15)

805.04.06 SEARCHING DEAD BODIES The Medical Examiner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Medical Examiner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Medical Examiner or a designee; the investigating officer shall first obtain verbal consent from the Medical Examiner or a designee (Government Code § 27491.2).
Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Medical Examiner or a designee. The name and address of this person shall be included in the narrative of the death report. (Added 3/15)

805.04.07 DEATH NOTIFICATION In most situations the Medical Examiner's Office will assume responsibility for notifying the next-of-kin of the deceased person. When practical, and if not handled by the Medical Examiner's Office,

notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from the jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Medical Examiner may be requested to make the notification. The Medical Examiner needs to know if notification has been made. Assigned detectives may need to talk to next-of-kin. (Added 3/15)

805.04.08 UNIDENTIFIED DEAD BODIES
If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner's office will issue a "John Doe" or "Jane Doe" case number for the report. (Added 3/15)

805.04.09 SUSPECTED HOMICIDE
If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation. (Added 3/15)

805.04.10 EMPLOYMENT RELATED DEATHS OR INJURIES
Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone or teletype with all pertinent information (8 CCR 342(b)). (Added 3/15)

810 Traffic Collision Reporting. This provides for the uniform reporting of all traffic collisions occurring within the City of Oceanside. Uniformity in the report simplifies the documentation and the investigative process. Uniformity serves to: facilitate complete reporting by reducing the potential for omitting important information; discourage the inclusion of unnecessary information; enable the elements of the collision to be easily identified by the report reviewer, follow-up investigator, and the assigned Deputy District Attorney; provide the reporting officer with a simple structure for the orderly development of the report.

810.01 Procedure. All traffic collisions occurring in the Oceanside, that meet Department reporting criteria, will be documented in accordance with the procedures and formats outlined in the CHP's "Collision Investigation Manual". The only deviations from the CHP "Collision Investigation Manual" are those described in this procedure and associated sections. Members are charged with submitting complete, clear, and concise reports that lead to logical conclusions. When possible, the report should identify the responsible party, or parties, along with the proximate cause of the collision.

810.02 Traffic Collision. A traffic collision is an unintended event that produces damages or injury. The word "injury" includes "fatal injury". "Accident" and "Collision" are synonymous words describing the event.

810.03 Classification of Injury.
a. Fatal Injury: Dead at the time the collision report is prepared, or any injury resulting in death within 30 days of the accident.
b. Severe Injury: A cut or laceration of the skin from which blood flows freely or saturates clothing. It is not an injury that merely oozes blood. Also includes an arm, foot, finger, etc., which is not in a normal position usually due to a fracture or a serious sprain.
c. Other Visible Injury: Includes bruises, which are discolored or swollen places where the body has received a blow (includes black eyes and bloody noses); and abrasions, which are areas of skin where the surface is roughened or broken by scratching or rubbing (includes skinned shins, knuckles, knees, and elbows). A little blood usually oozes from abrasions.
d. Complaint of Pain: This classification could contain authentic internal or other non-visible injuries and fraudulent claims of injury.

810.04 Collision Narrative Formats. There are two styles of the collision formats identified in the CHP "Collision Investigation Manual". They are the "Investigation" and the "Report" formats.

810.04.1 Investigation format shall be used when:
a. A motor vehicle accident results in the death of a person on or off highway.
b. A motor vehicle traffic accident results in a severe injury.
c. The collision is the result of an identifiable violation, and the collection of evidence supports prosecution.
d. A collision results in an arrest for any misdemeanor or felony violation of the vehicle code.

e. An involved party is in violation of CVC 20002 on or off highway and sufficient information is available to identify the hit and run driver through follow-up investigation.

810.04.2 Report format shall be used when:
a. A motor vehicle non-traffic (off highway) collision involves an injury (except fatal), unless the Supervisor determines that the collision should be documented as an Investigation.
b. Any other instances not specifically covered as requiring the Investigation format.
No prosecution shall be sought for the primary collision factor when the collision is in the Report format.

810.05 Collision Narrative Headings.

810.05.1 Investigation Format:
1. FACTS
   A.) Notification
   B.) Scene
   C.) Parties
   D.) Evidence
   E.) Hit & Run *
   F.) Hazardous Materials *
   G.) Other Factual Information *
2. STATEMENTS
3. OPINIONS AND CONCLUSIONS
   A.) Summary
   B.) Point (S) Of Impact
   C.) Intoxication *
   D.) Cause
4. RECOMMENDATION(S)
Note: The headings precluded by an asterisk (*) may be omitted if not applicable to the collision. All other headings shall be included in the narrative.

810.05.2 Report Format:
1. Notification
2. Summary
3. Point(s) Of Impact
4. Cause

810.06 Use of Forms. The CHP 555 and CHP 556 shall be used in all instances that require an Investigation. These forms shall also be used in the documenting of:
a. Non-traffic (off highway) collisions that result in an injury;
b. Any traffic collision that results in any injury;
c. Any traffic collision involving City of Oceanside vehicles or property;
d. Any traffic collision report involving any emergency vehicle.
e. Any hit & run traffic collision. (Revised 01/02)

810.07 Use of Sketch. A sketch shall be made for every traffic collision documented in the field. The sketch is the officer's opinion of how the collision occurred. A sketch is not required when the collision is documented as a "Counter Report".

810.08 Factual Diagram. A Factual Diagram is used to plot evidence and factual information only. No opinions shall be entered on the Factual Diagram. There shall be a Factual Diagram for all collisions that result in a severe injury or a fatal injury. The Field Supervisor may direct that a Factual Diagram be drawn in other instances.

810.09 Property Damage Only Collisions. Members will not respond to or document property damage only collisions. The exception to this is members will be dispatched if there is a traffic hazard. We will respond and document property damage only collisions when one or more of the following criteria are met:
a. An involved party is believed to have been operating the vehicle while under the influence of alcohol and/or drugs;
b. Hit & Run Collisions;
c. Emergency Vehicle involved (any agency);
d. Damage to any public property or publicly owned/leased vehicle. (Revised 11/98, 01/2006)

810.09.1 If a member arrives upon the scene of a property damage only collision that does not meet one of the above exceptions, that member will:

a. Confirm that the roadway is clear of the vehicles and any debris that could pose a hazard to the community;
b. Provide assistance to the parties in obtaining the information for exchange;
c. Advise the involved parties to contact the DMV or the front desk of the Oceanside Police Station to obtain a copy of the DMV SR1.

(Revised 01/02, 12/19)

810.10 Collisions Involving City of Oceanside Vehicles. All vehicles owned, operated, or leased by the City of Oceanside, regardless of the department to which those vehicles are assigned, shall be documented on the CHP555 and CHP556 forms. (Revised 01/02, 12/19)

810.10.1 The investigation format will be used for the narrative. Factual diagrams are only required in the report if there is a severe or fatal injury. (Revised 3/98)

810.10.2 The completed report will be turned in to the reviewing supervisor. After reviewing the document, and approving the final report, the reviewing supervisor shall submit the report to the Records Section. (revised 1/20)

810.11 Collisions Involving Police Department Vehicles. All collisions involving police department vehicles shall be investigated in the following manner:

810.11.1 Inside City Limits

a. The involved employee will call his/her supervisor or the Field Supervisor to the scene. The involved member(s) shall provide a verbal statement to the investigating officer regarding the accident. The on-scene supervisor may require an Officer's Report from any member involved in the incident. (02/18)

b. A member of the Traffic Services Unit/Motor Unit officer, will be called to the scene to investigate and document the collision. If one (TSU/Motors) is not available, an officer other than the involved employee will document the collision. The collision will be documented on CHP forms 555 and 556. The investigation format will be used. The completed report will be turned in to the supervisor that responded to the scene before the end of the reporting officer's shift. (02/18)

c. Photographs will be taken of all collisions involving police vehicles. The photos shall include photos of the collision scene from all sides and surrounding area, all involved vehicles' license plates, and close-up and mid-range photos of any damage. If injuries occurred, photos of the interior areas of the vehicles shall be taken as well (02/18).

d. The supervisor shall **review** the collision report. Once the report is approved, it is the responsibility of the supervisor tasked with the investigation to complete a Blue Team Traffic Collison entry, and forward to their Division Captain via their Chain of Command. (02/18)

e. The on-scene supervisor will complete a "Supervisor's Accident Investigation Report" (City required form) whenever a police vehicle is involved in a collision. S/he shall notify Risk Management/Fleet via email or phone that the collision has occurred. The notification to Risk Management/Fleet shall include the location of the collision, when it occurred, whether or not the member(s) or other party was injured, how many vehicles were involved and the case number. The notification to Risk Management/Fleet must be completed on the date the collision occurred. An email or voice message is sufficient, unless the seriousness of the collision requires an immediate response by Risk Management.

f. The supervisor shall ensure the Supervisor's Accident Investigation Report, a copy of the Traffic Collision Report, and pertinent/selected copies of the photographs are submitted, via the chain of command, to the involved employee's divisional Captain. (02/18)

g. After review, the divisional Captain shall submit the packet to Risk Management. (02/18)

810.11.2 OPD Secured Parking-lot Collisions

a. When a minor property damage collision occurs in the secured parking-lot of the police station, *and does not involve injuries*, a Traffic Collision Report will not be required, but a numbered Officer's Report will be required. (02/18)

b. The involved employee shall notify their supervisor, who shall respond to the scene.

c. Photos will be taken of the damage, and the involved officer and supervisor shall complete a numbered Officer's Report (153) documenting their actions. Only under exceptional circumstances shall the completion of these documents be carried over to the next shift, and only with prior approval from the Watch Captain or section

Lieutenant. If the involved member's supervisor is not on-duty, then any Field Supervisor shall complete the necessary reports. (Revised 07/09). Collisions occurring inside the OPD Secured Parking-lot area involving injuries will be documented as outlined above in 810.11.1.

d. The on-scene supervisor will complete a "Supervisor's Accident Investigation Report" and notify Risk Management/Fleet via email or phone that the collision has occurred. The notification to Risk Management/Fleet shall include the location of the collision, when it occurred, number of vehicles involved and the case number. This notification shall be made on the date the collision occurred.
e. Once the reports are approved, it is the responsibility of the supervisor to complete a Blue Team Traffic Collision entry and forward it to their Divisional Captain via their Chain of Command. S/he shall also ensure the Supervisor's Accident Investigation Report, a copy of the reports, and pertinent/selected copies of the photographs are submitted, via the chain of command, to the involved employee's divisional Captain. (02/18)
f. After review, the divisional Captain shall submit the packet to Risk Management. (02/18)

810.11.3 Outside City Limits

a. If the accident occurs outside of the Oceanside city limits, the member/vehicle operator involved shall request the police agency in the jurisdiction where the accident occurred to make a report on the accident and forward it to the Oceanside Police Department. Additionally, the involved employee shall notify his/her Supervisor as soon as practical to do so. (02/18)
b. The supervisor will ensure the outside agency takes photographs of any vehicle damage. In the event the outside agency will not take photographs, the supervisor shall make reasonable attempts to obtain them by having the involved employee take photographs or by sending other department staff to the scene to obtain them. The Supervisor will complete a "Supervisor's Accident Investigation Report." S/he shall notify Risk Management/Fleet via email or phone that the collision has occurred. The notification to Risk Management/Fleet shall include the location of the collision, when it occurred, whether or not the member(s) or other party was injured, how many vehicles were involved and the outside agency's case number. The notification to Risk Management/Fleet must be completed on the date the collision occurred. An email or voice message is sufficient unless the seriousness of the collision requires an immediate response by Risk Management. (02/18)
c. It is the responsibility of the notified supervisor to complete a Blue Team Traffic Collison entry and route it to their Divisional Captain via their Chain of Command. Additionally, s/he shall ensure the Oceanside Supervisor's Accident Report, a copy of the collision report, and pertinent/selected copies of the photographs are submitted, via the chain of command, to the involved employee's divisional Captain. (02/18)
d. After review, the divisional Captain shall submit the packet to Risk Management. (02/18)

810.11.4 Impact – No Damage/Injury. Occasionally, a department vehicle is involved in an impact with a private vehicle or person that is classified as a non-collision due to a lack of damage or injury. In those cases, the involved member shall notify their supervisor who shall respond to the scene. The officer shall write a numbered Officer's Report to include a summary of what happened, identifying information of the involved parties, and pertinent information concerning the absence of damage or injury. The responding supervisor shall be responsible for ensuring that all appropriate documents and photographs are completed prior to the end of their shift. A copy will not be sent to Risk Management or the divisional Captain, however a Blue Team Potential Claim entry will be completed and routed to the Professional Standards Lieutenant. (02/18)

810.13 Major Accident Investigation Team. The department's Traffic Investigator shall be called out under the following circumstances:

a. The accident involves a fatality or injuries likely to result in a fatality.
b. When civil liability may exist for the city due to roadway conditions, traffic signal maintenance, emergency vehicle collisions, or other occurrences.
c. Serious injury collisions that involve City owned/leased vehicles.
d. Collisions the Field Supervisor believes necessitates more investigative expertise or time than Patrol is able to supply. (Revised 09/00) (Revised 11/04)

810.13.1 Based on the nature of the collision, the Field Supervisor or the Traffic Investigator may initiate a callout to members of the Major Accident Investigation Team (M.A.I.T.). (Added 09/00) (Revised 11/04)

810.13.2 As soon as practical, the Traffic Services Supervisor will be notified in cases that require a M.A.I.T. response. (Added 09/00) (Revised 11/04)

810.13.3 Organization of M.A.I.T. The team consists of a lead investigator and at least one assistant investigator. The decision to employ more than one assistant investigator is the option of the lead investigator and the Field Supervisor. (Added 09/00)

810.13.4 M.A.I.T. may conduct inactive scene investigations. An investigation of this nature occurs when circumstances arise that require additional evaluation after the collision scene had been released from initial processing. (Added 09/00) (Revised 11/04)

810.14 As with any other case, the first officer on the scene is responsible for maintaining the integrity of the scene until the Accident Investigator arrives. That officer should identify witnesses to the collision and have those witnesses remain at the scene until the Accident Investigator arrives. Finally, the first officer on the scene should complete a report to attach to the Collision Report, indicating the time the call was received, the time of arrival on the scene, and the description of the scene when the officer arrived.

810.15 Collisions that do not meet the above criteria for the call-out of CHP and/or the Department Accident Investigator will be handled by the responding officer(s).

810.16 Yellow Alert System. Government Code Section 8594.15 defines the responsibilities of law enforcement for initiation of the Yellow Alert System. (Added 3/2016)

810.16.01 Purpose. The purpose of a Yellow Alert is to issue and coordinate alerts following a hit-and-run incident where a person has been killed or has suffered serious bodily injury as described in Section 20001 of the Vehicle Code.
The California Highway Patrol administers the Yellow Alert System through Emergency Notification & Tactical Alert Center (ENTAC).

810.16.02 Requirements per Government Code Section 8594.15
The following criteria must be met for the issuance of a Yellow Alert:

1. A person has been killed or has suffered serious bodily injury due to a hit-and-run incident.
2. There is an indication that a suspect has fled the scene utilizing the state highway system or is likely to be observed by the public on the state highway system.
3. The investigating law enforcement agency has additional information concerning the suspect or the suspect's vehicle, including, but not limited to, any of the following:
    a. The complete license plate number of the suspect's vehicle.
    b. A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonable lead to the apprehension of the suspect.
    c. The identity of the suspect.
4. Public dissemination of available information could either help avert further harm or accelerate apprehension of the suspect based on any factor including, but not limited to, the severity of the injury, the time elapsed between a hit-and-run incident and the request, or the likelihood that an activation would reasonably lead to the apprehension of a suspect.

810.16.03 Procedure. The following are mandates and guidelines for issuance of a Yellow Alert.

1. Ensure the Government Code requirements are met before a Yellow Alert can be activated.
2. The Watch Captain and/or their designee are authorized to request a Yellow Alert.

Contact the CHP's Emergency Notification and Tactical Alert Center (ENTAC).

825 Arrests for Possession of Marijuana. After two years, the law requires the destruction of all reports and records pertaining to violations of H&S 11357(b), possession of less than one ounce of marijuana, H&S 11357(c), possession of more than one ounce of marijuana, and H&S 11360(b), giving, transporting, offering, etc. less than one ounce of marijuana.

825 Arrests for Possession of Marijuana. Records pertaining to arrest or conviction of any person for a violation of H&S 11357 or 11360(b), or pertaining to the arrest or conviction of any person under the age of 18 for a violations as stated in California Proposition 64 involving Juveniles (except H&S Section 11357.5 Possession and Possession for Sale of Synthetic Cannabinoid Compound) shall not be kept beyond two years from the date of conviction, or from the date of the arrest if there was no conviction.

Additionally, in respect to a violation of H&S 11357(d), or any other violation by a person under the age of 18 occurring upon the grounds of, or within, any school providing instruction in kindergarten or any grades 1 through 12 during hours the school is open for classes or school related programs, the records shall be retained until the offender attains the age of 18 years as which time the records shall be destroyed. (Revised 12/16)

825.01 When Other Charges Are Present. If the suspect is charged with any other criminal violation, separate reports are required. This is necessary so the documentation of other charges will not be destroyed after two years when the part concerning the marijuana arrest is purged. In these cases, the officer must obtain two separate case numbers, one for each report. However, the officer must write the cross-reference case number on the top of each Arrest Report so that the Records members will know that there are two separate reports dealing with the same arrest. (Revised 4/99)

825.01.1 If a suspect is charged with H&S 11357 or H&S 11360(b), only a citation is required. For evidence, see Volume I, 555.02.3. Use the citation number in place of a case number on the evidence tag. If the citation is in conjunction with another charge, a separate Arrest Report must be done for the additional charge(s). The citation should be turned in with the Arrest Report for the additional charge so they can be processed at the same time. (Added 4/99) (Revised 12/2016)

825.01.2 Records members will make sure copies of cases and citations are sent together the Special Enforcement Section for forwarding to the District Attorney's Office. They must have the information on the report and citation together, as frequently the arrest on one of the charges leads to the probable cause for detention on the second charge. As the law requires destruction of records only for violations of H&S 11357 and H&S 11360(b), the above procedure applies only to these offenses. (Revised 4/99) (Revised 12/2016)

825.02 Purging of Cases. After two years, the reports, citations, and records pertaining to arrests for H&S 11357 and H&S 11360(b) will be purged. (Revised 4/99) (Revised 12/2016)

834 Incident Notification Procedure. This procedure assures a rapid, uniform and accurate flow of all-important information takes place and that every appropriate level of command is included in the process.

834.01 Chain of Command. The department chain of command shall be utilized in reporting information upward. Each supervisory level shall evaluate the need to report to the next higher level.

834.01.1 For this procedure, the responsibility for further reporting of information shall cease when the incident is reported to your immediate supervisor.
Example: A sergeant has an incident reported to him/her by an officer. It is then the sergeant's responsibility to evaluate that incident and be knowledgeable as to whether or not the information is of a nature to forward up the chain of command. The same responsibilities lie with the lieutenants and captains.

834.01.2 Usually it will be a Division Captain who reports information or incidents to the Chief of Police, but it is recognized there are occasions when this is not possible and when other supervisors will report the incident to the Chief of Police. Every effort must be made to assure that all concerned intermediate levels are aware of such information or incidents.

834.02 There are certain incidents that by their very nature must be brought to the attention of the Chief of Police. Those shall include the following:
a. Any officer-related shooting.
b. Any serious injury to a member.
c. Any major civil disorder (riot, etc.)
d. Serious incidents involving a V.I.P. from any level (Federal, State, or Local.)
e. Homicides.
f. Kidnap hostage situations.
g. Disasters (plane crash, earthquake, flood, etc.)
Speed in reporting and accuracy are most important. Delays are to be absolutely minimized.

834.03 Exception. If the information is of a highly confidential nature and must be restricted for legitimate police purposes, it may be reported directly to the Chief of Police orally, or in writing.

834.04 Reports to City Management. It shall be the responsibility of the Chief of Police, or his acting alternate to notify City Management, or elected officials, of incidents and information deemed sufficiently important.

840 Use of Force Reporting. When physical force is used, it shall be reported in the following manner. (Refer: Volume I, 500 and Volume II, 435)

840.01 Any use of physical force (including a police canine bite or vehicle pursuit) must be reported to a supervisor and the officer will include in their Arrest or Officer's Report the fact that physical force was used. (Revised 01/2007)

845 Vehicle Stops. When an officer effects a traffic stop, and the driver of the vehicle is not issued a citation or arrested, then a Field Interview card shall be completed on the driver. If the traffic stop is traffic related only, place "TRAFFIC" in the crime potential box of the Field Interview card. (Added 08/00)

860 Death-In-Custody Reports. When any person dies while in the custody of a California Law Enforcement Agency, the agency must file a report with the Bureau of Criminal Statistics.

860.01 Within ten (10) days after the death, all facts in our possession will be reported to: The Bureau of Criminal Statistics, ATTN.: Death in Custody Program, P.O. Box 903427, Sacramento, CA 94203-4270. A comprehensive incident report, which describes the events leading to the death of the individual, will be attached to the Bureau of Criminal Statistics report.

900 SPECIALTY SUPPORT UNITS

901 Police Canine Program. Canine teams should be assigned to assist and supplement the Patrol Division to function primarily in assist or cover assignments. However, they may be assigned by the Watch Captain to other functions, such as routine calls for service, based on the current operational needs. Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time, and then only with the approval of the Watch Captain. Additionally, it is the policy of the Oceanside Police Department, handlers and canines will meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives. (Revised 7/2016)

901.01 Conduct of Canine Handlers with their Dogs. Handlers will conduct themselves in an orderly manner and discourage "horseplay" among themselves and/or other members. Handlers may bring their dogs into the police facility, but must be leashed and not allowed into the member lounge area. (Revised 7/2016)

901.02 Unattended Canines. When canines are unattended in a canine car at the station or on non-service related duties, the handler will ensure the canine is secured in the unit. The unit shall have proper ventilation and/or cooling to prevent the canine from overheating. Normally, the canine unit will be locked when unattended or out of the handler's sight. Exceptions to this include emergency situations when securing the vehicle is not possible. In this event, the handler will see to the canine's well being and secure the unit as soon as possible. (Revised 08/00)

901.03 Conduct of Non-Handler Members. Police canines are well-trained animals, and are trained to perform specific duties. All non-handler members are cautioned with regard to petting or attempting to become friendly with the dogs. The dogs must not be petted unless the dog's handler is present and has given permission for such act to take place. Under no circumstances will a member attempt to pet a dog which is in a vehicle and/or unattended. (Revised 7/2016)

901.04 Abuse or Neglect. A handler shall not abuse his/her assigned dog or neglect to properly care for his/her assigned dog.

a. Any handler found to be abusing or neglecting his/her assigned dog will be subject to appropriate disciplinary action.
b. Members shall not abuse or antagonize the department canines. Any member guilty of such acts may be subject to disciplinary action.

901.05 Request for Canine Teams. Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Watch Captain. Generally, canines shall only be deployed in situations involving building or other type of area searches,

suspected felons, officer protection, apprehension of violent suspects, or at the direction of police supervisor. (Revised 7/2016)

901.06 Mutual Aid. Canine Units may be sent out of Oceanside at the request of another law enforcement agency as approved by the Field Supervisor and are subject to the following:

a. The Canine team shall not be used for any assignment that is not consistent with this policy.
b. The K9 handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
c. Canine units are not authorized to respond out of the city for the sole purpose of crowd control. They may respond as part of a contingent of department members when under a Field Supervisor.
d. It shall be the responsibility of the K9 handler to coordinate operations with outside agency personnel in order to minimize the risk of unintended injury.
e. It shall be the responsibility of the K9 handler to complete all necessary reports.
f. Dispatch shall send an on-duty supervisor with K9 Unit, unless the request is for narcotics detection.

(Revised 7/2016)

901.07 Apprehension Guidelines.
A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes the individual has either committed, is committing or threatening to commit any serious offense and if any of the following conditions exist:

a. There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
b. The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
c. The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine. Absent a reasonable belief that a suspect has committed, is committing or threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Watch Captain. Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practical. If the canine has apprehended the suspect with a secure bite, the handler should promptly command the canine to release the suspect.

Apprehensions by police service dogs are divided into two classifications:

Contact – When the police dog makes physical contact with the suspect. Contact may or may not involve the biting of the suspect. A bite is defined as contact between the mouth of a PSD and the clothed or unclothed portion of the body of a human being during which the surface of the person's skin is punctured by the teeth of the dog.

Non-contact – When the police dog does not make physical contact with the suspect, but is directly responsible for the successful completion of the arrest. Examples of such could be, but not limited to, tracking a suspect who is found hiding, or upon hearing a K-9 admonition or barking, the suspect surrenders. (Revised 2/20)

901.08 Preparation for Deployment. Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

a. The nature and seriousness of the suspected offense.
b. Whether violence or weapons were used or are anticipated.

c. The degree of resistance or threatened resistance, if any, the suspect has shown.
d. The suspect's known or perceived age.
e. The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
f. Any potential danger to the public and/or other officers at the scene if the canine is released.
g. The potential for the suspect to escape or flee if the canine is not utilized.
h. Evaluate the search area for potential hazards.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury. It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable.

The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable. Per Oceanside Police Department Standards of Conduct, supervisors have the authority, within the framework of the law, to issue special orders that may deviate from our Policies and Procedures. Any decision by a supervisor to override a canine handler's decision not to deploy a canine must be done with due caution and should only be reserved for unique and unforeseen circumstances. Prior to overriding a canine handler's decision not to deploy a canine, and time permitting, the supervisor shall ensure that he/she and the canine handler are acting upon all known information and circumstances relevant to the incident.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine. Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine. (Revised 7/2016)

901.08.1 Article Detection. A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries. (Added 7/2016)

901.09 Warnings and Announcements. Whenever forced entry is suspected, the K9 unit should be used to conduct the search of the building. Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary. If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why. (Revised 7/2016)

901.10 Transportation of Non-Prisoners. Transportation of non-prisoners and non-police personnel or persons who are not familiar with canine training must be limited. Such transportation shall be made only after the handler has instructed the person to be transported in the manner which they should conduct themselves in the canine unit. Prisoners shall not be transported in a K-9 vehicle. (Revised 7/2016)

901.11 Reporting Bites and Injuries. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in a use of force report and a Blue Team entry. The injured person shall be promptly treated by emergency medical services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. After appropriate medical treatment, photographs will be taken of the injuries. The deployment and injuries should also be included in any related incident or arrest report, and approved via a supervisor prior to the K9 Officer's end of shift. (Revised 7/2016)

901.11.1 Unintended Bites. Any unintended bite or injury caused by a canine, whether on or off duty, shall be promptly reported to the K9 Supervisor. Unintended bites or injuries caused by a canine should be documented in RMS as a Dot report. If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate, medical needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements. However, the canine shall be made available for examination at any reasonable time if requested by the local health department. The canine handler shall also notify the local health department if the canine exhibits any abnormal behavior after a bite (Health and Safety Code § 121685). (Revised 7/2016)

901.11.2 Potential Claim Report. No member shall make any statement of liability acceptance by the department for injuries inflicted by a department canine. Should an inquiry be made, the member will advise the injured person that they may submit a written claim to the Risk Management Office. The City's Risk Manager will evaluate the claim. The Risk Manager will then make an appropriate disposition. The K9 Supervisor or on-duty Field Supervisor shall follow the Administrative Processes Manual. (Revised 7/2016)

901.12 Dog Ownership. Dogs purchased and accepted for training and use by the K-9 Unit are the sole property of the City of Oceanside Police Department. The dogs are to be considered by the handler(s) as a valuable tool issued by the Department, and proper care and maintenance shall be a priority. Upon leaving the unit, the handler will turn the animal over, as directed by the K-9 Supervisor, for reassignment.

When it becomes necessary to retire a city-owned dog from active duty, the department may transfer ownership of the animal to the last handler. After such a transfer the handler assumes the cost of caring for and feeding the dog. Should the last handler decline to accept the dog, it will first be offered to a previous handler. Should the dog be declined by the last or former handlers, the dog may be sold/donated to a member of the department or to the public. A transfer fee may be required, but shall be determined by the K-9 Unit Chain of Command. In all cases, the City Attorney's Office will prepare a letter indemnifying the City of Oceanside, the Oceanside Police Department, and the OPD K-9 Unit from liability. This letter will be signed by the person accepting the retired police service dog prior to releasing the dog.

Any active-duty police service dog that dies while assigned to the K-9 Unit (on or off duty) will receive a burial or cremation at the expense of the department. Funeral arrangements and/or a ceremony will be at the discretion of the handler, with the approval of the Patrol Captain. Burial or cremation of any dog that dies while in retirement will be the responsibility of the current handler or owner.

No stud services utilizing City-owned dogs are authorized without the prior written approval of the Field Operation's Captain. In any instance in which stud services are approved and provided, any and all monies derived from such service will be remitted to the City of Oceanside's K-9 account contained in the Department's annual budget. (Revised 7/2016)

901.13 Canine Personnel Records. Each handler is required to keep current records regarding training, deployments, veterinarian care and certifications. Daily activities involving training or deployments shall be entered into the KATZ computer data base no later than the end of the handler's work week. Medical/Veterinarian care, certification documents along with the original purchase/genealogy documents will be maintained in a digital/cloud data base. Upon retirement or death of a K-9, the dog's file will be sent to City archives for storage for a period of no less than five (5) years after the date of retirement or death. (Revised 7/2016)

901.14 Canine Licensing, Injury and Medical Care.

901.14.1 Licensing. All Oceanside Police Department dogs are required to be licensed annually, and it is the responsibility of each handler to ensure their dog's license status is current. The licensing fees are waived by the North County Humane Society per OCC 4.18(d)(1). (Revised 7/2016)

901.14.2 Canine Injury and Medical Care. In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine Supervisor or and canine Manager as soon as practicable and appropriately documented. All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the canine's personnel file. (Revised 7/2016)

901.14.3 Injured Handler Procedures. All officers shall consider the following course of action in the event a canine handler is injured and unable to command his/her PSD. If the handler is down, it is possible the dog will stand guard

and prevent anyone from approaching. In the event a K-9 handler is incapacitated, the following actions should take place:

- Immediately request the assistance of another K-9 handler or the K-9 Supervisor.
- Do not rush towards the handler or dog.
- Call to the handler. If possible, the handler will call the dog off.
- If the handler is unable to assist, move the handler's car, or a patrol car as close as possible to the downed handler and canine.
- Park the K-9 Unit or other vehicle and open a rear door.
- In an authoritative voice, call to the dog giving the appropriate command "House" or "Car!" The dog may comply with this command and enter the vehicle.
- In some cases, another handler, the K-9 Supervisor, or a properly trained non-handler officer, may be required to assist the K-9 into the patrol car. To accomplish this, the same procedure as outlined above will be followed. However, the other handler, K-9 Supervisor or officer will wear a training bite sleeve and will be placed in the rear of the vehicle where the dog is to be contained. Once the vehicle is in position, the door closest to the dog can be opened and the K-9 can bite the sleeve. The helper can then back out the opposite door and feed the sleeve to the dog by sliding his/her arm out of the sleeve.
- Close the door after the dog has entered the vehicle, keeping the canine inside with the bite sleeve.

901.15 Kennels & Equipment. Kennels are provided by the City of Oceanside. This may include support construction such as a cement slab for the kennel area, a chain link pen, and a shelter (dog house). Upon re-assignment of a handler from the unit, if the pen and shelter are still in good working order, they will be removed for reassembly at the residence of the new officer being assigned. Required Canine equipment is to be issued to each handler per the Canine Operational Manual. (Revised 7/2016)

901.16 Training & Qualifications. Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines or other recognized and approved certification standards. Cross-trained canine teams, or those canine teams trained exclusively for the detection of narcotics and/or explosives, also shall be trained and certified by the California Narcotic Canine Association (CNCA) or other recognized and approved certification standards established for their particular skills.

All canine training should be conducted while on-duty, unless otherwise approved by the canine Supervisor or Watch Captain.

The department will pay for professional training; all basic and formal maintenance training will be conducted by the Department Trainer(s). A Canine Team may be placed into service pursuant to written authorization from the trainer, and approval of unit supervisor or designee. The criteria for the certification shall be POST approved and monitored by a qualified evaluator. (See Canine Manual for specifics). (Revised 7/2016)

901.16.1 Each canine team shall thereafter be recertified to a current POST, CNCA or other recognized and approved certification standards on a bi-annual basis. This certification will be monitored by the Department's Trainer or designee. Additional training considerations are as follows:

a. Canine teams should receive training as defined in the current contract with the Oceanside Police Department canine training provider.
b. Canine handlers are encouraged to engage in additional training with approval of the canine Supervisor.
c. To ensure all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.
d. If a canine team does not pass a bi-annual certification, the team will be given two weeks to train and re-test. If a team fails again, the unit Supervisor and Lieutenant shall determine whether to leave the team in service.
e. A canine team may be taken out of service at the discretion of the K9 Supervisor or Lieutenant. (Revised 7/2016)

901.17 Selection & Assignment of Canine Handlers and Supervisors**.** Selection and assignment of Officers to the K-9 Unit will be accomplished in accordance with the existing P&P. The selection criteria and minimum qualifications will be outlined in the position announcement. The K9 Supervisor shall be appointed by and directly responsible to the Patrol Division or the authorized designee. (Revised 7/2016)

901.17.1 Officer Selection Process. Interested officers shall apply pursuant to a position announcement. An Oral board may convene, and applicants may choose to address the board. Recommended candidates will be evaluated by the department trainer and a list of candidates will be compiled based upon the oral board and department trainer. The final selection will be made by the Chief of Police. (Revised 7/2016)

901.17.2 Handler Selection Qualifications: The minimum qualifications for the assignment of a K9 handler will include:

a. Must have a minimum of three years POST recognized and approved law enforcement experience, with one year at OPD, and have successfully completed probation at the time of assignment.
b. Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
c. A garage that can be secured and accommodate a canine vehicle.
d. Living within 30 minutes travel time from the Oceanside City limits.
e. Agreeing to be assigned to the position for a minimum of four years. (Revised 7/2016)

901.18 Canine Handler and Supervisor Duties. The K9 handler shall ultimately be responsible for the health and welfare of the K9 and shall ensure the K9 receives proper nutrition, grooming, training, medical care, affection and living conditions. The K9 Supervisor shall oversee all handler duties and responsibilities in addition to other supervisory duties noted below. (Revised 7/2016)

901.18.1 Canine Handler Responsibilities: The canine handler will be responsible for the following:

a. Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
b. The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
c. When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
d. Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
e. Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
f. When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
g. The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
h. Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Watch Captain.
i. When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine Supervisor or Watch Captain.
j. Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine Supervisor so appropriate arrangements can be made. (Revised 7/2016)

901.18.2 Handler Compensation. The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement (29 USC § 207). (Revised 7/2016)

901.18.3 Canine Supervisor Responsibilities: The responsibilities of the canine Supervisor include, but are not limited to:

a. Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
b. Maintaining liaison with the kennel vendor.
c. Maintaining liaison with command staff and supervisors.
d. Maintaining liaison with other agency canine coordinators.
e. Maintaining accurate records to document canine activities.
f. Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
g. Scheduling all canine-related activities.
h. Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

i. Maintaining a working relationship with the Department's canine trainer. (Revised 7/2016)

901.19 Public Demonstrations. All public requests for a canine team shall be reviewed and, if appropriate, approved by the K9 Supervisor prior to making any resource commitment. The K9 Supervisor is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine Supervisor. (Revised 7/2016)

901.19.1 Canine in Public Areas. The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

a. A canine shall not be left unattended in any area to which the public may have access.
b. When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure the unattended vehicle remains inhabitable for the canine. (Revised 7/2016)

905 Narcotics Detection K-9 Handler. Narcotics Detection handlers are canine officers assigned to a police service dog that is cross trained in narcotics detection. They have no special limitations or restrictions with field work. A canine trained in narcotics detection may be used in accordance with current law and generally used for search warrants, vehicle searches, exigent circumstances or searches incident to an arrest. (Revised 7/2016)

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

905.01 Training. Continuous training is essential to maintain proficiency in narcotics detection. When possible, handlers of working detection canines should be allowed one hour during the work shift for uninterrupted training. The amount of scheduled weekly narcotic training, in addition to canine patrol training, will be recommended by the department trainer. This additional narcotics training, if necessary, will be conducted on the designated canine training day.

905.02 Certification. Certification of a narcotics detection team will be administered annually by a person qualified to certify a team under P.O.S.T. guidelines. The department trainer will be consulted on the selection of the person certifying the team.

905.03 Call-Outs. Canine teams are available for call out at the discretion of Canine Supervisors. (Revised 2/99, 2/20)

905.04 Searches. When called to a scene to conduct a search, the handler will contact the officer in charge immediately. The handler will:

a. Evaluate the type and legality of the requested search and advise the officer in charge.
b. Evaluate the search for potential hazards, i.e., sharp objects, caustic materials or other animals.
c. Brief officers at the scene as to their requirements and conduct during the search. (Revised 7/2016)

905.05 Narcotic Varieties. The following are the types of drugs the Narcotic Detection Handler/K9 are trained to detect:

a. Cocaine
b. Heroin
c. Methamphetamine (Revised 1/2017)

905.06 Handler Seizure/Training Documentation. The canine handler will have the responsibility for documenting all narcotics training, searches and seizures. Information regarding narcotic searches will be held in the KATZ data base. (Revised 7/2016)

905.07 Narcotic Detection Handler Responsibilities.

a. Expeditiously respond to field requests for searches.
b. Maintain narcotics certification through continuous training.
c. Maintain records of training, searches and seizures.
d. Maintain training aids in accordance with this policy.
e. Notify the canine supervisor and department trainer of any performance problems that occur during field contacts or training.

f. Notify the canine supervisor when leaving town or during any absence when security and control of the handlers training aids may be in question. (Revised 7/2016)

905.08 Supervisor Responsibilities.
a. Monitor all phases of the narcotics detection program, maintenance training and ensure compliance with narcotics detection operations policy.
b. Conduct quarterly inspections of training aids.
c. Facilitate the acquisition of training aids or necessary equipment.
d. Review information in Katz on a monthly basis to assess the training needs of each K9 officer.
e. Review Use of Force Reports and cases involving K9 searches. (Revised 7/2016)

905.09 Training Aids. Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Oceanside Police Department may work with outside trainers with the applicable licenses or permits.

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

H&S 11367.5(a) the Chief of Police may authorize the utilization of specific narcotics material for use by Canine Handlers and/or the Department's official canine trainer in the training of their animals in narcotic detection.

Per California Health and Safety Code, Section 11367.5(a),

Any Sheriff, Chief of Police, the Chief of the Division of Law Enforcement, or the Commissioner of the California Highway Patrol, or a designee thereof, may, in his or her discretion, provide controlled substance in his or her possession and control to any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency, provided the controlled substances are no longer needed as criminal evidence and provided the person receiving the controlled substances, if required by the Federal Drug Enforcement Administration, possesses a current and valid Federal Drug Enforcement Administration registration which specifically authorizes the recipient to possess controlled substances while providing substance abuse training to law enforcement or the community or while providing canine drug detection training.

For purposes of section 11367.5(a), the Patrol Division Captain shall serve as the Chief's designee. (Revised 7/2016)

905.09.1 Issued Controlled Substance Procedure. Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:
a. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
b. The weight and test results shall be recorded by Evidence Staff and maintained by the Department.
c. Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances, and shall keep records regarding any loss of, or damage to those controlled substances.
d. All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine Supervisor.
e. All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
f. The canine Supervisor shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
g. Any unusable controlled substance training samples shall be returned to the Evidence and Property Unit (see 905.09.5). (Revised 7/2016)

905.09.2 Each narcotic detection trained handler will be issued quantities of the three drugs the canines are trained to detect: Cocaine, Methamphetamine and Heroin. The narcotics will be maintained in the officer's K-9 vehicle. The

initial issuance will be attended by the Evidence Custodian issuing the training aids, the handler receiving the aids, and the K-9 Supervisor. The aids will be placed into K-Pak type bags and weighed. The Net-Weights will be documented on the issuance form, and all parties will initial and sign the forms. (Revised 1/2017)

905.09.3 Narcotics Security. Each handler will maintain his/her training aids in security boxes, mounted-bolted to the vehicle body, in the trunks of their police units. To control access to the trunks, locks will be changed from the universal key and the auto-release trunk switches will be disconnected. Access will be limited to the narcotic detection handlers and the canine unit supervisor only. The Department's official canine trainer will secure his/her narcotics in a locked safe per the Federal Drug Enforcement Administration (DEA) guidelines, as required to obtain and maintain a DEA Administration License to possess narcotics for the purpose of detection training. (Revised 7/2016)

905.09.4 Narcotic Audit. All training aids in possession of the handlers or the Department's official canine trainer will be inspected and weighed quarterly, or at any time at the request of the Canine Unit supervisor. Training aid issuance logs and inspection reports will be completed and maintained by both the Canine Unit supervisor and evidence staff. If a discrepancy is found in the issuance log and/or logged weight quantity of the training aid, the handler involved will prepare a Memorandum to the Patrol Captain, via his/her chain of command explaining the circumstances. If a discrepancy is found in the issuance log and/or logged weight quantity of the training aid in possession of the Department's official canine trainer, the Canine Unit Supervisor will complete a Memorandum via his/her chain of command explaining the circumstances. (Revised 7/2016)

905.09.5 Narcotic Destruction. As needed, with the Canine Unit supervisor's approval and Department's official canine trainer recommendation, training aids will be returned to the storage vault for destruction. These products shall be weighed, presumptively verified, witnessed and logged by the handler/canine trainer, Canine Unit supervisor and evidence staff. The returned product will then be destroyed and replaced with like substance as required for ongoing training and all necessary log entries and/or approval forms will be completed. (Revised 7/2016)

905.09.6 Training narcotics are for the exclusive use of the Oceanside Police Department's canine unit and/or the Department's official canine trainer. (Revised 7/2016)

905.09.7 All canine unit members involved in narcotics training or the handling of training aids shall be required to be aware of each of these outlined procedural steps and shall cooperate as a team to deny access to any and all narcotics within their control. (Revised 7/2016)

915 UNMANNED AERIAL SYSTEM (Added 8/2017). The Oceanside Police Unmanned Aircraft System (UAS) will be used to assist the police in enhancing public safety and search and rescue operations. The UAS will be used to provide aerial support during tactical and police operations. The UAS will utilize a high definition camera and/ or FLIR system to provide real time situational awareness. The ability to provide this aerial view will enhance officer safety without placing additional officers at risk, while increasing public safety and aiding in the safe apprehension of criminals. 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.

915.1 DEFINITIONS.

a. Federal Aviation Administration (FAA). The national aviation authority of the United States, with powers to regulate all aspects of civil aviation.
b. Unmanned Aircraft System (UAS). Aircraft including but not limited to, a flight system capable of operating without an internal pilot, tethered by a radio control link; and can be preprogrammed for both flight and payload operations prior to launch, and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means.
c. Remote Pilot in Command (RPIC). The remote pilot in command is chiefly responsible for the safe operation of the UAS and the safety of the public during flight operations.
d. First Person View (FPV). A live video feed broadcast by the UAS often utilized by tactical command elements, incident Captains or other authorized personnel to view the live video being received from the UAS.
e. Ground based observers (Observers) will assist the remote pilot in command with ground safety and in flight will utilize the "see and avoid" technique by scanning the area for air traffic or other possible hazards.

f. Notice to Airmen (NOTAM). Information provided to FAA regarding planned operations. A NOTAM shall include name and contact information of the UAS pilot filing the NOTAM request, location, altitude, operating area, date/ time, and nature of the activity.

915.2 MISSION. Deployment of a UAS will be decided by the UAS unit supervisor or in his/her absence the designated RPIC. The unit supervisor or RPIC will gather the facts and decide if a response is warranted. If the unit supervisor or RPIC determines the UAS team is needed for an operation, team members will be contacted and advised to report to the call out location, and/or a unit facility to pick up the UAS and its related support equipment. The UAS team members that respond to the scene will determine the response necessary in order to support the request. The RPIC along with input from the UAS team members will determine if safe operation of the UAS can be accomplished as requested. RPICs have absolute authority to reject a flight based on personnel safety or a violation of FAA regulations. The decision to accept a mission will be contingent upon several factors to include the ability of the UAS team to operate within a secure perimeter, physical features of the area, obstructions to flight, terrain, weather and the RPICs own abilities.
The following is a list of possible missions that a UAS can be utilized for:

a. Searches (i.e. for an outstanding suspect, article search, public safety hazard)
b. Video/photographs for investigative support
c. HAZMAT response
d. Search and rescue
e. Missing persons
f. Barricaded persons
g. Traffic collision investigations
h. Over watch for officers and SWAT operations
i. Disaster response
j. Special events

915.3 UAS Unit Captain. The Chief of Police will appoint a Unit Captain who will be responsible for the management of the UAS program. The Unit Captain, with the assistance of the UAS supervisor will ensure that policies and procedures conform to current laws, regulations, best practices, and will have oversight of the following additional responsibilities:

a. Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
b. Ensuring that all department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
c. Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
d. Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject or location.
e. 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.
f. Developing a protocol for fully documenting all missions.
g. 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.
h. Developing protocols to ensure that 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.
i. Facilitating law enforcement access to images and data captured by the UAS.
j. Recommending program enhancements, particularly regarding safety and information security.
k. Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

915.4 REMOTE PILOT IN COMMAND (RPIC) DUTIES.
a. The RPIC may only fly one aircraft at a time and must hold a remote pilot airman certificate (14 CFR Part 107) with a UAS rating.

b. RPIC's primary duty is the safe and effective operation of Oceanside Police Department's UAS. The RPIC shall receive training on the operation and basic maintenance / upkeep of all components used during the operation of the UAS. In addition to the rules and requirements specified by the FAA, the RPIC shall perform and log training flights that will include takeoffs, landings, and operation the video and camera equipment.

c. Flying a UAS without visual line of sight is generally prohibited; or when officer and public safety is a concern for those involved in the operation, the RPIC may solely utilize the FPV in order to fly the UAS. In these instances, the UAS supervisor and incident Captain shall be notified.

915.5 VISUAL OBSERVER DUTIES. Visual Observer shall maintain constant communication with the RPIC and the Incident Captain. An Observer may maintain contact with the RPIC by being in close proximity and utilizing clear communication, utilizing a police radio, or cell phone. To serve as a visual observer for UAS operations the officer must have completed UAS visual observer training. (Revised 1/20)

915.6 OPERATIONAL CONSIDERATIONS.

a. All operations shall occur within a secured perimeter, with controlled access into and out of the area, when feasible. Every attempt shall be made to offset flight operations from the general public.

b. 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.

c. UAS flights must at minimum have a RPIC and Observer present.

915.7 PRE-FLIGHT AND FLIGHT PROCEDURES

a. Pre-flight procedures will be conducted prior to each flight and will be done in accordance with the checklist prepared by the Oceanside Police Department UAS unit and in accordance with the manufacturer's recommendations. Any issues found during the pre-flight procedures will be noted in the maintenance log book and it will be the decision of the RPIC to determine if the issue will alter the safe flight and operation of the aircraft.

b. Prior to the launch of the UAS, the RPIC is responsible for ensuring the checklist has been conducted and the aircraft / ground station is safe to operate. The RPIC will communicate with the Observer to confirm that the area is visibly clear of any low flying air traffic, hazardous obstacles, or safety hazards prior to lift off.

c. The RPIC is responsible for ensuring all notifications to respective Air Traffic Control Towers have been made in accordance with the rules and guidelines set forth by the FAA.

915.8 POST LAUNCH AND LANDING PROCEDURES.

a. Although the UAS can be flown autonomously, the RPIC will monitor the aircraft, base station, and payload systems to ensure the aircraft is flying as designed and maintains the proper altitude.

b. After lift-off, crew members shall perform tasks according to their job assignment, while communicating clearly and effectively to monitor the UAS as it climbs to the desired mission altitude.

c. It will be the responsibility of the RPIC to confirm the mission objective has been met or the mission is too unsafe to continue prior to landing the aircraft.

d. The RPIC will communicate with the observer to confirm no obstacles are in the flight path of the aircraft and the return "home" location, prior to giving the command for the UAS to return home.

e. The Observer will monitor the aircraft as it is landing to ensure a proper landing. If the aircraft is not landing as desired or commanded, the observer will notify the RPIC who will determine if the landing will be aborted.

f. It will be the responsibility of the RPIC to ensure contact is made with the appropriate Air Traffic Control Tower in accordance with FAA guidelines to advise completion of the mission.

915.9 COLLISIONS.

a. If a collision occurs during the operation of the UAS and results in serious injury to any person, any loss of consciousness, or if it causes damage to any property (other than the UAS) in excess of $500 to repair or replace the property, notification shall be made to the Flight Standards District within ten days per FAA guidelines.

b. While at the collision scene the RPIC or Observer shall notify a supervisor, whom shall respond to ensure a potential claim investigation is conducted in accordance with the Administrative Processes manual. The RPIC shall be responsible for completing a memorandum via the chain of command describing the incident and damage.

c. If the collision results in less than $500.00 in damage, or the only damage is to the UAS, notification to the Flight Standards District Office is unnecessary.

d. Regardless of damage amount, the Chief of Police or his/her designee shall conduct a review of the collision and determine if the collision is preventable or non-preventable.

915.10 SYSTEM REQUIREMENTS/MAINTENANCE.
a. The UAS will be purchased and maintained by the Oceanside Police Department.
b. Only UAS Systems authorized by the Oceanside Police Department will be deployed.
c. The UAS shall be maintained regularly per the user manual and manufacturer's recommendations. Only properly trained officers or technicians shall complete any repairs or perform maintenance on the UAS.

915.11 TRAINING.
a. Only authorized operators (14 CFR Part 107 certified) who have completed the required training shall be permitted to operate the UAS.
b. All members of the UAS team shall be trained and maintain proficiency in their operator/ observer abilities. Each RPIC shall be certified as an operator in accordance with current FAA requirements and standards. The RPIC will stay proficient in the job function by participating in scheduled department training sessions. Flight training shall be annotated in the crew member training file. During these training sessions the RPIC/Observer will be required to fly a qualification course with a passing score. This qualification course will include skills, obstacles, and utilizing the UAS in a manner consistent with law enforcement deployments. A RPIC who does not have any documented training or flight time within a span of 90 days (due to vacation, court appearance, or extended leave) will have to show proficiency prior to any deployment. The UAS supervisor may suspend his/her duties as flight crew/RPIC until the officer has had updated training and completed a qualification course. Records of training activities shall be forwarded to the training unit for filing.
c. After each deployment, all video and still images associated with a case number obtained by the UAS will be downloaded submitted into evidence in accordance with department policy.
d. Any video or photos not associated with a case number will be purged at the end of each flight or prior to the end of shift. Examples include training evolutions, flights that support patrol operations where no suspect is located, search and rescue missions where the victim is not located, etcetera.
e. All flights shall be documented by the RPIC, or predesignated member of the UAS crew, using the current UAS flight tracking system. The documentation shall, at minimum, include:

1. All flight times and locations.
2. Reason for the flight
3. Name of approving supervisor
4. Any additional relevant information to the mission

f. Bi-annual activity reports should be submitted by the UAS Supervisor to the Support Operations Division Captain for review. These reports should include:

1. Training date
2. Number of callouts.
2. Personnel flight hours.
3. Total time the UAS was in operation.
4. Any maintenance issues noted or completed.
5. Any additional relevant information regarding missions performed

g. Visual Observers (VO) must be trained in accordance with the Oceanside Police Department's UAS Operations Manual.

915.12 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.

920 Special Weapons and Tactics (SWAT). See the SWAT Administrative and Operational Manual for additional information and/or direction.

920.01 Purpose. SWAT is a specialized group of units that includes officers that provide Incident Commanders with special weapons and tactical resources to aid in safely resolving critical incidents. SWAT is specifically used in hostage and barricaded suspect incidents, very important person or package protection details, pre-planned arrest/search warrant service operations in which an elevated threat level exists, and other details requiring the use of specialized tactics, weaponry and related resources.

920.02 Organization. SWAT is comprised of Tactical Teams, Long Rifle Team, Crisis Negotiation Teams, and is supported by SWAT K9's and Oceanside Fire Department Medics. SWAT is a collateral assignment administered by the Patrol Division and is managed by two lieutenants serving as a Commanding Officer and Executive Officer. The Commanding Officer is responsible for overall administration and operations. The Executive Officer is primarily responsible for the Crisis Negotiation Teams and acts as the Commanding Officer in his/her absence.

920.03 SWAT Administrative and Operational Manual. The use of SWAT shall be governed by the policies and procedures contained herein and all administrative and operational aspects shall be in accordance with the SWAT Administrative and Operational Manual. All members of SWAT are responsible for adhering to the policies and procedures of the Oceanside Police Department, as well as the provisions contained within the SWAT Administrative and Operational Manual.

920.04 Criteria for Activating SWAT. Factors to be considered in requesting SWAT are potentially high-risk situations that appear to require weapons, tactical expertise, and specialized support not normally available to patrol officers. SWAT shall be utilized under the following circumstances:

1. A suspect has taken one or more hostages.
2. Sniper incident, which includes any incident in which a suspect is in a position of tactical advantage while firing a weapon or exhibits a degree of sophistication and weaponry outside the capabilities of patrol to safely address.
3. Active shooter.
4. A suspect has barricaded him/herself, is believed or known to be armed and, after a reasonable period of time, fails to surrender.
5. Actual or a viable threat of immediate terrorist activity.
6. High risk warrant operations.
7. High risk apprehension details.
8. Very important person or package protection details.
9. Any other situation in which an Incident Captain determines that the specialized skills and resources of SWAT are needed.

920.04.1 Pre-planned Operations. When planning for warrant operations, apprehension details or other events where the use of tactical resources are being considered, the below criteria shall be used to determine whether SWAT is to be utilized. SWAT shall be utilized for pre-planned operations involving any one of the criteria listed in items 1 through 4. For events involving any combination of two or more of items 5 through 10 below, the SWAT Commanding Officer or designee shall be consulted to give a recommendation on whether SWAT should be utilized:

1. ***Intelligence suggests firearms are on the premises and occupants have a propensity to use them – or – intelligence suggests the target is in possession of, and has a propensity to use, a firearm(s)***
2. ***The location is heavily barricaded with a sally port, steel doors and gates or other fortification.***
3. ***The suspect is wanted for armed assault on a peace officer.***
4. ***Intelligence suggests there is the likelihood of a violent confrontation.***
5. Doors and/or windows are barred.
6. The location has counter surveillance (i.e. closed-circuit TV, intrusion devices, etc.).
7. Guard dogs are present.
8. The suspect(s) is a third strike candidate.
9. The suspect(s) have a violent criminal history or a propensity for violence.
10. The suspect(s) is a member of a gang, criminal organization or militant group.
11. A Dignitary requires law enforcement support for security.
12. A package requires law enforcement support for security.

To facilitate tactical planning, a High-Risk Operation Checklist shall be completed as early as possible in the investigative and planning process for all warrant operations. The checklist shall be submitted to the SWAT Commanding Officer or designee. After review and final determination of whether SWAT will be utilized, the original High-Risk Operation Checklist shall be included with the originating case file or operational plan if the matter is not related to a criminal investigation. A copy of the checklist shall be included with the SWAT Mission Report.

920.04.2 Pre-planned Operation Procedures. Once SWAT has accepted a mission for a pre-planned operation, the requesting unit shall identify an incident Commander for the event. Once the SWAT Operational Plan has been prepared,

it is presented to the Patrol Division Captain (or designee) and the SWAT Commanding Officer for final review and approval.

920.05 Field Request for SWAT. Requests to activate SWAT shall be made by the Incident Commander and cannot be changed except by the person making the request, a higher-ranking officer who has assumed field command of the situation, or when it is obvious the request does not fall within the criteria for the use of SWAT. Requests for SWAT shall be made to the Watch Captain, who will notify the SWAT Commanding Officer or designee. The SWAT Commanding Officer or designee will facilitate the actual call-out of SWAT personnel.

920.05.1 SWAT Activation and Call-Out Procedures. When the need for SWAT has been determined, the Incident Commander shall notify and brief the Watch Commander, who in turn will notify the SWAT Commanding Officer.

920.06 4th Amendment Considerations. Absent exigent circumstances a search and/or arrest warrant shall be obtained prior to a SWAT entry under the following circumstances:

- A suspect is barricaded in his/her own residence and a signed consent to enter and search waiver cannot be obtained from a competent adult member of the household
- A suspect is barricaded in any third party residence and a signed consent to enter and search waiver cannot be obtained from a competent adult in possession of control of the dwelling
- A suspect is barricaded in any structure, business, or location where possession or control of the location is unclear

Without a warrant or signed consent to enter and search waiver, an entry cannot be made into a location unless an exigent circumstance exists. An exigent circumstance includes:

- Imminent danger to life
- Imminent escape of a suspect
- Destruction of evidence

920.07 Use of the Crisis Negotiation Team (CNT). With the exception of pre-planned missions, all components of SWAT respond to call-outs. The CNT will respond to pre-planned missions on an as needed basis. The CNT may respond to incidents involving persons threatening suicide or any other event that does not require an entire SWAT activation and the skills of trained negotiators are needed. First responders should contain the suspect, isolate the scene, establish a command post, and then attempt to establish communication with the suspect as soon as possible in order to evaluate the need for CNT. Once the Incident Commander determines there is a need for CNT, s/he shall notify the Watch Captain who will contact the SWAT Executive Officer or designee. The SWAT Executive Officer or designee will facilitate the actual call-out of CNT personnel.

920.07.1 CNT Response. Crisis negotiations are managed by a team of negotiators. At minimum, a CNT sergeant and three negotiators will respond to a call-out. This allows for a team leader, primary negotiator, secondary negotiator, and an intelligence officer. Additional negotiators may be activated as deemed necessary by the CNT Sergeant and SWAT Executive Officer or designee. Once CNT is on scene, the Incident Commander shall assign CNT's mission. At that time, the CNT Sergeant or designee shall determine when to assume control of negotiations and how to make the transition from the first responder to the CNT negotiator.

920.07.1 Use of PERT. When CNT has been called out for a suicidal subject, PERT should be requested to respond as a support element. It is the responsibility of the CNT Sergeant to request PERT. When requested, PERT shall respond unless unavailable.

920.08 Incident Command and Control. Although the SWAT Commanding Officer in his/her role as Tactical Captain retains tactical control of SWAT, the Incident Captain is in charge of the overall operation. The Incident Captain, therefore, assigns the SWAT mission, approves the mission plan, and is responsible for the successful resolution of the incident. The Patrol Division Captain retains the authority to override the Tactical Captain or assume the role of the Tactical Captain at his/her discretion.

920.08.1 Mutual Aid Considerations. The SWAT may be made available for assignments outside the City upon authorization by the Patrol Division Captain. In cases of authorized deployment outside of the City, SWAT will operate in compliance with the policies and procedures of the Oceanside Police Department and the SWAT Administrative and Operational Manual. Command and control of SWAT shall at all times remain with the SWAT Commanding Officer unless otherwise directed by the Patrol Division Captain.

In the event additional tactical resources are needed to resolve a critical incident within the city limits of Oceanside, the SWAT Commanding Officer can request the assistance of the San Diego Sheriff's Department Special Enforcement Detail (SWAT), or other local agency.

925 Community Service Officer Program.

925.01 Duties of the CSO Supervisor. The CSO Supervisor is responsible for the utilization, scheduling, and overall direction of the CSOs not assigned to a specific shift. It is the responsibility of the CSO Supervisor to ensure that the lobby and associated work areas remain in a clean and orderly condition. Other duties include:

a. Approve reports written by the front desk CSOs.
b. Perform other duties as assigned to ensure the effective operation of the front lobby and the Community Service Officer Program.

925.02 Under the direction of the CSO Supervisor, CSOs assigned to the front desk are responsible for the following duties:

a. Receive incoming telephone calls on the Department's business lines.
b. Route telephone calls to the appropriate persons.
c. Greet citizens entering the lobby and direct or refer them to the appropriate Divisions or services.
d. Complete telephone-generated Crime Reports where no suspect information is available and no evidence is present.
e. Complete reports as directed by the CSO Supervisor.
f. Complete and enter self-generated CAD calls with all the information necessary to send a police member to a call for service.
g. Provide fingerprinting services during hours of operation.
h. Complete the documents necessary for PC 290, PC 451 and H&S 11590 registrants.
i. Sign off "Notice of Correction" citations in accordance with CVC 40616.
j. Perform other duties as assigned.

925.03 Report Restrictions. Without authorization from a supervisor or special circumstances, the following reports will not be taken by a CSO:

a. Serious sexual assaults.
b. Serious injury and fatal traffic accidents.
c. Homicide or suspicious deaths.

925.03.1 Unless prohibited by the in-station Patrol Supervisor or the CSO Supervisor, all other reports may be completed by a CSO.

925.03.2 CSOs are not authorized to declare "probable cause". However, any sergeant or lieutenant can direct a CSO to complete a Probable Cause Declaration form, which may then be approved and signed by a sergeant or lieutenant.

925.03.3 The likelihood for a future arrest is not a factor prohibiting CSO from completing a particular report.

925.4 Direction & Control. The Patrol Division Captain directs the prescribed procedures for CSOs to follow.

925.5 Volunteers. The CSO supervisor will work with the SVPP to utilize senior volunteers in the front counter area. Volunteers will be supervised by the CSO Supervisor and if not present, the CSO. Volunteers will not complete any reports without prior training by the CSO Supervisor.

1000 TACTICS & SPECIAL INCIDENT RESPONSES

1001 Airport Response Procedure.

1001.01 When members respond to the airport, they are to watch for pedestrians and moving aircraft.

1001.02 Driving On Runways. Members should avoid driving on the runways and taxiways. Police cars driving on the active runway and taxiways pose serious safety problems to aircraft and police personnel.

1001.02.1 If it is necessary for a member to drive on the runway or taxiways, they are to activate the overhead emergency lights on the patrol unit.

1002 Aircraft Accidents.

1002.01 Notification for Accidents Involving Civilian & Military Aircraft. Upon learning of an aircraft accident within the city limits of Oceanside, the Field Supervisor will have the FAA Flight Service Station Supervisor at Montgomery Field.

1002.01.1 The contacted official should be informed of the following, if known: Type of accident, type of aircraft, location of accident, number of passengers, fuselage number and the number of injuries/fatalities

1002.02 Reporting. An officer will document the accident. The accident will be documented on an Incident Report unless the accident occurs on a public highway and/or if traffic is involved. A Traffic Collision Report form will be used if the accident occurs on a public highway and/or traffic is involved.

1002.03 Disposition of the Aircraft. If there is an immediate need to remove the aircraft to prevent further injury or property damage, approval for such removal can be arranged by calling the FAA. If all emergency measures have been taken by members of this department and there is no further danger of injury or damage, the investigating officer will protect the accident scene until the arrival of an FAA official.

1005 Bomb Threats or Explosive Devices.

1005.01 Responsibility of Member Who Receives Bomb Threat. Any member who receives a report of a bomb threat shall make every effort to retain the reporting party on the telephone and obtain complete information on their identity, address, exact location of the bomb, the type of bomb if known, and any other pertinent information.

1005.02 Dispatcher Responsibility. When a report of a bomb threat is received, the dispatcher shall immediately notify a field supervisor. An officer shall be dispatched to the scene and the Field Supervisor also dispatched whenever possible.

1005.03 Officer's Responsibility. Upon arrival at the scene, the officer shall contact the person in charge of the building and learn any additional available facts.

1005.04 Evacuations of Buildings. The person in charge of the building shall be responsible for deciding if the building shall be evacuated during a search for the bomb. If the bomb is located, the officer in charge shall be responsible for deciding matters concerning the evacuation of the building.

1005.05 Searches of the Building or Grounds. The person in charge of the building may wish to have his/her own members check the area. If this is done, they should be instructed never to touch a suspicious object, but to notify the police.

1005.05.1 If the person in charge of the building requests the police to conduct the search, this assistance shall be provided. The search shall be directed by the officer in charge at the scene. An employee of the building shall accompany the officers on the search. This should normally be a custodian who knows what objects belong or do not belong in the building.

1005.06 Procedure if an Explosive Device or Suspicious Object is Found. In no case will a member attempt to remove or touch an explosive device or suspicious object. Once a suspicious object or explosive device is found, the member will evacuate all persons within a minimum of a 300-foot radius.

1005.06.1 They will then request the San Diego County Sheriff's Bomb/Arson Unit through the Sheriff's Communications Center. The Bomb/Arson Unit handles all explosive and incendiary devices, including military

devices. If the device(s) is/are retained for legal proceedings, the Bomb/Arson Unit will maintain custody of the evidence until it is no longer needed. (Revised 08/2007)

1005.07 Reporting. Any incidents involving explosive devices or bomb threats will be documented on a Crime Report. A copy of the report will be forwarded to the FBI office in San Diego.

1010 Alarm Responses.

1010.01 Robbery Alarm or Robbery In-Progress Call. When a robbery alarm is received, the dispatcher will send field units to the scene, but will not place a call in to the business until directed to do so by a responding unit. (Revised 03/2007)

1010.02 When a Robbery Actually Occurs. If a robbery has occurred, the dispatcher will ascertain if it is in-progress or if the suspects have fled and relay this information to responding officers. The dispatcher will then try to obtain further information such as:

a. Number of suspects.
b. Weapons used, if known.
c. Physical and clothing description.
d. Vehicle description, if known.
e. Direction of travel.

1010.03 First Unit On-Scene. Responsibilities of the first unit to arrive at the scene are:

a. Broadcast 10-97 and give exact physical location (NW corner, East side, etc.).
b. Request that dispatch initiate Emergency Traffic.
c. Assume responsibility of controlling the scene.
d. Direct cover units to establish a perimeter.
e. Request additional units to the scene if needed.
f. Request dispatch to place a call into the business when appropriate.

(Revised 12/03) (Revised 03/2007)

1010.04 Additional Units. Additional units responding to the call will give out their respective positions. Officers will remain out of sight, waiting for confirmation of the suspect's presence or departure.

1010.05 If it is ascertained that the suspect has fled, the primary unit will go directly to the scene, obtain additional information and immediately broadcast it. Additional units will institute a search pattern.

1010.06 If the suspect(s) is still at the scene, the officers should remain out of sight to allow the suspect(s) to leave the building before an arrest is attempted. If this fails, officers will not attempt entry into the building but will maintain perimeter containment. Barricaded suspect/hostage procedures will be instituted.

1010.07 Procedure upon Receiving a Burglary Alarm. When responding to burglary alarms, the procedures set for responding to robbery alarms shall be followed, except for initiating emergency radio traffic. Emergency Traffic will be at the discretion of responding officers. After the initial check of the perimeter, a canine unit should be utilized, if possible, for an interior check. (Revised 12/03)

1010.08 Inquiry Channel. During emergency radio traffic on Dispatch I, all other radio traffic will be handled on Inquiry. This will allow officers on Dispatch I to have a clear radio channel. (Revised 12/03)

1010.09 False Alarm Responses. If the alarm was reported as accidental, police units will continue to respond unless it can be determined that the alarm is false. When responding to an alarm call, the dispatcher will direct an official of the agency to meet responding officers at a location outside the building. The official may be identified by a clothing description given to the dispatcher and relayed to the police officers. If the official informs the officers the alarm was accidental and the officer is satisfied, it is not necessary to enter the building, and they may terminate the assignment. (Revised 7/98)

1010.09.1 Procedures for False Activation. It is the responsibility of the responding officer to determine when an alarm is actually false. The officer or Dispatcher, in addition to the final disposition code, must enter one of the following in CAD.

a. Employee Activated.

b. Police Activated.
c. Property Secure, Unknown Reason.
d. Animal Activated.
e. Accidental Activation.
f. Alarm Malfunction.
g. Canceled by Reporting Party.
h. Power Failure.
i. Weather Conditions.
j. Open Door/Window, Property Secure.
k. Other (must be explained).

1010.09.2 False Alarm Notifications and Billing. The Alarm Coordinator will mail notices or invoices of false alarm activation to the party responsible for the property. This document will be mailed no later than twenty (20) working days from the date of the alarm activation. In addition, the Alarm Coordinator will bill the responsible party for excessive false alarms as proscribed by City Code 6A.1 – 6A.11. (Revised 7/98, 05/04, 1/20)

1020 Felony Hot Stops. A felony vehicle stop (high risk) is a potentially dangerous situation confronting an officer. A high-risk stop is any stop when the vehicle contains known/suspected felons or the vehicle contains a person(s) that may be extremely dangerous or armed. The high-risk stop will be conducted in accordance with department approved methods.

1025 Hazardous Material Spills. This procedure is to provide guidelines for handling incidents involving hazardous materials (chemicals, radioactive material and explosives). In order to accomplish this, all police personnel will cooperate fully with Fire Department personnel in carrying out all steps necessary to meet the objectives.

1025.01 Hazardous Materials Defined. A hazardous material is a substance or combination of substances in a quantity or form that, when not properly controlled or contained, may pose a significant risk to health, safety, property and/or the environment. Hazardous materials may be found in solid, liquid or gaseous forms.

1025.02 Hazardous Material Incident Defined. Any spill leak, rupture, fire or accident that results, or has the potential to result, in the loss or escape of a hazardous material and causes the use of emergency resources.

1025.03 Product Identification. Hazardous materials can be identified by a four-digit number displayed on a placard or panel; by a four-digit number (preceded by UN or NA) on a shipping paper or package; or by a name found on the shipping paper or package. This number should be obtained if safely possible and checked in the Emergency Response Handbook.

1025.04 Hazardous Materials Handbook. This will identify the product, list its fire, explosive or health hazards, give containment and handling instructions and outline first aid procedures. Do not completely trust labeling. Other agents may be present and not properly labeled. These procedures should be strictly followed to prevent injuries.

1025.05 Procedure for Field Officers. Upon arrival at a hazardous material incident scene, the officer will:
a. Immediately notify dispatch of the situation.
b. If placards or package labels are visible, advise of color and wording if possible.
c. Stay upwind and uphill of the incident and advise responding units of the best route to the scene.
d. Keep the public as far from the scene as possible.
e. Secure the area surrounding the spill to prevent further contamination (a minimum of 500 feet). If there is a possibility of a container exploding, the minimum safe distance is 2,000 feet. If the Fire Department Incident Captain orders the evacuation of a larger area, this will be done. When toxic chemicals are involved, the securing of downwind areas should be accomplished by personnel trained in the use of self-contained breathing apparatus and protective clothing (Fire Department).
f. Take all feasible steps to protect or save human life.
g. Not attempt an impossible rescue.
h. Try to segregate and retain those who have possible contact with the hazardous material, including safety personnel, until they can be examined. If possible, these people should be decontaminated before transportation.
i. Prevent anyone from eating, drinking, or smoking in the area or using food or drinking water that may have been in contact with material from the incident.
j. Assist in warning local population of the danger.

k. Act as Scene Manager until the arrival of the designated Scene Manager.

1025.06 Dispatcher Responsibility (Use as checklist). Upon notification of a hazardous material spill, the dispatchers will:
a. Immediately notify the Patrol Supervisor and the Fire Department Battalion Chief.
b. Gather as much information on the incident as possible. (Use the Hazardous Material Dispatcher checklist).
c. Make all notifications as directed by the Scene Manager or Incident Captain.

1025.07 Scene Manager Defined. The Scene Manager shall be the representative of the agency that is responsible for overall management and coordination of all activities at the scene of a hazardous material incident, until the scene has been abated of the hazard. The scene manager shall be:
a. CHP Official – All incidents on Interstate 5 or State Route 78.
b. OPD Supervisor – All incidents on City streets, public, or private property.

1025.08 Scene Manager Duties (Use as check list). The Scene Manager will:
a. See that the public is kept as far from the scene as possible (secure the area).
b. See that traffic and crowd control procedures are implemented.
c. See that personnel in the immediate area of the incident are kept to a minimum and that they are adequately protected from danger (wear breathing apparatus, etc.).
d. Establish a Joint Police/Fire command post.
e. Have contaminated persons are isolated until qualified help arrives.
f. Coordinate, with the Fire Department Incident Captain, all State and Federal assistance requests.
g. Gather as much information as possible on the nature of the incident (Use Hazardous Material Incident Report form).
h. Help the F.D. Incident Captain to determine the resources needed, call for the resources, and coordinate them.
i. Make, or cause to be made, all notifications to other agencies (see notification lists).
j. Although not responsible for the detailed direction of technical and specialized procedures, will see that these procedures are carried out when needed (consult with specialists and advisors).
k. See proper clean-up procedures implemented.
l. Remain on the scene until a safe condition is restored and the clean up operation is complete. (Check with F.D. Incident Captain.)
m. Complete a "Hazardous Material Incident Report."
n. Prepare a cost analysis report and critique. Attach a copy of the Fire Department Incident Report and Fire Investigator's report.
o. See that all safety personnel exposed to the possibility of contamination are treated as necessary and that the appropriate injury report forms are completed.

1025.09 Incident Captain Defined. The Incident Captain is a Fire Department representative responsible for direction and control of the immediate on-scene fire department functions. The Incident Captain shall report to the Scene Manager.

1025.10 Incident Captain Duties (Fire Department). The Incident Captain shall coordinate and control all F.D. activities in its jurisdiction and responsibility to include, but not be limited to: rescue, first aid, product identification, scene stabilization and management, suppression activities, protection of exposures, containment, agency notification, scene isolation, and personnel protection. When the Incident Captain is called upon to assistance to the Scene Manager, the Incident Captain shall have direct control and authority of all F.D. related activities at the scene of any hazardous material incident.

1025.11 Notifications. The Scene Manager is responsible to see all necessary agencies are notified.

1025.12 Cleanup. The primary responsibility for actual cleanup and costs involved remain with the spiller. In the event the spiller is unknown, the cleanup is the responsibility of the affected jurisdiction or agency. The overseeing of the cleanup operation is the responsibility of the Scene Manager and Incident Captain. The spiller should be required to sign for the cleanup costs. However, if they are not available or refuse, the Scene Manager or Incident Captain will sign for it. This must be documented in the "Hazardous Material Incident Report" so costs may be recovered at a later time.

1025.13 Reports. Officers responsible for the scene will author a numbered report in RMS for the HazMat incident. After review, a copy of the report will be sent to the Office of Emergency Services, and a copy will be sent to the Fire Chief (Revised 1/20)

1025.14 Mutual Aid. If it appears State assistance is required to handle the hazardous material incident, a State Agency Coordinator will meet with the Scene Manager, evaluate the support needed and call upon such resources. The Office of Emergency Services will assist in obtaining the resources. Generally, the State Agency Coordinator will be a member of the CHP. The Fire Department Incident Captain will use any existing mutual aid agreements necessary to control or avert the emergency.

1025.15 San Diego County Unified Hazardous Material Incident Contingency Plan. The Unified Disaster Council in San Diego County has developed a master contingency plan for use of all County agencies in handling hazardous material incidents. A copy of the manual entitled "San Diego County Unified Hazardous Material Incident Contingency Plan" is kept in the Sergeant's Office. It contains complete details of all aspects of handling hazardous material incidents, mutual aid, functions of all responding agencies, cost recover methods, etc. The Department procedure is a synopsis of the County Plan so Field Supervisors may have a convenient checklist of things to do in handling a hazardous material incident. If further information is needed, it can be found in the County Plan.

1030 Industrial Accidents. California Occupational Safety & Health Administration requires all industrial accidents involving serious injury, illness or death be reported to the Division of Industrial Safety.

1030.01 Definition. According to Occupational Safety and Health Regulations, Section 330(h), "serious injury or illness" means any injury or illness occurring in a place of employment or in connection with any employment which requires in-patient hospitalization for a period in excess of 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of disfigurement..."

1030.02 Response Procedure. When an industrial accident is reported to our Communication Center, the following response procedure will be implemented:

a. Unless the incident is reported to involve a death or near-death, only paramedics need be dispatched.
b. If, on arrival of paramedics, the injured party is evaluated and the determination is made that the injured party is not deceased or facing the threat of death, normal transport procedures will be employed. Fire personnel will be responsible for causing Cal/OSHA to be notified of the accident if it falls in the category of Occupational Safety and Health Regulations, §330(h) as defined above.
c. If, after their arrival, the paramedics diagnose the injured person's trauma as likely to result in death, or the injured party is deceased, or there appears to be unusual circumstances surrounding the incident, the paramedics will notify communications, who will dispatch a police officer to the scene.
d. Upon the arrival of a police officer at an industrial accident which has resulted in death or an injury that will likely result in death, or the incident involves unusual circumstances, the police officer will assume the responsibility of securing the scene as would be done with any crime scene.

1030.03 If the incident falls under the category of a traffic collision, the officer will follow the Traffic Collision Reporting Procedures.

1030.04 If the incident involves a crime that is not traffic related, or the incident is in some way suspicious in nature, an Oceanside Police Department investigator will be called to further evaluate and/or investigate.

1030.05 The patrol officer will be responsible for assuring that evidence (including photographs) is collected, all witnesses identified, and witness statements obtained when possible.

1030.06 If no other report is in order (i.e.: traffic or crime), the patrol officer will document the incident on a numbered Officer's Report.

1030.07 Telephone Notification. The patrol officer will cause Cal/OSHA Division of Industrial Safety to be notified. The information needed by Cal/OSHA when notification is made is as follows:

a. Time and date of the accident.
b. Employer's name, address and telephone number.
c. Name and job title, or badge number of person reporting the accident.
d. Address of site of accident or event.

e. Name of person to contact at site of accident.
f. Name and address of injured employee(s).
g. Nature of injury (general).
h. Location where injured employee(s) were taken.
i. List and identity of other law enforcement agencies present at the accident site.

1035 Barricaded Suspect/Hostage Situations. This procedure ensures that all efforts are made to protect the lives of hostages, citizens, officers and suspects in barricaded suspect/hostage cases. (Revised 11/09 2/20)

1035.01 Definitions. A barricaded suspect is any person who is armed with a dangerous weapon or device and who occupies any enclosed space, structure or vehicle and resists apprehension by law enforcement through violence or threats of violence. Hostage situations are events in which any person seizes, kidnaps, or otherwise holds another person against their will, threatens or actually uses force against that person, for the purpose of evading arrest, facilitating an escape, obtain the release of others in custody, or any other objective.

1035.02 Use of SWAT. The Special Weapons and Tactics Team provides Incident Commanders with tactical resources, including negotiators, and shall be called out for all hostage situations (refer to Volume III, Section 920). For barricaded suspect situations, once the scene is contained and an arrest team is in place, first responders should then attempt to establish communication with the suspect. If, after a reasonable period of time, as determined by the Incident Commanders, communication is not established or the suspect refuses to surrender, SWAT shall be called out.

1035.03 Command. The Incident Command System model will be followed. The first officer at the scene will assume command of the situation until relieved by a sergeant. A higher-ranking officer may take over command, and if so, shall formally advise that he/she is doing so. The Incident Captain will appoint staff as needed to assist him/her.

1035.04 Notifications. The Incident Captain will immediately notify dispatch of the:
a. Location of the incident.
b. Location of the Command Post.
c. Phone number of the Command Post.
d. Safe route to the Operations Command Post or staging area.
e. Radio frequency to be utilized by members assigned to the incident.

1035.04.1 Dispatch will immediately notify the Watch Captain. The Watch Captain shall notify the Patrol Division Captain of the situation. If necessary, the Patrol Division Captain will notify the Chief of Police.

1035.04.2 As soon as practical, and not at the expense of depleting initial response resources, the Incident Captain will appoint a scribe to chronologically log all actions, including actions of the suspect(s), arrival and departure of members and equipment, times of notifications, member deployment, and any other pertinent data for follow-up reports and critiques.

1035.05 Initial Response. The overriding objective shall be life safety and preservation. Resources shall initially be deployed to accomplish the following:
a. Contain and isolate the scene. At minimum, this should include cross-containment positions whereby one officer has observation of two sides of a structure and another has observation of the other two sides.
b. Deploy an immediate action team that will react in the event a crisis response becomes necessary. The immediate action team will generally also serve as an arrest team.
c. Establish a command post.

1035.06 Additional Resource Deployment. As additional resources become available, a more secure inner perimeter can be established. This perimeter may be in close proximity to the suspect(s) if he/she is in a building or vehicle, or may be at considerable distance if he/she is in an open area. The primary purpose of the inner perimeter is to contain the suspect in a limited area, prevent his/her escape, and to prevent injuries to citizens in the area. Generally, all citizens will be evacuated from the inner perimeter. If this is not possible, they may be directed to shelter in place. No one will be allowed inside the inner perimeter without the consent of the Incident Commander, or the SWAT Commander once s/he has accepted a mission. An outer perimeter should also be established. This perimeter will be out of sight and out of range of the suspect(s). The purpose of the outer perimeter is to keep citizens

away from the danger area and to prevent interference with personnel assigned to the operation. No pedestrian or vehicular traffic will be allowed within the outer perimeter without consent of the Incident Commander.

1035.07 Communications with the Suspect(s). After the initial resources have been deployed, attempt to establish communication with the suspect(s) as soon as possible in order to evaluate the need for SWAT. Any dialogue with a suspect should take place from a position of officer safety. Communication via telephone is preferred and should be recorded whenever possible. The officer making the initial contact should attempt to establish a rapport with the suspect. It is important to be an active listener and allow the suspect to do most of the talking. Attempt to determine the underlying cause of the situation and paraphrase the suspect's statements to demonstrate that you are interested in what is being said. Encourage the suspect to surrender; however, be sure that an arrest team is in place to take the suspect into custody and coordinate the details of the surrender with the arrest team leader.

1035.08 Use of Third-Party Intermediaries. The use of family members, boyfriends/girlfriends, employers, etc., by first responders to speak directly to the suspect is discouraged. The use of third parties to communicate directly with the suspect should only be done by the Crisis Negotiation Team and approval of the Incident Commander.

1035.09 First Responder Negotiation Guidelines. The suspect(s) can be expected to make demands. There is considerable flexibility in dealing with the suspect(s), but the final decision on whether to agree with any demands rests with the Incident Commander. However, the furnishing of, or agreeing to, any of the following should be firmly resisted:

a. Getaway car
b. Ransom money
c. Alcoholic beverages
d. Drugs
e. Exchange of hostages
f. Release persons from custody
g. Exempt anyone from prosecution

While communicating with the suspect, avoid calling attention to any hostage. Keep the incident Commander informed about any negotiation with the suspect. Maintain a log of all communications with the suspect(s). When CNT arrives, inform the negotiators of any agreements that have been made. the negotiators will determine when to assume control of the negotiation and how to make the transition from first responder to the CNT negotiator.

1035.10 Intelligence. The following information should be given to the Incident Captain, who will disseminate as needed:

a. How many hostages are there?
b. How many suspects are there?
c. Are they armed? (What is the number, type and range of the weapons?)
d. Who are the suspects? (Age, sex, race, clothing description, mental condition, personal history)
e. What is the reason for the situation?
f. Where (specifically) are the victims and suspects?
g. What do the suspects want?
h. Type of structure (apartment, house, number of stories, material, location of windows and doors, floor plan, available telephones, etc.) Obtain a floor plan, if possible.
i. Number of injured, and nature of their injuries.
j. What type of threats is being made?
k. What crimes are involved?
l. Who last saw the suspect(s)?
m. Where is that person who last saw the suspect(s)?

1035.11 Interaction with SWAT (Cross Reference Volume III, Section 920 and the SWAT Administrative and Operational Manual). Once SWAT is activated the SWAT Commander will be in overall command of the SWAT response. SWAT deployment procedures will be followed. When SWAT has sufficient resources to do so, the CNT Sergeant shall be responsible for the transition from first responder to the Crisis Negotiation Team. When sufficient resources do not exist, the Incident Commander shall be responsible for coordinating negotiations. SWAT personnel shall identify locations for a tactical staging area and a negotiation operation center. The SWAT Commander reports directly to the Incident Commander, who will assign specific missions to SWAT. The Incident Commander does not directly, or indirectly control SWAT tactics, but may veto a plan and request another. (Revised 2/20)

1035.12 Tactical Intervention. In the event that negotiations are not successful, the decision to initiate a tactical intervention rests solely with the Incident Commander, and is based upon recommendations from both the SWAT Commander and Executive Commander.

1035.13 Use of Force. Nothing in this procedure shall be construed to preclude the use of reasonable force by officers acting in their official capacity in protecting the lives and/or safety of citizens and/or department members from death or injury. During a hostage or barricaded suspect incident, and unless otherwise directed, officers are authorized to respond to deadly threats with the use of deadly force. However, no aggressive action shall be taken by police officers without approval of the Incident Commander unless there is an immediate danger to the life of the officer or the lives of others. In addition, no one shall enter the building or immediate area of the suspect without the approval of Incident Commander. Any use of force shall comply with department policies and procedures.

1035.14 Outside Agency Resources. The Incident Commander shall continually evaluate the need for assistance from other agencies. In addition, it shall be the responsibility of the Incident Commander to plan for rotation and relief of personnel as needed during lengthy operations.

1035.15 Press Considerations. The PIO should be called to the scene when possible. If unavailable, the Incident Commander will appoint another supervisor or officer to handle the press. All news inquiries should then be directed to the press officer. There should be an established press area. This may be within the outer perimeter, however, should be separate from any staging area or command post and never within an inner perimeter. The PIO will assist the press in getting information, but will not allow them to interfere with critical police operations.

1035.16 Demobilization. After the situation has been resolved, anyone who had been evacuated should be allowed to return without delay once evidence has been collected. It shall be the responsibility of the Incident Commander to ensure the following:

a. Account for all personnel and equipment.
b. Secure the scene or preserve evidence.
c. Return the area to its original condition, if possible.
d. If private property was damaged, ensure appropriate reports are prepared.
e. Return borrowed equipment.
f. Release premises to responsible party.
g. Supervise cleanup of areas used by members.
h. Assist residents with claims for damaged property.
i. Consider using mental health professionals to conduct a post-critical incident psychological debriefing of involved OPD members as a means of mitigating adverse impact of stress. Conduct a debriefing of the members involved as soon as practical after the operation.
j. Ensure all report writing responsibilities are assigned.

1045 Mutual Aid. This establishes a procedure for the use of officers in assisting other agencies in formal and informal mutual aid requests. All Police Chiefs and the Sheriff in San Diego County have signed an agreement granting full peace officer authority in their respective jurisdictions.

1045.01 Formal Mutual Aid Requests. Formal mutual aid requests are governed by the Emergency Services Act of the Government Code. Any member who observes any conditions that could lead to a proclamation of a local emergency, will immediately report such to his/her superior who will critically evaluate the situation. If necessary, the information will be forwarded through the chain of command. After our resources have been totally committed and further assistance is required, the Sheriff has the primary responsibility to provide additional aid.

1045.02 Informal Mutual Aid Requests. An informal request for mutual aid will involve those situations in which local assistance is required by our department or by another agency requesting our services.

1045.02.1 Requests for outside assistance will be made by a supervisor after an evaluation of the conditions and circumstances. He/she will be responsible for overall coordination and control. If appropriate, the Division Captain will be notified.

1045.02.2 Requests for assistance from outside agencies should come from a ranking officer of that agency. We will send officers as needed, but will retain enough officers to provide for our city's police needs. A supervisor will be sent in all cases. We will support the other agency, but not take over the operation.

1045.03 OPD members shall not be used for any assignment that is not consistent with the Oceanside Police Department's policy. (Revised 2/20)

1045.04 Documentation. The Patrol Supervisor will ensure that the appropriate report(s) are written if they deem it necessary.

1060 Officer-Involved Shooting Investigation.
(Revised 04-08)

1060.01 Joint Protocol for Investigation. The Oceanside Police Department complies with the county's "Joint Protocol for Investigation and Review of Officer Involved Shootings and Major Use of Force" *resulting in injury or death*. In addition, we employ the following guidelines specific to the Oceanside Police Department. (Revised 04-08)

1060.02 Transfer of Investigation to Other Agency. The Chief of Police may transfer the investigation to the District Attorney, the Attorney General or other law enforcement agency with proper jurisdiction. In such an event, the Chief of Police shall advise the involved officer(s) of his/her action. (Revised 10/00)

1060.03 Incidents Involving Oceanside Police Officers in Oceanside.

1060.03.1 Intentional Discharge of Firearms. The following procedure will be used in instances where an officer intentionally discharges a firearm except in the case of intentional discharges on a supervised range or during a training exercise that does not result in death or injury, or to end the misery of a seriously injured animal or to kill a dangerous animal that may pose a threat of serious bodily injury to the officer or a member of the public.

a. Notification. In all incidents of firearms discharges involving known injury or death, the on-duty supervisor shall have notification made to the:
    1. Chief of Police
    2. Division Captain of the involved officer
    3. General Investigations Lieutenant and/or Robbery/Homicide Sergeant
    4. Professional Standards Sergeant, who will notify the Department Legal Advisor
    5. Press Information Officer
b. **On Scene Supervisor**. The first supervisor on scene of an Officer-Involved-shooting or use of force resulting in injury or death will be responsible for the following:
    1. Establish tactical control of the scene and incident.
    2. Provide necessary medical assistance.
    3. Obtain the necessary public safety information.
    4. Set inner and outer perimeters and take other action as warranted to preserve evidence and protect the scene.
    5. Conduct timely suspect and informational broadcasts.
    6. Insure notifications are made consistent with this policy to Command and Investigative personnel.
    7. Make a determination as to whether or not the involved officer(s) firearm(s) and ammunition should be seized at the scene or left in the officer's possession until collected by investigative personnel. If the decision is made to leave the firearm(s) and ammunition in the possession of the officer(s), the Officer(s) will be admonished by a supervisor or their designee not to handle, alter, or in any other way change the condition of the firearm(s) or ammunition, or remove the firearm(s) from its holster(s) or ammunition from its pouch for any reason other than an emergency necessitating the use of the officer(s) firearm(s). If the decision is made to seize the firearm(s) and ammunition, ensure the firearm(s) and ammunition are delivered to investigative personnel and handled as evidence.
    8. Admonish the involved officer(s) not to discuss the matter with anyone other than assigned department investigators or their legal representatives.
    9. Assign an escort officer(s) to the involved officer(s). Escort officers are responsible for transporting the involved officer(s) from the scene to the police department and to remain with the involved officer(s) until relieved by a supervisor or investigative personnel.
    10. Admonish the escort officer(s) not to engage in conversation(s) related to the incident with the involved officer(s).

11. Assign a supervisor or his/her designee, to monitor and coordinate activities at the police department. The supervisor will be responsible for monitoring the activities of involved personnel; aiding them with family contacts, facilitating the response of peer support personnel, if desired, and meet any other reasonable needs the involved officer(s) may while awaiting the arrival of investigative personnel.
12. Provide or ensure that a detailed briefing is provided to investigative personnel. (Revised 08/08)

c. **Responsibility of General Investigations Lieutenant.** The General Investigations Lieutenant will cause an immediate response to the scene by investigative personnel and insure the following occurs:
   1. Immediately notify the Investigations Division Captain and District Attorney per the Countywide OIS protocol.
   2. Designate a team of supervisory and investigative personnel to respond to the scene and investigate the incident.
   3. Assign an Investigative supervisor, or his/her designee, to relieve the Patrol supervisor, or his/her designee, enabling him/her to monitor and coordinate activities at the police department. The supervisor will be responsible for monitoring the activities of involved personnel; aiding them with family contacts, facilitating the response of peer support personnel, if desired, and meet any other reasonable needs the involved officer(s) may have.
   4. When practical, notify the department Firearms Training Unit/Armorer to respond and assist in the recovery of the involved officer(s) weapon and ammunition. Whenever possible, a same make and caliber replacement weapon and ammunition will be issued to the involved officer(s) by the Firearms Training Unit/Armorer until the original weapon is returned. The officer will qualify with the replacement weapon before carrying it on duty. (Revised 10/00)
   5. Insure a thorough investigation is conducted. Generally, the completed investigation will not include recommendations.
   6. Insure the completed investigation is submitted to the District Attorney's Office for review, consistent with the existing San Diego County OIS & Major Use of Force protocol.
   7. Insure the completed investigation is submitted to the Chief of Police for review and administrative processing.
   8. Insure a sergeant or the sergeant's designee is dispatched to the hospital to serve as a liaison between medical personnel, department personnel, and family members of the involved officer(s). (Revised 08/08)

d. The Peer Support member may drive the involved member(s) to the police station and remain as long as necessary. If a member is injured and taken to a hospital, the Peer Support member may go to the hospital and may act as liaison between the department and the member's family. (Refer to Volume II, §810) (Revised 10/00)

1060.03.2 Unintentional Discharge of Firearms/Dispatch of Animals, within the City. In all incidents of accidental firearm discharge, except on a supervised range or during a training exercise that does not result in death or injury, or when a firearm is discharged to end the misery of a seriously injured animal or to kill a dangerous animal that may pose a threat of serious bodily injury to the officer or a member of the public, the on-duty Watch Captain:

a. Shall:
   1. Notify the Division Captain of the involved officer
   2. Determine the facts of the weapons discharge
   3. Have a department armorer perform a weapon and ammunition test on the involved firearm. *Involved weapons not inspected immediately will be placed into evidence..The department armorer will then perform an inspection at the earliest possible time.*
   4. Have the proper reports completed
   5. Present the findings of the investigation to the appropriate Division Captain without unnecessary delay, for forwarding to the Chief of Police. (Revised 10/00)

b. May:
   1. Notify the General Investigations Lieutenant and/or Robbery/Homicide Sergeant
   2. Notify the Professional Standards Supervisor
   3. Notify the City Attorney or Legal Advisor
   4. Call in a Peer Support member

1060.04 Incidents Involving Oceanside Police Officers Not In Oceanside.

a. Whenever an officer is involved in a shooting outside the city limits, the officer shall immediately notify the agency having jurisdiction and the Oceanside Police Department, whether or not the shooting involved injury or death.
b. The Watch Captain shall make appropriate notifications.
c. The Watch Captain shall cause a report to be prepared summarizing the circumstances and submit it to the Chief of Police for review.

d. As circumstances dictate, assign a supervisor to respond and provide assistance and support to the officer(s) and to the investigating jurisdiction. (Revised 10/00)

1060.05 Shooting by Officer(s) of an Allied Agency Inside Oceanside City Limits. In the event that an officer from another agency is involved in a shooting situation inside the city limits of Oceanside, the on-duty Field Supervisor will notify the officer's agency and the OPD General Investigations Lieutenant. The Oceanside Police Department will conduct the criminal investigation related to any shooting by an allied agency occurring within the city limits. (Revised 10/00)

1060.06 Determination of Administrative Investigations Involvement. An administrative investigation is defined as an investigation to determine whether the involved conduct or act was consistent with agency policy and/or procedures. The department will conduct an administrative investigation when a firearms discharge involves any known injury or death. The department may conduct an administrative investigation when there is no known injury or death as a result of a firearms discharge. (Revised 10/00)

1060.06.1 An administrative investigation will be conducted whether the officer involved shooting occurred inside or outside the city limits. (Revised 10/00)

1060.06.2 The Professional Standards Office will conduct an independent investigation of the shooting incident to determine whether the shooting was:
a. Within policy
b. Out of policy, or
c. Accidental
The Professional Standards Office will forward the completed investigation to the Chief of Police without unnecessary delay for determination of final action. (Revised 10/00)

1065 Post-Shooting Emotional Trauma Procedures. A shooting is a traumatic event and may result from unpredicted and spontaneous incidents. Officer(s) involved are often required to make an instant decision under difficult circumstances which will be the subject of careful and thorough examination by the public, the Oceanside Police Department, the District Attorney's Office, and/or other concerned agencies. Recognizing that a shooting incident can be a traumatic event in the personal and professional life of the involved officer(s), the Oceanside Police Department will take reasonable actions to assist any officer(s) involved in a shooting incident. (Revised 2/20)

1065.01 Consultation Referral. Members of this department who are involved in a shooting incident that results in injury or death, will automatically be referred to a department-approved psychologist or psychiatrist for mandatory counseling. Members involved in a shooting incident where there is no known injury or death, may be referred to a department-approved psychologist or psychiatrist for counseling. In either circumstance, the counseling will be confidential and is for the sole purpose of assisting the member(s) to cope with any present or potential post-shooting traumatic experience. (Revised 10/00)

1065.02 Officer Recovery Time. The Department recognizes that each shooting incident is unique and may cause considerable trauma and stress for those involved. Accordingly, each officer involved in a shooting incident that results in injury or death, shall:
a. Be reassigned to station duty or given paid leave of absence for a minimum of two days.
b. Visit the department psychologist or psychiatrist as soon as possible, and in no event later than 72 hours after the shooting incident. If the officer is physically injured, the visit shall occur as soon as possible after being cleared by a physician; and in no event later than 72 hours.
c. No officer shall return to his/her previous duty assignment unless and until the psychologist or psychiatrist has recommended such return.
d. Should the need for follow-up counseling be determined by the Department psychologist or psychiatrist, Employee Services of the City will coordinate and evaluate such continued counseling for the officer(s). (Revised 10/00)

1070 Death Scene Procedures. See Volume III, Section 805.04 for further information and direction.

1070.01 DEATH SCENE DOCUMENTATION
All deaths caused by suicide, homicide, accident, overdose, and undetermined means shall be photographed by a Field Evidence Technician or the investigating officer. Deaths that are presumed to be natural and where a medical

examiner's waiver has been obtained shall be photographed. A death investigation report shall be completed by the investigating officer documenting the circumstances of the death. Death reports shall be completed prior to the end of shift, barring approval from the on-duty watch Captain.

1070.02 SUPERVISOR'S DEATH INVESTIGATION RESPONSIBILITIES
A supervisor shall respond to all death investigations to provide oversight and to ensure that the proper death scene investigation protocols are being followed. The responding supervisor will be responsible for insuring that all necessary notifications have been made (Investigations, medical examiner, watch Captain, etc.).

1070.03 Suspicious or Known Criminal Death. It is desirable that dignity be preserved and the emotional trauma of survivors, emergency responders, and the community at large be minimized. It is the intent of this procedure that cases of suspicious or known criminally induced death at which an investigator will be summoned, the corpse will remain uncovered until determined appropriate to cover by the investigator.

1070.04 View Barriers. The corpse may be shielded from public view with commercially manufactured barriers or the strategic positioning of other visual obstructions such as vehicles. Nothing in this procedure will be construed to deny responsible and lawful access of bona fide media.

1070.05 Evidence Preservation/Corpse Covering. The officer in charge of the incident (first responder or their supervisor when control has been formally transferred to the latter) will be responsible to ensure:

a. In instances where emergency medical care has been rendered by civilians, police, or paramedics, expendable first aid materials will be left in place. No attempt will be made to cleanse the scene of blood, dressings, etc.
b. Neither emergency medical care providers nor other persons will cover the corpse absent special circumstances such as:
    1. Probable contamination or loss of evidence by foreign materials such as helicopter rotor wash, rain, sand, etc.
    2. An overriding belief that the public good will suffer and other remedies are not reasonably available (proximity to crowded school or playground, for example).

1075 Debriefing of Significant Police Actions. Debriefings of significant police actions will occur as soon as reasonably practical after the event. Generally, a debriefing will be conducted by the Incident Captain or Shift Supervisor. (Added 01/2006)

1075.01 Definition. For purposes of this section, a significant police action is defined as that type of event that utilizes significant staff, department resources, time, or has had a traumatic impact on involved members. Field Supervisors are encouraged to use debriefings as a means of facilitating immediate evaluation and training involving field situations, regardless of the situation.

1075.02 Attendance. All members directly involved in the incident should attend the debriefing. Other members not directly involved in the incident may attend the debriefing, with the approval of the manager overseeing the debriefing. Use of overtime for a debriefing is subject to approval of the manager.

1075.03 Debriefing Process.

a. Debriefings are a tool used to review how an incident was handled from both team and individual perspectives. A debriefing is an honest review of actions taken with the objective to learn how we can improve our handling of similar future situations. A debriefing should be an enlightening and positive learning experience.
b. A debriefing will comprise two separate and equally important components:
    1. Tactical. To review and evaluate the conduct of the incident by persons involved from a tactical perspective, with the goal of improving future responses to similar incidents.
    2. Traumatic Impact. To review the incident from the perspective of psychological impact upon involved members. The goal of this portion is to reduce the likelihood of post trauma stress reaction by members exposed to traumatic incidents. This portion of the debriefing may involve participation of the Peer Support Team, Employee Assistance counselors, police psychologists, or other designated mental health professionals. Any member in the incident may, prior to the debriefing, request the inclusion of such professionals. Members involved in the incident must attend this portion of the debriefing, but are not required to participate in the discussion during this portion of the debriefing.

1075.04 Post-Debriefing Follow-Up.

a. Members involved in a traumatic job-related event may request additional consultation with a department-selected psychologist with experience in post stress trauma. The services of this psychologist remain available to the member(s) and their family for a reasonable period of time.
b. The department may direct a member involved in a traumatic event to meet with a department-selected psychologist with experience in post stress trauma for an individual debriefing. This is not a fitness-for-duty examination.

1101 UNIFORMS & EQUIPMENT (Refer Vol. I, 413)

1101.01 Uniform Standardization. The uniform shall be a complete uniform as described in this procedure with no unauthorized variations. No medals, pins, patches or other adornments will be worn with the uniform that have not been approved by the Chief of Police and authorized in writing.

1101.02 Uniform Specifications. All articles of the uniform shall conform to the specifications by the Chief of Police. Those items not issued by the Department shall conform to the following specifications:
a. Unless otherwise noted, footwear shall be black, actual or simulated smooth leather, or a leather and fabric combination with black soles and a round toed, Shoes and boots will always be polished where appropriate, clean and will be professional in appearance and in good condition.
b. Socks, when visible with the uniform trousers, shall be black with no design.

1101.03 Condition and Appearance. The condition and appearance of the uniform, footwear, and equipment worn with it, shall be well maintained.
a. Clothing which is torn, frayed, faded, or missing buttons shall not be worn.
b. Footwear and duty gear will be clean. All gear shall be professional in appearance and in good condition.
c. Articles of gold, brass or other metallic substance shall be clean, highly polished, and free of excessive scratches.
d. Uniform repairs must not be conspicuous.
e. Clothing shall be tailored to the body, neither loose enough to be baggy, nor tight enough to pull the material.
f. Clothing which is dirty, not pressed, stained or spotted, shall not be worn.

1101.04 Manner in Which The Class A and B Uniforms Shall Be Worn. All articles of uniform clothing shall be worn as designed, and no individual modifications shall be made other than normal alterations.
a. Long sleeve shirts shall be buttoned at the cuff at all times and will not be rolled up or rolled under.
b. Long sleeve shirts may be worn without a necktie or dickey.
c. Jacket collars will lie flat, except during inclement weather when it is necessary to turn them up as protection against the elements.
d. With the exception of officers assigned to motorcycle duties, trouser legs will be worn on the outside of any footwear.
e. All pockets on jackets, shirts, and trousers will be buttoned or snapped, as applicable.
f. Belt buckles shall be centered. Gun belt, when worn, shall completely cover the trouser belt.
g. Officers assigned to station duty may wear approved trouser belt with black holster.

1101.05 Wearing of Uniform On-Duty. On-duty officers and other members authorized by the Chief of Police shall wear the prescribed uniform unless exempted by their duty assignment. Those exempted, however, shall maintain a complete Class B uniform that fits appropriately and is available for immediate use.

1101.06 Wearing of Uniform Off-Duty. Uniforms will not be worn off-duty except when necessary for the performance of a police function. Uniformed members traveling to and from work in their personal vehicles will wear a coat, jacket, or outer garment over the uniform. Helmets, weapons, and leather gear will not be exposed under these circumstances.

1105 Insignias/Medals/Pins/Rank. Only insignia, medals, badges, pins, and awards issued by the Department may be worn on the Class A or B uniform only, unless others are authorized by the Chief of Police.

1105.01 Insignias of Rank. Those members who have been designated by the Chief of Police to an acting, probationary, or permanent rank are authorized to wear the insignia of that rank.

1105.02 Insignia of Assignment. Those members who have been assigned by the Chief's written order to duties as a Gang Suppression Officer, School Resource Officer, Homeless Outreach Team Officer, Psychiatric Emergency

Response Team Officer, Neighborhood Policing Team officer, Motorcycle Enforcement Officer or as a Canine Handler are authorized to wear the approved insignia of that assignment upon satisfactory completion of the required training for the position and while actively engaged in performing those duties.

1105.03 Insignia as Field Training Officer. Members who have been designated, in writing, by the Support Operations Division Captain as Field Training Officers are authorized to wear the FTO insignia in the manner prescribed in this policy.

1105.04 Medal of Valor, Medal of Honor, Purple Heart, Life Saving Medal, Distinguished Service Medal, Medal of Merit Insignia. Members who have been awarded a Departmental medal(s) are authorized to wear the insignia(s) in the manner prescribed in this policy.

1105.05 City Service, Auto Theft, Driving Under The Influence, Safe Driving, CAL-ID, And Drug Recognition Expert Pins. Members who have been awarded the City's service pin, Auto Theft (10851), Driving Under the Influence (DUI), Safe Driving, CAL-ID, or Drug Recognition Expert (DRE) pin are authorized to wear those pins in the manner prescribed in this procedure.

1105.06 Insignia as SWAT or Crisis Negotiations Team Member. Members assigned to SWAT are authorized to wear the SWAT insignia in the manner prescribed in this procedure. Those members of SWAT that are specifically assigned to the Crisis Negotiation Team (CNT) are authorized to wear the CNT insignia in the manner prescribed in this procedure.

1105.07 Insignia of Military Service. With the authorization of the Chief of Police, members may wear a small pin denoting a branch of U.S. military service they previously or concurrently have served in and/or a small pin depicting the United States flag. The pin(s) shall be affixed to the left uniform pocket on the class A or B uniform.

1105.08 Placement of Insignia/Medals/Pins/Rank for Class A or B Uniforms.

a. Chief of Police Stars. The four Chief of Police stars on the uniform shirt shall be centered halfway between the collar point and the collar top, with the leading star ½" from the edge. The stars shall be worn so that the plane of the bottom points is parallel to the top of the collar. The Chief's stars, when worn on the dress jacket or duty jacket, shall be centered between the front and back edges of the shoulder strap and placed 1/4 inch from the shoulder seam. The stars shall be worn parallel to the shoulder strap with the single point of the stars toward the rear of the strap and the two points toward the front of the strap.
b. Captain and Lieutenant Bars. Captain and Lieutenant bars shall be gold colored, centered midway between the collar point and the collar top, with the bottom of the bar ½" from the bottom point. Captain and Lieutenant bars, when worn on the dress jacket or duty jacket, shall be centered between the front and back edges of the shoulder strap and placed 1/4 inch from the shoulder seam.
c. Shoulder Patches. Shoulder patches will be worn by all officers and others as directed by the Chief of Police. Shoulder patches shall be placed ½" below the shoulder seam, and shall be centered with the top of the shoulder. Absent formal exception, all shirts, jackets and coats (other than yellow rain gear) will have shoulder patches. Rockers shall be placed beneath the shoulder patches with the top edge of the rocker making contact with the bottom edge of the patch.
d. Sergeant Chevrons. Sergeant chevrons shall be placed ½" below the bottom edge of the shoulder patch, and shall be centered on the patch.
e. Badge. The badge shall be centered on the left shirt or jacket pocket, with the bottom of the badge above the top edge of the pocket flap. No part of the badge holder is to be visible when the badge is worn. A cloth badge approved by the Support Operations Division Captain shall be worn on the Class C uniform.
f. Name Plate. The name plate shall be gold-colored brass and centered on the right shirt or jacket pocket, with the bottom of the name plate parallel to and touching the top edge of the pocket flap. When a jacket is worn, either the nameplate or approved embroidery shall be worn on the jacket in like position. Authorized embroidery is gold colored thread with block lettering a maximum of 5/8 inch high. These formats are approved for either the metal plate or the embroidery: a) last name only, b) first and last name, c) first initial and last name, and d) first two initials and last name.
g. The City Service, Auto Theft, DUI, Safe Driving, Cal Id and Drug Recognition Expert pins. These pins shall be worn on the right pocket flap of the shirt or jacket. The pin shall be centered halfway between the pocket buttonhole and the right edge of the flap, and between the top edge and the right edge point of the flap. The pin shall be worn so that the insignia is right side up. Only one pin shall be worn at any given time on the right pocket.

h. Medal of Valor, Medal of Honor, Purple Heart, Life Saving Medal, Distinguished Service Medal, Medal of Merit. The ribbon shall be worn directly above and centered on the nametag, with the bottom touching the top edge of the nametag. All department issued awards are authorized to be worn only on class A or B uniforms.
i. Tie Bar. The tie bar shall be placed on the tie so that it extends across the tie and parallel to the ground. The tie bar shall be centered midway between the third and fourth button from the top of the shirt. It shall be gold colored brass or metal.
j. Belt Buckle. The buckle of both the trouser and the gun belt shall be worn in the center, with the shirt opening and the trouser fly bisecting the buckle. The buckle of the gun belt will be black.
k. Service Stripes. Service stripes may be worn on the Class A uniform shirt and the dress jacket and shall be sewn on the lower left sleeve of the uniform shirt with the lower edge of the bottom stripe one-half inch above the top edge of the cuff. The complete stripe shall be in front of the center press of the sleeve. On the dress jacket, the service stripe(s) will be sewn on the lower left sleeve with the lower edge of the bottom stripe one-half inch above the top edge of the department stripe. The center of the stripe shall be in the center of the sleeve measured from edge to edge.
l. Traffic Wheel. Police officers assigned to the Traffic Services Unit may display the traffic wheel on their uniform. The traffic wheel shall be placed ½" below the bottom edge of the shoulder patch and be centered on the shoulder patch. All expenses incurred relating to this section are the responsibility of the officer.
m. Canine Handler Pin. For those officers designated as Canine Officers, the canine pin shall be worn 1/4" and centered above the nametag.
n. Field Training Officer Insignia. For those members designated as Field Training Officers, the Field Training Officer insignia shall be worn above and centered on the nametag.
o. Service Stars. Service stars on metal nameplates shall be centered below the member's name.
p. SWAT and CNT Pin. For those members assigned to SWAT, the SWAT insignia shall be worn above and centered on the nametag. For those members of SWAT specifically assigned to CNT, the CNT pin shall be worn above and centered on the nametag.

1110 Service Insignia Qualifications.

1110.01 Police Officers. For each five years of sworn service, police officers may wear one service stripe on the Class A uniform shirt and the Class A dress jacket. Police officers may wear one service star for each five years of sworn service on their metal nameplate.

1110.01.1 Eligibility for police officers is based on each five years of employment as a full-time, paid peace officer in a city, county or state law enforcement agency within the United States. Prior service as a Reserve Police Officer or in a professional support position, i.e., CSO, etc. shall not be utilized to calculate length of service.
1110.02 Professional Members. Professional members may wear one service stripe on the Class A uniform shirt (if applicable) or may display one service star for each five years of service on their metal nameplate or embroidered above their embroidered name.

1110.02.1 Eligibility for professional members is based on five years of service as a full-time paid member. Time used to calculate length of service shall be while in the employ of the City of Oceanside.

1110.03 Reserve Police Officers. Reserve officers will follow the same policy as sworn officers.

1115 Authorized Uniforms. The following uniform classifications are authorized. Combinations of two or more classifications shall not be worn. The wearing of a uniform shirt with jeans or other unauthorized clothing is prohibited.

1115.01 Class A. This is the basic uniform of the Department, and will be worn under duty conditions unless another uniform is specifically authorized by this procedure or written order.

1115.01.1 Police Officers
a. Shirt - long sleeve, regulation issue LAPD Navy blue;
b. Necktie - black, regulation issue.
c. Tie Bar – gold colored, regulation issue
d. Belt - black basket weave, 1½ inch
e. Gun Belt – Black basket weave.
f. Trousers - regulation issue LAPD Navy blue
g. Socks – black

h. Footwear – black with a high shine
i. Badge - Silver and gold, Department issued
j. Name Plate – gold-colored, regulation issue

1115.01.2 Community Service Officers, Field Evidence Technicians, Evidence & Property Technicians and Crime Prevention Specialists
a. Shirt - long sleeve, regulation issue Flying Cross, Deluxe Tropical, Medium Blue (L/S 102W66, S/S 152R66) blue;
b. Necktie - Black, regulation issue
c. Tie Bar – Gold colored, regulation issue
d. Belt - Black basket weave, 1½"
e. Duty Belt - Regulation issue
f. Trousers – Regulation issue LAPD Navy blue;
g. Socks – Black
h. Footwear – Black with a high shine
i. Badge - Silver and gold, department issued
j. Name Plate – Gold-colored, regulation issue
k. Rocker- A rocker shall be worn under the shoulder patches identifying the officer's specialty, i.e. Field Evidence Technician or Crime Prevention Specialist.

1115.01.3 Police Chaplains
a. Shirt- Long sleeve, regulation issue LAPD Navy blue;
b. Necktie – Black, regulation issue. "Tab" style is also optional for female Chaplains.
c. Tie Bar – Gold colored, regulation issue
d. Belt – Black basket weave, inner belt, 1 ½ inch
e. Trousers – Regulation issue LAPD Navy blue;
f. Socks – black
g. Footwear – Black
h. Badge – Silver and gold, Department issued with Chaplain ribbon
i. Name plate – Gold colored, regulation issue
j. Cross Ties – Gold colored worn on the collar of the shirt
k. Rocker – A rocker identifying the member as a Police Chaplain will be worn under the shoulder patches.

1115.01.4 Class A-Formal. This uniform is to be worn only during formal occasions or as authorized by the Chief of Police or designee. The uniform is the same as the Class A with the addition of a dress cover.
1115.02 Class B. This uniform is a variation to the Class A. This uniform is the same as the Class A, with the following exceptions.

1115.02.1 Police Officers.
a. Short or long sleeve shirt. Regulation LAPD Blue. They are to be worn open neck with a black or white round neck T-shirt.
b. Duty helmet may be worn whenever field conditions require it, or when so directed by a supervisor.
c. Dickey/Turtleneck: Members, at their own expense, may purchase a black dickey or black turtleneck. The dickey or turtleneck may be monogrammed with the letters "OPD". The letters are to be gold in color and ¾ inch in height. The placement of the letters shall be left of the front center of the collar on the turtleneck, with the first letter being 1¾ to 2 inches left of center. These items may be worn with the long sleeve shirt, with or without a duty jacket.
d. Jacket: The department issued jacket shall be black in color, waterproof and approved by the Chief of Police.

1115.02.2 Community Service Officers, Field Evidence Technicians, Evidence & Property Technicians and Crime Prevention Specialists
a. Short or long sleeve shirt. They are to be worn open neck with a white round neck T-shirt.
b. Necktie and tie bar are not worn.
c. Jacket: The department issued jacket shall be black in color, waterproof and approved by the Chief of Police.

1115.02.3 Police Chaplains
a. Short or long sleeve. They are to be worn open neck with a black round neck T-shirt.
b. Badge – Silver and gold, Department issued with Chaplain ribbon
c. Cross Ties – gold colored worn on the collar of the shirt

d. Rocker – a rocker identifying the member as a Police Chaplain will be worn under the shoulder patches

1115.03 Class C Uniform (optional). This uniform is authorized to be worn by all sworn members, and shall be worn in conjunction with the class C vest carrier. The class C uniform will be purchased at the member's expense unless otherwise noted by the officer's supervisor.

1115.03.1 Class C Uniform Vest Carrier – Sworn Officers. The vest carrier will be purchased by the Department once the member has successfully completed training. The vest carrier will consist of a nylon type material, black in color with sewn pockets. Department issued cloth badge denoting rank will be affixed to the left breast area. A name tag embroidered in gold will be on the right breast area. One insignia of assignment may be embroidered in gold centered above the name tag. Officers may wear one of three authorized variations of the vest configuration. No modifications to the vest will be made without authorization from the Chief of Police. The rear of the carrier will have "POLICE" embroidered in gold on the back. Officers in specialty units shall affix via Velcro tab their department approved unit designation embroidered in gold i.e. GSU, HOT, PERT, NPT, SRO, etc. The vest carrier will be maintained in good condition, clean and professional in appearance. No Molle type of fasteners will be affixed to the vest. Unless otherwise authorized by the Chief of Police the vest carrier will be purchased by the member.

1115.03.2 Class C Uniform Vest Carrier – Field Evidence Technicians. The vest carrier will consist of a nylon type material, grey in color with sewn pockets. Department issued cloth badge will be affixed to the left breast area. A name tag embroidered in black will be on the right breast area. No modifications to the vest will be made without authorization from the Chief of Police. The rear of the carrier will have "EVIDENCE" embroidered in black on the back. The vest carrier will be maintained in good condition, clean and professional in appearance. No Molle type of fasteners will be affixed to the vest. Unless otherwise authorized by the Chief of Police, the vest carrier will be purchased by the member. The external vest carrier may only be worn with the Class C uniform.

1115.03.3 Class C Uniform Specifications – Sworn Officers

a. Shirt - Officers are authorized to wear the black 5.11 Performance Polo long or short sleeve shirt. This shirt will conform to uniform standards regarding the wearing of nametags, badges, and department patches. A black round neck T-shirt will be worn underneath the uniform shirt. A black turtleneck may be worn underneath a long sleeve shirt.
b. Pants – Officers are authorized to wear the black 5.11 Apex pants. Pant leg bottoms are not to be bloused.
c. The cloth badge shall be utilized on the Class C uniform along with embroidered names. No metal badges or insignia will we worn on the Class C uniform shirt. Additionally, the cloth badge shall reflect the appropriate rank of the wearer of the shirt, i.e., Officer, Sergeant, Lieutenant, etc.
d. Socks – black athletic socks.
e. Footwear shall be black, actual or simulated smooth leather, with black soles, round toed, with no design or exposed stitching on the toe, or a leather and fabric combination. Shoes or boots that lace shall have at least two sets of eyelets and black shoestrings. Shoes and boots will be clean and professional in appearance. Officers assigned to Harbor, Resource or the Bike team are authorized to wear black tennis shoes with the approval of their supervisor.
f. Socks, when visible with the uniform trousers, shall be black with no design. Refer to Volume III, 1101.02.b
g. Gun Belt – Department issued black basket weave with department approved basket weave holster and ammunition pouch.
h. The wearing of the department approved baseball cap with the Class C uniform is optional.
i. Duty helmet may be worn when field conditions require it, or when directed by a field supervisor.
j. Police Officers wearing the Class C Uniform will have a Class B uniform available for immediate use upon direction of a supervisor at all times.

1115.03.4 Class C Uniform – Field Evidence Technicians (FET)

a. Shirt – FET's are authorized to wear Charcoal Gray, Propper ICE Polos long or short sleeve shirt. This shirt will conform to uniform standards regarding the wearing of nametags, badges, and department patches. A black round neck T-shirt will be worn underneath the uniform shirt. A black turtleneck may be worn underneath a long sleeve shirt.
b. Socks, when visible with the uniform trousers, shall be black with no design. Refer to Volume III, 1101.02.b.
c. The cloth badge shall be utilized on the Class C uniform along with embroidered names. No metal badges or insignia will we worn on the Class C uniform shirt.
d. Pants – FETs are authorized to wear the black 5.11 Apex pants. Pant leg bottoms are not to be bloused.
e. Outer Belt – Department issued black basket weave.

f. Footwear shall be black, actual or simulated smooth leather, with black soles, round toed, with no design or exposed stitching on the toe, or a leather and fabric combination. Shoes or boots that lace shall have at least two sets of eyelets and black shoestrings. Shoes and boots will be clean and professional in appearance.

1115.03.5 Class C Uniform – Property & Evidence Personnel

a. Shirt-short/long sleeve, Charcoal Gray, Propper ICE Polos. Embroidered on the right chest will be the employee's last name, in white lettering. Embroidered on the left chest will be the Oceanside Police Department logo (new) with "Evidence & Property" embroidered underneath it in white lettering.
b. Pants- 5.11 Apex pants as authorized. Pant leg bottoms are not to be bloused.
c. Footwear - Refer to Volume III, 1101.02 a.
d. The wearing of the department approved baseball cap with this uniform is optional.
e. Sweatshirt – Property and Evidence personnel are authorized to purchase (at their own expense) and wear a department approved sweatshirt. The sweatshirt is Port Authority brand, style F217. The sweatshirt is black in color, long sleeved, hoodless, with a zippered front. Embroidered on the right chest will be the employee's last name, in white lettering. Embroidered on the left chest will be the Oceanside Police Department logo (new) with "Evidence & Property" embroidered underneath it in white lettering.

1115.03.6 Class C Uniform – Community Service Officers

a. Shirt-short/long sleeve, Propper ICE Polos, Charcoal Gray in color. Embroidered on the right chest will be the employee's last name, in white lettering. Embroidered on the left chest will be the Oceanside Police Department logo (new) with "Community Service Officer" embroidered underneath it in white lettering.
b. Pants - 5.11 Apex pants as authorized in Volume III 1101.04(d)
c. Footwear - Refer to Volume III, 1101.02 a.
d. The wearing of the department approved baseball cap with this uniform is optional.

1115.04 Station Uniform. Officers assigned to administrative duties or other duties in the station are exempted from wearing their gun belt and other duty gear. They may wear a firearm on their trouser belt in a black strong-side draw holster on their trouser belt. The trouser belt shall be black in color.

1115.04.1 In those cases where officers are assigned to station duty as a result of injury or medical condition, which would preclude them from wearing weapons/equipment on their trouser belt, the Division Captain is authorized to alter the station uniform to accommodate those officers.

1115.05 Motorcycle Uniform.

a. Motorcycle breeches in lieu of uniform trousers.
b. Leather jacket as needed. Department issued shoulder patches shall be affixed in the proper location.
c. Safety gloves as needed.
d. Motorcycle boots.
e. Dickeys or turtleneck sweaters.
f. Motorcycle safety helmet
g. Department logo approved baseball hat
h. Bow tie in lieu of necktie (optional)
i. Belt: Black basket weave

1115.05.1 Uniform & Equipment for Motor Officers. Upon successful completion of the basic police motor school the department will purchase and issue to each officer the following safety equipment: black leather jacket with badge holder and shoulder patches, two pair of riding breeches, black & white D.O.T approved helmet with radio headset and OPD helmet insignia, one pair of black leather English style riding boots, one pair of black leather gloves, safety glasses/clear, and safety glasses/sun. Officers are responsible for the difference in cost between prescription and issued eyewear.

1115.05.2 Maintenance & Replacement of Uniforms and Equipment. Motor Officer safety equipment will be replaced as needed. Safety equipment will consist of the following items and are mandatory wear for motor officers: breeches, helmet, boots, gloves, safety glasses and ballistic vest. The Traffic Unit Supervisor will review the item in question and determine if it needs to be replaced. Motor Officer helmets will be replaced based on the manufacturer's specifications for replacement. It is the officer's responsibility to maintain his/her equipment in good working order. Under normal wear, the officer will be responsible for the following uniform maintenance and replacement:

a. Boots: re-dyeing/stripping, heel and sole maintenance, highly polished.

b. Pants: minor tear repair to maintain serviceability.
c. Gloves: dyeing, minor stitch repair.
d. Glasses: lost, accidentally broken and/or damaged for reasons other than normal duty wear.

1115.06 Beach Safety Officers.
a. Shirt – Long or short sleeve, White, 5.11, Performance Polo style shirt with "Safety Officer" emblazoned on the back as authorized.
b. Shorts – Department approved black, United Uniform (Model number UU#380).
c. Pants – Approved black, United Uniform, combination bike short/pants, with zip off lower leg (Model number UU#790).
d. Shoes – Predominantly black athletic shoes with subdued accents
e. Socks – Black athletic socks. Ankle cut when worn with shorts.
f. Hats - Department approved logo baseball hat.
g. Belt – Approved duty belt. Black basket weave.
h. Rocker - a rocker identifying the member as a Beach Safety Officer will be worn under the shoulder patches.
i. Cloth Badge – The top rocker shall read "Beach Safety Officer."
j. Jacket – Black nylon jacket manufactured by United Uniform, style 9550; This jacket will conform to uniform standards regarding the wearing of nametags, badges, and department patches. The back of the jacket shall read "BEACH SAFETY" instead of POLICE".

1115.07 Harbor Volunteers.

a. Shirt – Long or short sleeve, White 5.11, Performance Polo style shirt. The back of the shirt shall read, "Volunteer."
b. Shorts – Department approved black, United Uniform (Model number UU#380).
c. Shoes – Predominantly black athletic shoes with subdued accents.
d. Socks – Black athletic socks, ankle cut when worn with shorts.
e. Hats - Department approved logo baseball hat.
f. Gun Belt – Approved duty belt.
g. Cloth Badge – The top rocker shall read "Volunteer"
h. Jacket – Black nylon jacket manufactured by United Uniform, style 9550; This jacket will conform to uniform standards regarding the wearing of nametags, badges, and department patches. The back of the jacket will be blank.
i. Shoulder Patches – The bottom rocker of the cloth patch will read "Volunteer" in red.

1115.08 Bicycle Duty Uniform

1115.08.1 Police Officers The uniform for police officers will consist of the class C uniform. Department approved black shorts may also be worn. Bicycle helmet (SNELL/ANSI approved), and protective eye wear must be worn.

1115.08.2 Beach Safety Officers (BSO). The bicycle duty uniform for Beach Safety Officers shall consist of the BSO uniform, bicycle helmet (SNELL/ANSI approved), and protective eye wear.

1115.09 Senior Volunteer Patrol Program Uniform
a. Shirt – Long or short sleeve, White, Tact Squad, button up shirt (L/S 8002W, S/S 8012
b. Belt - Black basket weave (1½ inch).
c. Pants - Tact Squad, Dark Navy Blue, 7002N, with standard belt loops.
d. Socks - Black.
e. Footwear - Black, low top, plain toe; female volunteers may wear black heels of no more than ½" rise with plain enclosed toe.
f. Jacket - Tact Squad, Dark Navy Blue with removable liner, 9001DN
g. Name Plate – Gold-colored
h. Rain Gear - Issued as needed.
i. Head Gear – Department approved logo baseball style cap. (Added 06/01)

1115.10 Police Chaplain Uniform. The Class A Police Chaplain uniform shall be worn at formal events or at the discretion of the Chief of Police. The Class A or B Police Chaplain uniform shall be worn in the field. In addition, a

black, 5.11 Performance Polo, (L/S 72049-019, S/S 71049-019) shirt with “Oceanside Police” over “Chaplain” embroidered in 5/8-inch block lettering centered above the left breast is also authorized to be worn in the field in lieu of a the standard uniform shirt. (Added 07/09) (Revised 10/13)

1115.11 Color Guard Uniform. (Added 10/13)
a. Jacket: USMC Officer’s dress blues blouse.
b. Pants: USMC Officer’s dress blues trousers.
c. Belt: Sam Browne in black high gloss, smooth leather.
d. Holster: Black high gloss smooth leather.
e. Sam Browne shoulder strap: Black high gloss smooth leather.
f. Sam Browne belt buckle: Anodized brass.
g. Shoulder Cord: White, double-strand shoulder cord w/ gold tips.
h. Shirt Buttons: One (1) set of anodized “P” buttons for blouse.
i. Gloves: White in color.
j. Hat: Campaign style, in dark blue, straw construction.

1115.12 Emergency Vehicle Operations Course (EVOC) Instructor uniform. The approved uniform for EVOC instructor personnel shall be worn during training sessions, as assigned.
a. Shirt: 5.11 Tactical Polo in Silver Tan #71182-160. The approved "EVOC" logo will embroidered on the front left chest and "INSTRUCTOR" will be embroidered on left sleeve, in Tundra Green.
b. Pants: 5.11 Taclite Pant in the color Tundra, #74273-192,
c. Hat: Flexfit Ball Cap in Khaki, #6477. The "EVOC" logo will be embroidered on the front of cap and "INSTRUCTOR" will be embroidered on back of cap.
d. Jacket: 5.11 Chameleon Jacket in Flat Dark Earth, #48099-131. An OPD cloth badge will be sewn on front left jacket flap, and "FTU" will be embroidered on front right jacket flap

1115.13 Firearms Training Unit (FTU) Instructor uniform. The approved uniform for FTU instructor personnel shall be worn during training sessions, as assigned.
a. Shirt: 5.11 Tactical Polo in Silver Tan, #71182-16. The "FTU" Logo will be embroidered on the front left chest, and "INSTRUCTOR" on left sleeve.
b. Pants: 5.11 Taclite Pant in Tundra, #74273-19.
c. Hat: Flexfit Ball Cap in Khaki, #6477 or Boonie Cap in Khaki. The "FTU" logo will be embroidered on the front of the cap, and "INSTRUCTOR" will be embroidered on the back of cap.
d. Jacket: 5.11 Chameleon Jacket in Flat Dark Earth, #48099-131. An OPD cloth badge will be sewn on front left jacket flap, and "FTU" will be embroidered on front right jacket flap.

1115.14 Classroom Instructor Uniform. The approved uniform for instructors whose discipline requires mainly classroom training shall be worn during training sessions, as assigned.
a. Uniform: Class A, B or C.
b. Professional or casual business attire.

1115.15 Psychiatric Emergency Response Team (P.E.R.T.) Uniform.
a. Shirt – Officers are approved to wear the black 5.11 Performance Polo, (L/S 72049-019, S/S 71049-019), 100% polyester, short sleeved and/or long-sleeved shirt. This shirt will conform to uniform standards regarding the wearing of an embroidered nametag on the right chest with “P.E.R.T.” embroidered underneath it. A cloth badge embroidered on the left chest. The word “POLICE” emblazoned on the back with “P.E.R.T.”, in smaller print, emblazoned underneath it.
b. Pants – Officers are authorized to wear the TDU-Khaki 5.11 Taclite Pro Pants (74273-162).
c. Socks – Black athletic socks.
d. Shoes – Boots shall be black, actual or simulated smooth leather, or a leather and fabric combination with black soles and a round toe. Boots will always be polished and clean and will be professional in appearance and in good condition.
e. Gun Belt – Approved duty belt
f. Jacket – Authorized issued jacket. This jacket will conform to uniform standards regarding the wearing of nametags, badges, and department patches.
g. This section does not preclude P.E.R.T. officers from wearing the department authorized Class A or B uniforms.

1115.16 Records Personnel Uniform

a. Shirts – Records Technicians and Senior Records Technicians are authorized to wear 5.11 Tactical Performance short or long sleeve Polo shirts in dark navy color. Shirts will not have any decoration or unauthorized embroidery. The authorized Department logo shall be embroidered on the left front side. "RECORDS" shall be embroidered in light blue under the logo.
b. Pants – 5.11 Tactical Fast-Tac Urban pants, charcoal in color. Pants will not have any decorative features or added embroidery.
c. Shoes – plain black work shoes, clog style shoes, or boots.
d. Socks – plain black socks.
e. Belt – Optional, shall be plain black in color.
f. Jacket – 5.11 Chameleon Softshell jacket in dark navy.

1115.17 Optional Shoulder Patch.

1115.17.1 Pink Patch Project Shoulder Patch. All uniformed members, sworn and non-sworn, may wear the breast cancer awareness patch in lieu of the standard issue shoulder patches on their uniform during the month of October, with the authorization of the Chief of Police or their designee.

1120 Head Gear.

1120.01 Campaign Hat. The Campaign hat is ONLY authorized to be worn by the OPD Color Guard.

1120.02 Baseball Cap. The department approved baseball cap is black in color. The cap will have the approved, three tone, "Oceanside Police" logo with a sun embroidered on the front. Officers may purchase a black baseball cap to be worn for protection from the elements. Officers are responsible for the upkeep and maintenance of the cap; those caps presenting anything less than a well-maintained and professional appearance will not be worn.

1120.02.1 The baseball cap may be worn with the Police Officer Class B or C, CSO, FET, BSO, SVPP, Harbor Volunteer and motorcycle uniforms, unless otherwise directed by a supervisor.

1130 Authorized Rain Gear.

1130.01 Police Officers. The department approved rain jacket is manufactured by Spiewak, model number S308V. The raingear must be clearly marked with "POLICE" in 3" yellow reflectorized lettering across the upper back of the jacket. A cloth Oceanside Police Department badge will be affixed to the upper, right, front of the jacket**.** Shoulder patches and embroidered names shall conform to department jacket standards.

1130.02 Crime Prevention Specialists & Community Service Officers. CPSs and CSOs personnel will wear the approved rain jacket issued by the department. Badges, shoulder patches and embroidered names shall conform to department jacket standards and individual assigned positions. The back of the jacket will remain blank.

1130.03 Field Evidence Technicians and Evidence Personnel. FETs and Evidence personnel will wear the approved rain jacket issued by the department. Badges, shoulder patches and embroidered names shall conform to department jacket standards and individual assigned positions. The back of the jacket will be clearly marked with "EVIDENCE" in 3" yellow reflectorized lettering across the upper back of the jacket.

1135 Insignia of Bereavement. The bereavement band shall be worn whenever a law enforcement officer is killed in the line of duty in the State of California, when there is a death of a law enforcement officer that captures national attention; or at the discretion of the Chief of Police in accordance with the San Diego County Chiefs' and Sheriff's Association Bereavement Protocol. For line of duty deaths in California, authorization to wear the bereavement band is automatically granted by this policy. For all other line of duty deaths, The Chief of Police or designee shall issue a department-wide notice whenever the wearing of the bereavement band is authorized. The bereavement band shall be worn from the date of death until midnight on the day of the memorial service.

1135.01 The insignia of bereavement shall be a black elastic fabric band, to be worn around the badge. A black band with a dark blue stripe centered horizontally and bands that are embroidered with the fallen officer's badge or ID number are also authorized. For members who do not wear a badge, the insignia of bereavement is to be worn around their displayed identification card. The band shall be issued to each member to ensure uniformity.

1140 Wearing of Personal Jewelry. Personal jewelry may be worn within the following limitations, unless otherwise exempted by the Division Captain, due to special assignment.

a. One wristwatch may be worn. The band shall be free of studs, large buckles, or other features that could cause injury.
b. No more than two rings may be worn. Rings shall be free of sharp edges or other features that could cause injury.
c. A medic-alert bracelet may be worn for medical purposes.
d. Earrings are authorized for women. Earrings shall be of the single post, stud type. Only one may be worn in each ear.

1145 Uniforms and Insignias of Rank for Reserve Officers. Reserve officers shall comply with the same uniform regulations as regular officers except for the regulations pertaining to insignias of rank.

1150 Personal Protective Equipment. Department policy requires members engaged in fieldwork to carry with them in their assigned department vehicles, their flashlight and helmet, regardless of shift assignment. All members assigned field duties are also required to wear soft body armor per this procedure.

1150.01 Reflective Vest. A high-visibility reflectorized safety vest has been issued to each officer in Patrol. This is a piece of personal protective safety equipment that officers are required to carry with them in the field.

1150.02 Use of Reflective Vest. All officers are encouraged to wear the reflectorized safety vest when exposed to potential hazardous situations such as accident investigations, traffic control duties, or similar extended duties on the roadway. A supervisor may require the wearing of the reflectorized vest by officers as circumstances dictate.

1155 Annual Inventory of Officer's Duty Equipment. Serviceable duty equipment is an essential element of both officer safety and mission accomplishment and will be inventoried annually.

1155.01 Signature and Record Maintenance. An approved inventory form will be signed and dated by the member and the supervisor conducting the inventory. The completed form will be maintained in the member's Divisional File until the next inspection and inventory is conducted.

1155.02 Discrepancies. The member's supervisor, in accordance with current procedures relating to lost and damaged department property will handle discrepancies in a member's issued equipment, or any items needing replacement.

1155.03 Uniform Inspections. Supervisors will hold quarterly uniform inspections for all members in a uniformed assignment. Members will maintain a spare uniform in their locker in the event they are ordered to change by a supervisor.

1160 Care and Maintenance of Portable Radios.

1160.01 Radio Custodian. The storage and security of the Department's radios will be the responsibility of the designated Evidence Custodian. (Revised 3/98)

1160.02 Member Responsibilities. When issued a portable radio, members will sign a receipt a copy of which will be placed in their personnel file. Members are responsible for returning the radio and associated equipment to Evidence/Supply upon request, transfer requiring an equipment change, or termination of employment. (Revised 3/98)

1160.02.1 Misuse. Members are responsible for the general care and maintenance of the radios. Any damage due to neglect or misuse may require the member to reimburse the Department for repairs and/or parts.

1160.02.2 Issuance of Replacements. If a member encounters a mechanical problem, he/she should contact Evidence/Supply for a replacement while his/her radio is sent for repair. (Revised 3/98)

1160.02.3 Damaged Radio Reporting. If a member's radio is damaged, an Officer's Report will be required detailing the circumstances surrounding the incident.

1170 Security of Mobile Computer Terminals.

1170.01 Any damage or requests for repair to MCT's by a member will be reported to an on-duty supervisor and on an Information Systems "Trouble Ticket".

1170.02 Member Responsibility. Members should examine equipment for any signs of damage. If problems are discovered, the member should immediately bring it to the attention of a supervisor.

1170.02.1 If the MCT fails during the work shift, the member shall notify a supervisor and complete a repair request.

1170.03 Supervisory Responsibility. The Patrol Supervisor, or designee, will verify when an MCT is not functioning properly and the member will be assigned another car, if possible. If a member reports a problem at any other time during the shift, based on the level of activity, the supervisor will determine if it is practical for the member to return for a replacement vehicle.

1170.04 Damage from Misuse or Neglect. If the supervisor determines the damage or malfunction is due to misuse or neglect, he/she will forward a Memorandum through the chain of command to the Patrol Division Captain.

1175 Shotgun Safety. Shotguns will at all times be unloaded and on safe while inside the police facility, unless an explainable event occurs within the police facility, which would require the deployment of the shotgun. Officers being issued a shotgun and/or returning a shotgun, will at all times carry the weapon with muzzle elevated upward, action (slide) open, and finger off the trigger in the "Master Grip" position. The condition of every shotgun will be verified upon taking possession of that weapon. (Revised 08/01, 2/20)

1175.01 Security and Assignment of Shotguns. Shotguns are maintained in a secure equipment room and are labeled with a weapon number on the stock. Officers checking out a shotgun for field use will record their name and date in the shotgun weapon log with the corresponding shotgun stock number. Upon the completion of their shift they will return the shotgun back to the equipment room and indicate the return of the weapon and date on the shotgun weapon log. Shotguns will be stored unloaded remain unloaded during the checkout and return process. The Firearms Training Unit Coordinator or his designee will conduct periodic inventories of the shotgun logs and verify accountability of department weapons. (Revised 09/08, 2/20)

1175.01.1 Pre-Shift Inspections. The Five Point Safety Check will no longer be conducted. However during the loading process any obvious damage or other functioning problems with the shotgun will be reported to a member of the Firearms Training Unit and the shotgun returned for maintenance. (Revised 09/08, 2/20)

1175.02 Storage of Shotguns. All shotguns will be stored in the secure equipment storage room or in the armory when not checked out for field use or training. (Revised 09/08, 2/20)

1175.03 Shotgun Inventory. Each quarter, the Firearms Training Unit Program Coordinator or designee shall inventory all department shotguns. If any discrepancies are discovered a memorandum with the results of the inventory shall be forwarded to the Support Operations Captain. (Revised 09/08, 2/20)

1175.04 Damaged Shotguns. If an officer reports damage or need for repair to a shotgun, that officer will send an email to the Armory email group with the shotgun stock number and a description of the problem. The officer will return the shotgun to the secure equipment storage room and check out a different shotgun. The shotgun in need of repair will be conspicuously tagged with an evidence tag identifying that it is out of service. Once the shotgun is repaired by Firearms Training Unit Armorers it will be returned to the secure equipment storage room. (Revised 08/01, 09/08, 2/20)

1200 VEHICLE IMPOUNDS AND SEARCHES.

1201 Completion of CHP-180 Vehicle Report.

1201.01 Procedure. When a motor vehicle is stolen, embezzled, or for any reason impounded, stored, recovered or released, the reporting officer shall complete a CHP-180, including all inventory sections. Any identification number of inventory items shall be included in the report. The report must be turned in prior to end of shift.

1201.02 Notify Records Section. If the CHP180 concerns a stored, stolen, impounded or recovered vehicle, the officer shall provide Records with all the information necessary for entry in the Stolen Vehicle System and for sending

a complete Notice of Locate and a follow-up administrative teletype to the originating agency. This information shall include:

a. Name, case number, and, telephone number of originating agency.
b. Make, year, vehicle identification number, and license number.
c. Storage location of the vehicle.
d. Names of any suspect(s) in custody, including a specification as to adult or juvenile.
e. Vehicle condition, including drivability.
f. Notation as to any missing license plates.
g. Name and ID number of the reporting officer.

1210 Impounding Vehicles from Private Property. Members receiving complaints from property owners, agents, or other persons in lawful possession of private property regarding the removal of vehicles from such property will be guided as follows.

1210.01 Procedure. The department does not impound vehicles from private property at the owner's request.

1210.02 Property Owners Authority. California Vehicle Code, §22658(a) gives the authority for private property owners to impound vehicles parked on private property. This section requires the property owner to comply with certain requirements in order to impound a vehicle from private property. Prior to an owner removing a vehicle from private property, the owner of such property must:

a. Notify the Police Department that the vehicle is being removed.
b. Insure that the property is posted with signs in plain view which indicate public parking is prohibited, and must also contain the telephone number of the Oceanside Police Department.

1210.03 Vehicle Code Requirements. The property owner removing such a vehicle must also comply with the requirements of CVC §22852 and §22853 relating to the notification of the registered and legal owner of the vehicle being impounded.

1210.04 Notice of Stored Vehicle. To answer the questions a property owner may have regarding the impounding of vehicles from private property and how to comply with CVC §22852 and §22853, a Notice of Stored Vehicle report will be provided to the owners by Records staff at the time of the vehicle's release.

1210.05 Unusual Circumstances. On private property, where no signs are posted and unusual circumstances provide the officer with reasonable grounds to believe that the vehicle has been abandoned on the private property, the officer may, with a supervisor's approval, impound the vehicle from private property.

1210.05.1 All other vehicles on private property will be referred to the Code Enforcement Department.

1215 Accident Reports & Vehicle Impounds Involving Hit & Run Crimes. Members receiving requests to view accident reports, obtain copies of accident reports, vehicle impounds, or be given information involving accidents where hit & run crimes are apparent, shall adhere to the following procedures.

1215.01 Review. The member receiving the request will be responsible for determining if a hit & run crime is involved by reviewing the front page of the accident report, or vehicle impound.

1215.02 Identity. The member receiving the request is responsible for determining the requesting person's identity and reason for requesting that information, by ensuring an application for Release of Traffic Collision/ Crime Information is completed. Any request for information will be accompanied by a photocopy of the requestor's I.D. card, such as: driver's license, business card, or military I.D. In the event the Accident Investigator is not available, the member will be responsible for forwarding a copy of the request and I.D.

1215.03 Referral. Any requesting citizen who does not fall within the below listed categories shall be referred to an Accident Investigator or on-duty Record's Supervisor. Such persons would include:

a. The victim or victims listed in the accident report.
b. An agent of the victim or victims listed in the accident report. This would include, but not be limited to, the following: Attorney's representing the victim, private investigators representing the victim, insurance agents representing a victim, the legal owner of victim vehicles, such as banks or loan companies. Any question as to

whether or not a requesting citizen's agent actually represents a victim shall also be resolved, either by contacting the Traffic Investigator.

c. Military personnel, such as a representative of the victim's command or military police personnel.

1215.04 Requests By Telephone. Any requests for information received telephonically will be referred to the Accident Investigator or on-duty Records Supervisor. In addition, the member should attempt to obtain the identity of the requesting party and document this information for the Accident Investigator. Under no circumstances will information be given out regarding hit & run accidents or vehicles involved in hit & run accidents without the approval of either the Accident Investigator or on-duty Records Shift Supervisor.

1217 Documenting Reports of Private Vehicle Storage / Repossession Reporting. The member receiving notice of a repossession or private property storage shall obtain the vehicle information, location of the incident, where the vehicle is taken, the reporting party and the Towing Agency or repossession company taking possession. A call for service incident is created in CAD to document the call. During regular business hours, dispatchers or front desk personnel will notify Records and provide the CAD Incident number, records will enter the information in to CLETS. After hours dispatch will complete the entry in CLETS and attach the entry to the CAD incident.

If the notification of a repossession is received via mail, Records staff will complete the entry into CLETS. With each process the CLETS entry will be verified by a 2nd person for completeness. (Revised 1/20)

1220 Storage of Vehicles Seized Involved in Arrests.

1220.01 Disposition. When a vehicle is removed from the site of an arrest, information relating to the disposition of the vehicle shall be recorded by the arresting officer on the Jail Booking Slip under the remarks section. This information should include where the vehicle is stored as well as any "hold" information.

1220.02 Notification of Records Section. The arresting officer shall also notify Records as soon as possible of all stored and impounded vehicles for entry into the California Law Enforcement Teletype System.

1225 Storage of Vehicles Seized as Evidence & Vehicles Held for Investigation.

1225.01 Department Responsibility. The California Vehicle Code and the California State Constitution empower officers to seize vehicles as evidence. However, when a vehicle is seized by the police department for such an evidence hold, the department may incur the responsibility for the towing and storage fees. Financial responsibility is as follows:

a. When the owner of a vehicle seized as evidence is the suspect in a criminal offense, or when the vehicle was used in a crime with the express or implied permission of the owner, that person is responsible for the towing and impound fees.
b. When the owner of a vehicle seized as evidence, is not involved in a criminal offense, the Police Department is responsible for the towing and impound fees.

1225.02 Procedure. As a consequence, officers impounding a vehicle for investigation or seizing a vehicle for evidence for whatever reason, have the responsibility to insure the following steps are taken:

a. Insure the vehicle must be seized as evidence. If photographs or evidence processing can be done at the scene, eliminating the need to impound the vehicle, officers should employ that response.
b. If the vehicle is to be seized as evidence, the officer shall complete a CHP-180 form including all information available to the impounding officer.
c. Obtain appropriate case number and enter it on the impound report.
d. All CHP-180 forms and reports related to evidence impounds will be turned in on the same duty day and will not be held until the following workday.
e. If the question of whether to seize a vehicle cannot be resolved, the officer shall contact the assigned duty investigator for assistance on the matter.
f. All vehicles impounded as evidence will be towed to the City Operations Center (COC). After-hours access to the COC will be made by “calling-out” the Property/Evidence Custodian or, in his/her absence, the designee. No evidentiary vehicles will be towed to the OPD headquarters facility. Evidence collection and other processing must be accomplished so that storage at the COC will be a maximum of five (5) days. Deviations from this procedure may be authorized by a Patrol Supervisor or Investigations Lieutenant.

(Revised 2/20)

1225.03 Responsibility of Supervisor. The on-duty supervisor has the responsibility regarding the impounding of vehicles seized as evidence. The supervisor will review the CHP-180 related to vehicles seized as evidence to insure such a hold is necessary and the documents have been completed.

1225.04 Follow-Up Investigator. The follow-up investigator will have the following responsibilities regarding the impound of vehicles seized as evidence:

a. The investigator will ascertain if the evidence hold must be maintained or if it can be released.
b. If the evidence hold must be maintained, the investigator will determine if the vehicle can be stored at the City Facility on Oceanside Boulevard. (This is particularly appropriate for vehicles seized as evidence in PC 187 cases where there is an expectation that such evidence must be maintained for a significant amount of time.)
c. In the event the vehicle is seized at the direction of Oceanside Fire Department personnel, the investigator shall ascertain if there is a need to maintain custody of the vehicle.
d. If the vehicle is impounded for CVC 10751, altered VIN, it will be the responsibility of the auto theft investigator to examine the vehicle and insure the appropriate notifications are made.
e. The appropriate follow-up investigator will have the responsibility for completing a Vehicle Hold Release Form, and submit it to Records for filing only when the vehicle is ready for release. In addition, the investigator shall notify the tow company of the evidence hold release.
f. The investigator will, in person or by telephone, attempt to make contact with the vehicle owner to advise that the evidence hold has been lifted. If this attempt fails, the investigator will cause a written notice advising of the evidence hold release to be sent via mail to the registered owner's last address.

1225.05 Long-Term Seizure. There are occasions when it becomes necessary to maintain possession of a vehicle seized as evidence for a substantial amount of time. Most frequently, this occurs in murder cases or investigations of similar importance. Because of this, the following procedures will be followed:

a. Whenever possible, a vehicle seized as evidence will be stored at the City facilities on Oceanside Blvd.
b. When the completed investigation is filed with the District Attorney, the investigator will ascertain from that office whether there is a need to maintain possession of the seized vehicle. To accomplish this, the investigator shall personally contact either the North County DA Division Chief or his/her assistant to formalize the transfer of the vehicle. From that point forward, the vehicle, all release responsibilities and any future towing and storage fees shall become the responsibility of the San Diego County District Attorney's Office. In addition, the involved investigator shall afterwards submit a supplemental report, under the parent case number, indicating when and how this transfer occurred.
c. If the District Attorney's Office decides the vehicle need not be retained, it will be released in the manner outlined in this section. The investigator shall submit a supplemental report, under the parent case number, indicating that the District Attorney authorized the release of the vehicle.

Under no circumstances will a vehicle be released without the approval of the assigned investigator or supervisor having enough knowledge of the case to know that the release will have no adverse effects on the prosecution of the case.

1225.06 Payment of Storage and Towing Fees. This procedure shall be followed for payment of impound and towing fees on vehicles stored as evidence:

a. When the vehicle owner is not a suspect in a criminal offense and the owner did not give expressed or implied permission for the suspect to utilize the vehicle in a crime, the owner will be referred to Accounts Payable in the Office of the Chief of Police for resolution of the tow bill. The owner should be advised that the department will not be responsible for any fees accruing from that point forward and that it might be in the owner's best interest to remove the vehicle from impound immediately to avoid additional charges.
b. When the vehicle owner is a suspect in a criminal offense he/she will be advised that he/she is responsible for towing and impound fees.

1235 Inventory Procedure. In addition to the items enumerated on the Vehicle Report Form, the reporting officer shall make a reasonable effort to uncover and inventory items of obvious and significant value.

1235.01 Valuables. Uncovered items that appear to be of such obvious or significant value, or have serial numbers, shall be recorded in the narrative section of the CHP-180 form. If these items are in plain view, (i.e., on the front or back seat), they should be locked in the trunk of the vehicle to ensure reasonable protection.

1235.02 Contraband. All contraband, as well as items of questionable ownership, shall be impounded and transferred to the Evidence Section. Moreover, items of confirmed stolen property will be seized from the vehicle and booked into evidence.

1235.03 Unlocked Containers. All unlocked containers found in the vehicle shall be opened and their contents shall be listed in the "Remarks" section.

1235.04 The inventory shall include a listing of the property contained in the vehicle's passenger compartment, glove compartment, console, and trunk. All property located in these areas should be listed in the remarks section of the CHP-180 form.

1235.04.1 If the glove compartment, console, or trunk are locked, and there is no key or mechanical or electrical mechanism to open that area of the vehicle, officers shall not force entry into the locked area to inventory its contents. Officers, however, shall note under the "Remarks" section of the CHP-180 form the particular area(s) of the vehicle which were locked and that there were no obvious means to open them.

1235.05 Unsecured Locked Containers. If the unsecured container is locked and there is no key or other means of opening it without forced entry, the officer shall describe the container and note that it is locked in the "remarks" section of the CHP-180 form.

1235.05.1 No such container shall be forcibly opened in the absence of evidence supporting a reasonable suspicion that it contains an item or material which poses and immediate and substantial danger to persons in its proximity. The reporting officer shall specifically articulate the facts supporting this suspicion, and the subsequent decision to force entry into the container, on the CHP-180 form.

1240 Vehicle Impound Release Fee

1240.01 Applicable Vehicle Code Sections. When any vehicle is impounded for one of the following sections, a release fee is to be collected to defray the city's costs:

a. CVC 22651(a) Unattended vehicle on bridge.
b. CVC 22651(b) Highway hazard.
c. CVC 22651(d) Vehicle blocking private driveway.
d. CVC 22651(e) Vehicle blocking fire hydrant.
e. CVC 22651(f) Vehicle blocking freeway.
f. CVC 22651 (h)(1) Driver Arrested.
g. CVC 22651 (h)(2) Suspension or revocation pursuant to section 23137 CVC.
h. CVC 22651(i)(1) Multiple parking citations.
i. CVC 22651(j) Lack of vehicle registration
j. CVC 22651(k) Parked over seventy-two hours.
k. CVC 22651(l) Parked in a construction zone.
l. CVC 22651(m) Special events restriction.
m. CVC 22651(n) No parking zone.
n. CVC 22651(o)(1) Delinquent vehicle registration.
o. CVC 22651(p) Driver unlicensed or suspended.
p. CVC 22651(r) Vehicle blocking another vehicle
q. CVC 22655.3 Removal for investigation (fleeing in violation 2800.1 or 2800.2).
r. CVC 22655.5 (a) Impounding vehicle for evidence (commit public offense).
s. CVC 22655.5 (b) Vehicle for evidence (Vehicle itself is evidence of crime committed).
t. CVC 22669(a) Abandoned vehicle.
u. CVC 23109.2 Speed Contest (Added 10/02)
v. CVC 14602.6 (a) Suspended, Revoked or Unlicensed Driver (30 day hold).
w. CVC 14607.6 (a) Subject to forfeiture as a nuisance. (Revised 04/99, 2/20)

1240.02 Explanation of Fee. The member should explain to the registered owner or driver (if present), that a fee is to be paid at the Oceanside Police Department and give the driver an impound payment receipt form for a clear explanation of the fees to be paid. (Revised 04-99, 10/02)

1240.03 Responsibility of Records Section. The Records Technician will include a copy of the impound payment receipt form letter with the mailed CHP-180 form. This form is sent to the Registered and Legal Owners. (Revised 04/99, 10/02)

1240.04 Tow Company. The tow company will receive its copy of the CHP-180 form from the member at the scene. (Revised 04/99, 10/02)

1245 Traffic Services Unit. To create a self-sustaining program, a "Traffic Services Fund and Ordinance" was established for the purpose of receiving and expending fees collected for the impoundment of a vehicle. The appropriation of all monies in the "Traffic Services Fund" shall go for the purpose of traffic enforcement. The Traffic Services Unit Fund shall be allocated for the activities outlined in the Department's Comprehensive Community Traffic Plan. (Revised 04/99, 10/02)

1245.01 Enforcement. Officers are expected to vigorously enforce traffic laws for the purpose of increasing traffic safety, resulting in the reduction of unnecessary pain and suffering caused by traffic collisions. In keeping with this philosophy of effective traffic enforcement and collision prevention, all officers are expected to vigorously enforce traffic laws pertaining to the storage, impound, and forfeiture of vehicles being operated by unlicensed drivers, drivers who have had their driving privilege suspended or revoked, and drivers who are driving under the influence of alcohol and/or drugs. When an officer encounters a driver who:

a. Is on a road or is off-road after having been on the public roads (pulls off the road after a collision, followed onto private property by the officer, etc.) and has a suspended or revoked license, has never had a license issued, or is driving under the influence of alcohol and/or drugs, the officer should impound the vehicle.
b. Is a subject of a traffic stop, the officer should make a reasonable effort to determine if the driver falls under the provisions of CVC §22651(p), 14602.6(a), or 14607.6(a). Officers are encouraged to conduct a driver license status check to confirm the status of an individual's driver's license prior to taking action. The impoundment does not apply when the person is driving a stolen car or is an employee of a repair facility or other service business and is test-driving or repairing a customer's vehicle. (Revised 04/99)

1245.01.1 Procedure. Whenever an officer finds a driver who has never been issued a license or their driving privilege has been suspended or revoked, officers should issue a citation for the appropriate Vehicle Code section.

a. CVC §22651(p). This allows an officer to remove a vehicle when the driver has been issued a Notice to Appear for a violation of CVC §12500, 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, or 14604. Officers may also remove a vehicle pursuant to CVC §22651(p) when the driver has an expired license or a valid license for a class of vehicle other than the vehicle being operated. The vehicle may be impounded regardless of whether or not a licensed driver is in the vehicle.
    1. If the driver's license is suspended or revoked, or the driver has never been issued a license, officers should follow procedures in accordance with CVC §14602.6(a) and 14607.6(a).
b. CVC §14602.6(a). This section provides for a 30-day impound of a vehicle when the driver's license is suspended or revoked pursuant to designated vehicle code sections, or when a driver has never been issued a license. This section does not apply to drivers who have an expired license or persons driving out of class. This section does not require officers to show any prior history for the same violation. When an officer finds a driver who has never been issued a license or their driving privilege has been suspended or revoked, the officer should issue a citation and impound the vehicle under CVC §14602.6(a).
c. CVC §14602.6(a) requires the license suspension or revocation authority fall between Section 13200 through Section 13365.5(a) of the vehicle code. No vehicle shall be stored for 30 days under section 14602.6(a) until the officer ensures the license suspension or revocation authority falls within those storage authorities.
d. Officers are not allowed to direct a 30-day storage where the license is suspected by a State other than California. Additionally, officers are not allowed to direct a 30-day storage if a non-California license is suspended or revoked.
e. If it is determined that the driver's license has been suspended or revoked, the officer shall ensure that a notice of revocation or suspension was served based on the service code. In the event the driver has a suspended or revoked license and the DMV service code is "I - Mailed, returned unclaimed", the officer should issue DMV form DL310. Under this circumstance, the vehicle will not be held for 30 days unless further evidence can be substantiated that the driver was served or had knowledge the license was suspended. The vehicle should be impounded under CVC §22651(p). When an officer encounters a driver who has multiple suspensions on his or her driving record and some of the suspensions do not have valid service codes, the officer should issue DMV form DL310 to the driver for all of the suspension orders that need service.

f. CVC §14607.6(a). This section provides for the forfeiture of a vehicle when the driver is the R/O, and is driving while unlicensed or with a suspended or revoked license and has a prior misdemeanor conviction for a specified license violation. All of the following conditions must be satisfied prior to impounding a vehicle pursuant to CVC §14607.6(a):
   1. The driver of the vehicle is the registered owner.
   2. The driver is unlicensed or has a suspended or revoked license with valid service.
   3. The driver has a prior misdemeanor conviction for driving against a suspended or revoked license or driving without a license.
   4. Registered owners are to be advised they have a right of appeal. Claim forms will be available from the District Attorney. (Revised 10/02)

1245.01.2 Traffic Collision Investigations. CVC §14602.6(a) allows an officer to impound a vehicle involved in a traffic collision when the driver has never been issued a license, or has a license suspension that falls with the applicable 30-day hold authorities. At the scene of a traffic collision, the officer should impound vehicles pursuant to CVC §14602.6(a) or 14607.6(a). No citations or arrests are required to direct a 30-day storage at the scene of a traffic collision. A traffic collision report is not required at the scene of a non-injury collision that also involves a 30-day impound. (Revised 04-99, 10/02)

1245.01.3 Officer Responsibility. The officer will:
a. Store the vehicle and write the storage authority in the 'Storage Authority' box on the CHP-180 form.
b. Mark the 'AGENCY HOLD' box and write "30 Day Hold" to the left side in the remark section and bring it to the attention of the tow truck operator if stored for CVC §14602.6(a) or 14607.6(a).
c. Upon completion of the CHP 180, the officer towing the vehicle should supply the driver/owner with a copy of the "Notice of Stored Vehicle" form. As soon as possible, the officer will obtain a copy of the DMV printout showing suspended, revoked or unlicensed status, a copy of the vehicle registration printout, and attach it to the CHP-180 along with the citation issued before turning it in to a supervisor for approval. (Revised 04/99, 10/02)

1245.01.4 Release Procedures. A vehicle stored under the authority of CVC §22651(p) shall be released upon court order, or when the R/O or agent furnishes a valid driver's license to operate the vehicle and shows proof of current vehicle registration to the Records Section. The Department will collect a release fee and then issue an impound payment receipt. A vehicle impounded for CVC §14602.6(a) shall be released upon court order, or at the end of the 30-calendar day impound period, and then only when the R/O or agent furnishes a valid driver license to operate the vehicle and shows proof of current vehicle registration. A vehicle impounded for CVC 22655(a) unless released sooner, the vehicle shall be released at the expiration of 48hours, weekends and holidays are not included in the determining of the 48 hours. A vehicle impounded for CVC §22655.3, 22655.5(a), or 22655.5(b) should be released after clearance from the investigator assigned to the case and all towing fees are paid. (Revised 04/99, 10/02)

1245.02 Release Agreement. In cases that involve the release of a vehicle impounded under CVC §14607.6 the releasing officer shall prepare a "Stipulated Vehicle Release Agreement" (SVRA). The SVRA shall be on a form supplied by the DMV. All the following conditions must be satisfied prior to releasing a vehicle under the SVRA.
a. The legal owner is a bank, licensed auto dealer holding a lien on the vehicle, licensed lending institution, or a commercial vehicle rental company.
b. The legal owner presents satisfactory proof of ownership.
c. The agent of the legal owner signs a release agreement accepting liability for the vehicle, its condition and contents.

1245.02.1 If a release request is made by a commercial vehicle rental agency, the agent for the rental company shall pay administrative charges authorized under CVC §22850.5. The rental agency may require the renting person pay the administrative charges. (Revised 04-99, 10/02)

1245.03 Explanation of Recourse. When a driver or owner questions what recourse he/she has to what they feel is an invalid impound, the member should explain that on the back of the owner's copy of the CHP-180 (if the person has been given a copy) is an explanation of their right to a Post Impound Hearing. The member may provide the driver or owner with the Records Section telephone number. The registered owner may request a post storage hearing through the Records Department. (Revised 04/99, 10/02, 12/19)

1245.03.1 When a vehicle owner or his/her agent comes to the front desk or telephones to ask questions about an impound, that member should try to answer the question if possible. If, however, the person asks specifically for a

Post Impound Hearing or gives the member reason to believe that their answer did not satisfy that person, the following will be done:

a. Give that person a Vehicle Storage Hearing Report and assist them in filling out the top portion. If they telephoned, fill out that information for them.
b. Place the form in the Traffic Investigator's mailbox. (Revised 04/99)

1250 Post Storage Hearings. Under the provisions of CVC §22852, the owner of a vehicle that has been stored or impounded has the right to a Post Storage Hearing. The purpose of the hearing is to determine the legality of the storage.

1250.01 Post Storage Hearings should be conducted by the Traffic Investigator, the Traffic Services Unit supervisor, or their designee. (Revised 04/99, 10/02)

1250.02 The request for hearing must be received within ten (10) days from the date of the Notice of Stored Vehicle. The hearing will be conducted within 48 hours, excluding weekends and holidays. The results of the hearing will be provided to the owner in writing, telephonically, or in person. (Revised 04/99, 10/02)

1250.03 Should the hearing result in a recommendation of city payment of the tow bill, the hearing officer will forward a copy of the results to the Support Operations Division Captain or his/her designee, and ASD-Risk Management for approval and arrangement of payment. The fact the matter was referred to the Support Operations Division Captain for payment will be documented in the hearing report. (Revised 10/02)

1255 Towing Service Call-Outs. The purpose of this procedure is to provide for a fair and equitable system of rotation requests for towing services.

1255.01 Procedure. Calls for towing services should be placed with the dispatcher, who will call one of the towing services approved by the City. Such requests should be done via CAD by the dispatcher. The purpose of this procedure is to ensure proper rotation of the approved towing services. Officers assigned to the Traffic Services Unit and operating at a traffic checkpoint or other special detail may assign a separate tow rotation to alleviate the excessive workload to dispatch caused by the details. (Revised 04/99, 10/02)

1255.01.1 In cases where officers are assisting a motorist who requests a particular agency or towing service, such requests and calls will not be considered a police tow service call. (Revised 04/99)

1255.01.2 Whenever a towing agency is called upon to respond and the agency is unable to do so, the entry: "Unable to Respond" will be made in the CAD field along with the reasons. The agency will lose its position in the rotation and the next towing agency will be called.

1255.02 Complaints on Towing Services. Complaints on Towing Services. Whenever a member receives or has a complaint regarding a towing service, he/she will document the complaint via his/her Chain of Command, on a memorandum to the Support Operations Lieutenant. The Support Operations Lieutenant will take appropriate action, and will maintain the reports in the towing file of the involved company. (Revised 04/99, 01/20)

1255.02.1 Tow complaints will remain on file for a period of three years, commencing with the date of the complaint. Upon expiration the complaints should be purged. (Revised 10/02)

100 CASE MANAGEMENT PROCEDURES

101 Case Clearance Standards.

101.01 Law enforcement is a public service and as such, requires a full accounting from the Chief of Police as to the administration of the agency and the status of public safety within a jurisdiction. The standardization of case clearance criteria provides statistical figures to enable law enforcement to fulfill this responsibility.

101.01.1 To ensure the credibility of the collected data, appropriate case clearance standards must be established and adhered to by investigative members. Investigation Division sergeants are responsible to ensure that all appropriate investigation reports are properly classified and documented.

101.02 Procedure. The Uniform Crime Report program recognizes only two categories of clearance: arrest and exceptional.

101.03 Clearance by Arrest. An offense is "cleared by arrest" or solved for crime reporting purposes when at least one person is:
a. Arrested;
b. Charged with the commission of the offense; and
c. Turned over to the court for prosecution whether following arrest, court summons, or police notice.

101.03.1 The number of clearances is dependent upon the number of offenses for which someone is arrested and <u>not</u> the number of persons arrested.

101.04 Exceptional Clearances. In certain situations, law enforcement is not able to follow the steps outlined under "clearance by arrest" to clear offenses. Many times, all leads have been exhausted and everything possible has been done. If the following questions can <u>all</u> be answered "yes," the offense can then be cleared "exceptionally" for crime reporting purposes:
a. Has the investigation definitely established the identity of the offender?
b. Is there enough information to support an arrest, charge, and turning over to the court for prosecution?
c. Is the exact location of the offender known so that the subject could be taken into custody now?
d. Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

101.04.1 Examples of Exceptional Clearances.
a. Suicide.
b. Double murder (kill each other).
c. Deathbed confession.
d. Offender killed by police or citizen.
e. Confession by offender already in custody or serving sentence.
f. Offender prosecuted in another jurisdiction for another offense, or same offense and not released to you.
g. Extradition denied.
h. Victim refuses to cooperate in the prosecution. (Must still be able to answer yes to the first three questions above.)
i. Offender prosecuted for a less serious charge than originally planned.
j. For minor offenses, juveniles handled in-house with no referral to juvenile court.

When all leads have been exhausted and everything possible has been done, a 'yes' answer to all four questions above can clear the case.

101.05 Department Closure. The Automated Regional Justice Information System (ARJIS) recognizes that law enforcement agencies use other categories when determining appropriate resolutions to cases. The first is referred to as 'Open - Departmental Close,' which is the category our Department refers to as 'Suspended.' The second is 'Open - Workable' which is the category in which cases are placed that were under investigation but departmentally closed due to limited resources, manpower, or higher priorities. (Revised 11/02)

105 Screening, Assignment, and Investigation.

105.01 Case Assignment Matrix. The Department utilizes a Case Assignment Matrix to determine priority level of cases. Among other things, this matrix serves as a guide for establishing the timeliness with which cases will be completed and submitted to Records as well as subsequent distribution.

To effectively utilize and manage the investigative hours that are available, this procedure establishes a system whereby the assignment of investigative cases will be prioritized utilizing the Case Assignment Matrix. This procedure stipulates the maximum time allowed before victim contact is made or attempted. It also determines the amount of resources utilized to reach a resolution.

This procedure provides the community, the Department, and Investigations Division members with a means of determining the level of service that can be expected for all investigative reports. It also serves to provide the investigator with an indicator of expectations and the amount of resources that might be applied in a particular investigation.

105.02 Case Review and Evaluation. Cases received by the Investigations Division will be reviewed and evaluated by the unit sergeant. Evaluation and assignment of all cases is the responsibility of the sergeant(s). (Revised 12/03)

105.03 Once the unit supervisor has prioritized a case, it becomes that supervisor's responsibility to ensure that attempts are made to contact victim(s) and the case is completed within the times allotted. The times, dates, and results of the attempts to contact the victim will be recorded in the investigator's follow-up report.

A sergeant always retains the right to assign a case for follow-up investigation no matter what priority code has been assigned.

105.04 Responsibility. Upon being assigned a case for follow-up, an investigator or assistant becomes responsible for the proper investigation of that case. These members are expected to apply sound investigative practices keeping in mind the availability of resources and the case completion time schedules.

105.05 Schedule. In all cases, the victim should be contacted as soon as reasonably practical. The following schedule will be followed in establishing the case priority and in the determination of corresponding time limits:

a. For felony in-custody cases and any case in which the passage of time might contribute to imminent danger, traumatic injury, or death of any of the involved parties, the maximum victim contact time (from date of case assignment) will be three (3) days and the case completion limit is thirty (30) days.
b. For all other felony cases, the maximum victim contact time (from date of case assignment) is five (5) days and the case completion limit is sixty (60) days.
c. For misdemeanor cases, the maximum victim contact time is five (5) days and the case completion limit is sixty (60) days.

105.06 Time Limits. Time limits are to be adhered to in all cases. Supervisors will be given the latitude and held responsible for changing the time limits if they deem it necessary. Time limit extensions are to be considered the exception. Appropriate time management is essential to the overall efficiency of the Investigations Division. Supervisors and investigators must closely weigh the amount of time that will be expended on a case with the anticipated results.

110 Preliminary and Follow-up Investigations.

110.01 Criminal investigations and their successful conclusions involve completing a variety of tasks. While these tasks may vary somewhat from case to case, there exists a basic core of issues that can be considered in each investigation. By committing these investigative issues or steps to writing, a 'checklist' is established investigators can utilize at both the preliminary and follow-up stage of the investigation.

110.02 Preliminary Investigation. A preliminary investigation may be sufficient to bring the case to a satisfactory conclusion, thus eliminating the need for a follow-up investigation. While the investigator assigned a case may not personally complete each of the below-listed steps, it is the responsibility of the investigator to assure that each of the listed steps is properly addressed:

a. Observe all conditions, events, and remark.
b. Locate and identify witnesses.
c. Maintain the crime scene and protect evidence.

d. Interview the complainant and the witnesses.
e. Interrogate the suspect.
f. Arrange for the collection of evidence.
g. Affect the arrest of the criminal.
h. Report the incident fully and accurately in a timely manner.

110.03 Follow-up Investigation. Successful follow-up investigations are the result of experience, knowledge, intelligence, and perseverance of the investigator. The investigator uses all reasonable resources to reconstruct the crime scene, identify victims, witnesses, and suspects, and to assist with the coordination and prosecution of criminal activities. The below-listed areas are to be followed in conducting follow-up investigations:
a. Review and analyze all previous reports prepared in the preliminary phase.
b. Conduct additional interviews and interrogations.
c. Review departmental records.
d. Seek additional information from other officers, citizens, informants, informational databases, etc.
e. Review results from laboratory examinations.
f. Arrange for appropriate dissemination of information.
g. Plan, organize, and conclude searches.
h. Prepare case for court presentation.
i. Assist in prosecution.
j. Identify and apprehend suspects.
k. Collect physical evidence.
l. Determine involvement of suspects in other crimes.
m. Check suspects' criminal histories.

110.03.1 These procedures should be used only in the event they are found to be necessary. For example, not every follow-up investigation will include a search.

111.01 – Photo & Live Lineups. The use of photo and live lineups are an investigative tool used to identify subjects in a criminal investigation. Members shall adhere to the following requirements as specified in PC 859.7:

(1) Prior to conducting the identification procedure, and as close in time to the incident as possible, the eyewitness shall provide the description of the perpetrator of the offense.

(2) The investigator conducting the identification procedure shall use blind administration or blinded administration during the identification procedure.

(3) The investigator shall state in writing the reason that the presentation of the lineup was not conducted using blind administration, if applicable.

(4) An eyewitness shall be instructed of the following, prior to any identification procedure:

(A) The perpetrator may or may not be among the persons in the identification procedure.

(B) The eyewitness should not feel compelled to make an identification.

(C) An identification or failure to make an identification will not end the investigation.

(5) An identification procedure shall be composed so that the fillers generally fit the eyewitness' description of the perpetrator. In the case of a photo lineup, the photograph of the person suspected as the perpetrator should, if practicable, resemble his or her appearance at the time of the offense and not unduly stand out.

(6) In a photo lineup, writings or information concerning any previous arrest of the person suspected as the perpetrator shall not be visible to the eyewitness.

(7) Only one suspected perpetrator shall be included in any identification procedure.

(8) All eyewitnesses shall be separated when viewing an identification procedure.

(9) Nothing shall be said to the eyewitness that might influence the eyewitness' identification of the person suspected as the perpetrator.

(10) If the eyewitness identifies a person he or she believes to be the perpetrator, all of the following shall apply:

(A) The investigator shall immediately inquire as to the eyewitness' confidence level in the accuracy of the identification and record in writing, verbatim, what the eyewitness says.

(B) Information concerning the identified person shall not be given to the eyewitness prior to obtaining the eyewitness' statement of confidence level and documenting the exact words of the eyewitness.

(C) The officer shall not validate or invalidate the eyewitness' identification.

(11) 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.

111.02 – Photo Lineup Admonition Form. When possible, members should complete the Oceanside Police Department Photo Lineup Admonition Form and attach the form to the case file.

111.03 – Definitions.

(1) "Blind administration" means the administrator of an eyewitness identification procedure does not know the identity of the suspect.

(2) "Blinded administration" means the administrator of an eyewitness identification procedure may know who the suspect is, but does not know where the suspect, or his or her photo, as applicable, has been placed or positioned in the identification procedure through the use of any of the following:

(A) An automated computer program that prevents the administrator from seeing which photos the eyewitness is viewing until after the identification procedure is completed.

(B) 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.

(C) Any other procedure that achieves neutral administration and prevents the lineup administrator from knowing where the suspect or his or her photo, as applicable, has been placed or positioned in the identification procedure.

(3) "Eyewitness" means a person whose identification of another person may be relevant in a criminal investigation.

(4) "Field show up" means a procedure in which a suspect is detained shortly after the commission of a crime and who, based on his or her appearance, his or 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.

(5) "Filler" means either a person or a photograph of a person who is not suspected of an offense and is included in an identification procedure.

(6) "Identification procedure" means either a photo lineup or a live lineup.

(7) "Investigator" means the person conducting the identification procedure.

(8) "Live lineup" means 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.

(9) "Photo lineup" means 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.

111.04 – Field Show Ups / Identification. The previous sections (111.01 & 111.02) are not applicable to field show ups (aka: curbstone lineups).

200 DOCUMENTATION

201 Follow-up Report Forms and Format.

201.01 Report Forms and Format. Many people and agencies utilize the reports that investigators prepare. Supervisors must review them for completeness, District Attorneys must evaluate them for the issuance of criminal complaints, and statistical members must compile information from them. All are searching for specific information.

201.02 Procedure. Investigators will use the department approved follow-up report form. It will contain the below-described three-part format for the narrative on all follow-up reports. As a general rule, the three-part format will contain the following headings: Synopsis, Investigation, and Conclusion. (Revised 12/03)

201.02.1 Synopsis. The "Synopsis" section is an overview of the case at the time the Investigator initiates the report. It should include only the highlights of the investigation that develop the probable cause for the actions taken. It should not include every aspect of the investigation. The key here is brevity. The "Synopsis" section should be less than three paragraphs in length.

201.02.2 Investigation. The "Investigation" section consists of everything done during the investigation. Sub-headings may be utilized for witness statements, additional suspect or victim information, or to delineate other unique categories. A chronological sequence is suggested for the "Investigation" section narrative as it provides an easy way to format the actual investigation.

201.02.3 Conclusion. The "Conclusion" section should be a summation of the case. It should draw a logical conclusion based upon a reasonable interpretation of the facts. It should also indicate the status and, if appropriate, future course of the investigation. It should not be extensive, as all the facts should have been stated in the "Investigation."

201.03 Crime Scene Manager Report. The Crime Scene Manager position is held by a Detective assigned to General Investigations and given the responsibility as each incident presents itself. The Crime Scene Manager is assigned by an Investigative Supervisor, and will be responsible for the identification and collection of evidence. The "Crime Scene Manager" report will be utilized for high profile cases such as, but not limited to, homicides and/or officer involved shootings. This report should describe in detail the scene as found by Investigators. The description should adequately describe the scene and the surrounding area such that one not present would be able to accurately reconstruct it either physically or mentally. The narrative will include the below described three-part format. Generally, the report will consist of three sections titled Investigative Response, Weather Conditions and Crime Scene Description. (Added 07/09)

201.03.1 Investigative Response. The "Investigative Response" section should include the Crime Scene Manager's first observations and actions upon arriving at the scene. This section should include the address of location, time and date of arrival and assignment as Crime Scene Manager, crime scene tape locations, those maintaining the crime scene log and the inner and/or outer perimeters, and any other pertinent foundational information. Also included is the name of the Field Evidence Technician assigned to the case to collect and photograph evidence. (Added 07/09)

201.03.2 Weather Conditions. The **"**Weather Conditions" section should include the closest recorded temperature for the date and time the incident occurred. This may be obtained by an official weather service such as the National

Weather Service or the National Western Region Climate Center. Additionally, a description of any cloud and/or wind activity, precipitation, natural lighting (sun or moon), and the condition of the ground should be included. (Added 07/09)

201.03.3 Crime Scene Description. The "Crime Scene Description" section should include the following information when applicable: (Added 07/09)

a. Area Description: Roadway, residential, commercial, land marks, landscaping, etc.
b. Building Exterior: Type of structure(s), number of stories, color, etc.
c. Vehicles located at scene.
d. Video Surveillance; Location of and operability.
e. Illuminations; Natural lighting and man-made.
f. Obstructions.
g. Interior Description: General condition, number of rooms, ransacking apparent, etc.
h. Security doors or windows and functionality.
i. General location and condition of the victim's body: Positioning, clothing, observable wounds, tattoos, lividity, medical equipment, etc.
j. In a systematic manner give a general description and location of the evidence located at the scene (The FET will document measurements and detailed descriptions in her/his report as well as a sketch of the scene).
k. Copy of a current map of the neighborhood, apartment complex, etc.
l. The original crime scene log should be attached to this report.
m. Documentation of any damage created by police personnel.
n. To whom, how and when was the location secured and/or released.

205 Security of Original Documents and Documents Containing Information of a Sensitive Nature.

205.01 Purpose. All original documents including, but not limited to, Crime Reports, Arrest Reports, and Follow-up reports shall be secured and maintained in the Records Section. It is recognized that during the normal course of investigative responsibilities it becomes necessary for members of the Investigations Division to work with original documents in various stages of completion. In addition to original documents, this could include photocopies of documents containing information of a sensitive or confidential nature and items of potential evidentiary value.

In an operation or investigation, it might be necessary to maintain the original reports in a section to maintain the integrity of the operation or investigation. This is permissible with the authorization of the Section Lieutenant. The original documents will be forwarded to the Records Section upon completion of the operation or investigation.

205.02 Procedure. To assure a reasonable level of safekeeping and security for documents and items of value in the possession of Investigations Division members, the following procedure is established.

205.02.1 Original documents including, but not limited to, Crime Reports, Follow-up Reports, and Arrest Reports, will be completed, processed, and submitted to Records every ninety (90) days on all open cases. Unit supervisors are responsible for insuring this is enforced. While they are being completed, original documents will not be left unattended and unsecured, particularly after normal working hours.

205.02.2 Documents that contain information of a sensitive nature (i.e. homicide investigations, rapes, and officer-involved shootings) will not be left unattended and unsecured, particularly after normal working hours.

205.02.3 Items of potential evidentiary value (i.e. photo lineups and original checks) should never be left unattended and unsecured. As soon as practical, items should be properly tagged and placed into evidence.

210 Operation Plan Procedure. This procedure establishes the documentation to be used when planning a special operation by Investigations Division members. Special operations include search warrants and any project or program where multiple officers or agencies are brought together in a coordinated effort, except those warrants which a supervisor has determined "administrative" in nature. Examples of administrative warrants include those that seek records or documents at hospitals, financial institutions, utility companies, and employment offices.

210.01 Generally. The lead officer will be responsible for planning and organizing the event. The Investigations Division "Operation Plan" package will be completed and approved by a supervisor before the plan is put into effect. Once the

operation is completed a copy of the Operation Plan will be forwarded to the section Senior Office Specialist who will place it into the Operation Plan binder. The plans will be maintained in their respective sections for two years after which they will be logged and placed into the City archives. (Revised 2/20)

210.02 Procedure. All relevant sections of the Operation Plan must be completed. The "Mission Background" and "Mission Objectives" sections will always be completed. The "Mission Background" should include the background of the case that brought you to this particular operation. It should also include any intelligence data and criminal history or violent tendencies of the suspects involved. The "Mission Objectives" should include the overall objective of the operation as well as specific individual assignments. Do not limit the information to the space on these pages. If more space is needed a separate sheet should be attached. The diagram and photos (if available) should be attached to the last page.

210.03 Search Warrants. Other than in the service of Administrative search warrants, the 'before' and 'after' condition of premises searched will be described in investigative reports. 'Before' refers to premise condition once entry has been made and suspects are secured. It would include any premise damage as a result of entry. 'After' refers to premise condition at the conclusion of the search. It would include any premise damage as a result of the search. The 'before' and 'after' narrative will be accompanied by 'before' and 'after' photographs. The latter will be processed as other photographic evidence.

300 INFORMATION

301 Public Disclosure of Investigations.

301.01 The Investigations Division has a responsibility to disseminate information concerning criminal investigations in a timely manner. At the same time, the members of the Investigations Division must be concerned about the content and effect of such disclosure. The release of inaccurate information or the untimely release of sensitive information can serve to damage the investigation as well as to destroy the credibility of the Investigator and Department. While the Investigations Division recognizes it has an obligation to be responsive to the media, its first responsibility is to protect the integrity of the investigative process and the community it serves.

301.02 Procedure. In line with protecting the confidentiality of ongoing criminal investigations and preserving the integrity of the Department's investigative functions, it shall be the procedure of the Investigations Division that members working on such matters (or with knowledge of such matters) carefully evaluate information pertaining to the case prior to making any public disclosures. To this end, any member involved in ongoing criminal investigations should discuss the case with a supervisor prior to any public disclosure to ensure accuracy, consistency, and confidentiality, where necessary, consistent with the provisions of California Government Code 6254(f).

301.03 Information provided to the media should be equitably released, whether initial or updated information. The Department P.I.O. is the point of contact to ensure information is made available to all interested media.

301.04 Nothing in this procedure is meant to serve as a restraint on any State or Federal guarantees of free speech for members. However, this procedure does serve to preserve the goals and clear intent of Government Code 6254 (f) relating to the confidentiality of ongoing criminal investigations.

305 Criminal Offender Record Information ("Rap-Sheet") Access/Distribution.

305.01 It is the procedure of the Investigations Division that every member who has a need to access and possess Criminal Offender Record Information also has lawful authority to do so.

305.02 Procedure. Members will comply with Department policy regarding Records and Information Security and in particular these elements associated with Criminal Offender Record Information:

a. The information may be accessed and received only by persons authorized by law or court order to receive it and who have a specific lawful purpose for its use.
b. Except in the scope of their employment, members shall not disclose such information.
c. Department automated systems shall not be used to disseminate Criminal Offender Record Information to any other agency for the purposes of employment, licensing, or certification.
d. Computer identification numbers and/or passwords are confidential and shall not be used by anyone else.

e. Mandatory information required by DOJ when making an automated inquiry is completed. This will include the requestor's name, ID number, and the specific reason for the request. In addition the route field (RTE) must be completed and contain the department case, citation, or field interview number associated with the inquiry. (Added 7/03)

305.03 Automated Systems Security Access Form. All members who come in contact with Department computer systems are required to read and sign the "Automated Systems Security Access Form," which must be forwarded to the Records Section.

305.04 Audits. The Department of Justice periodically audits our agency for compliance to these regulations and procedures. Two pivotal areas of examination are "why did you run the query?" and "what did you do with the rap sheet?" (Revised 10/02)

400 TACTICAL AIDS and WEAPONS FOR INVESTIGATIONS POLICE OFFICERS.

401 Automatic Weapon Procedure (MP5). The MP5 submachine gun is a tactical weapon available to the Special Enforcement Section police officers. The following procedure will regulate its use, care, and security. (Revised 11/99)

401.01 Authorized Police Officers (MP5). All Special Enforcement Detectives shall complete the Oceanside Police Department POST Certified Short Barreled Rifle Course or equivalent. They will be qualified by the department Firearms Training Unit and have completed a MP5 transition course prior to being authorized to carry the weapon on Special Enforcement tactical operations (Revised 11/99, 04/18)

401.01.1 Storage & Deployment. The Special Enforcement Section Lieutenant will maintain control of the MP5 inventory for the unit. The Unit supervisor may assign an MP5 to qualified detectives and maintain a serialized roster of the detectives who are issued an MP5. SES vehicles have been equipped with gun lockers to maintain department weapons and equipment in accordance with CA Penal Code 16850. Detectives assigned an MP5 will store the weapons unloaded in the vehicle gun lockers. When not in use MP5 weapons will be stored in the SES equipment locker. (Revised 11/99, 11/02, 04/18)

401.02 Care and Maintenance of the MP5. Each MP5 will be assigned to a detective for purposes of accountability. The overall care, maintenance, and cleaning of the MP5 is the responsibility of the detective assigned the weapon. The Firearms Training Unit staff will inspect the weapons annually as a part of the Department's weapons maintenance program. Each Detective will clean their assigned MP5 after each scheduled qualification to ensure that the weapons are being properly maintained. (Revised 11/99, 04/18)

401.03 Qualification of the MP5. The Firearms Training Unit staff, on a quarterly basis, will provide a qualification shoot for detectives assigned to the Special Enforcement Section. SES Detectives will complete the SWAT MP5 qualification course outlined in the Firearms Training and Administrative Procedures Manual section 5.7 (appendix B-11). (Revised 11/99, 04/18)

401.03.1 Any officer failing to qualify during the quarterly qualification will not be authorized to use the MP5 until he/she has shown proficiency in the use of the weapon and qualified at the quarterly qualification shoot. (Revised 11/99)

405 Distraction Device Procedure.

405.01 A distraction device creates a psychological diversion by producing a loud report accompanied by a brilliant flash. This diversion opens a six to twelve second window of opportunity to create a safer entry into a building or a safer approach to a potentially violent subject. (Revised 11/99)

405.02 Deployment. When practical, the use of the distraction device should be outlined in the operational plan and approved by the unit supervisor. This does not preclude any team member from using the device during a tactical operation in an unplanned event, should the team member deem the deployment reasonable under the circumstances. The use of a distraction device is considered a "Use of Force". Its deployment should be justified and fall within the guidelines of the Department's policy on the "Use of Force". (Revised 11/99)

405.02.1 The distraction device should only be deployed by officers trained in its use. The officer deploying a distraction device should have a visual sighting of the target location. The device should not be blindly thrown through a window or into a building. (Revised 11/99)

405.03 Authorized Device. The distraction device authorized for use by the officers of the Special Enforcement Section is the Def-Tec M-25 Distraction Device and correlating reloads. (Revised 11/99)

405.04 Training. No officer should handle or deploy a distraction device unless s/he has completed training on the safe deployment of the device and have demonstrated proficiency in its use. (Revised 11/99)

405.05 Documentation. Whenever a distraction device is used it shall be documented as required by the Department policy as a "Use of Force." This means the use will be included in the Arrest Report and if no arrest is made, then it will be documented on a numbered Officer's Report. (Revised 12/03)

405.05.1 In addition, the use of a distraction device will be documented in a log maintained by department LSD Instructors. This log will include the serial number of the device, date, deploying officer, address, exact location, any damage or injuries, and the case number.

405.06 Storage. The distraction devices will be maintained in a locked metal storage box. (Revised 2/20)

410 Use of Undercover Recording Device and Microphone. This procedure is for the Department's undercover recording devices and microphones.

410.01 Equipment will be stored in the SES office. Accountability and maintenance is the responsibility of the SES Lieutenant or Investigations Division Captain.

410.02 Authorized Use. Only members who have received instruction in the use of the undercover recording device may use this equipment. The Department undercover recording device and microphones may only be used for authorized Police investigations with the approval of the SES Lieutenant or Investigations Division Captain.

410.03 Non-Authorized Use. The department's undercover recording device and microphones shall not be used for non-official investigations. Any unauthorized use may result in disciplinary action.

410.04 Procedure of Use. Any Department member authorized and qualified to use the monitoring equipment will follow the below procedure:

a. Obtain one of the devices from a SES supervisor.
b. Follow the guidelines for the use of the device.
c. Return the device to a SES supervisor.

415 Surveillance Equipment Protocol (Added 08/01)

415.01 Surveillance Equipment Checkout Procedures. Surveillance equipment is stored in the Special Enforcement Section equipment room. To maximize accountability and control of the equipment, the equipment can only be accessed for checkout by supervisors or managers. The checkout procedures are as follows:

a. Fill out the checkout sheet attached to a clipboard in the storage room. The checkout sheet includes information identifying the supervisor or manager, the date of checkout, the equipment description, and an item number. Leave the completed form attached. The equipment is tagged with item numbers and is listed on the inventory sheet that is attached to the checkout clipboard.
b. The equipment shall be returned at the end of shift. Upon return of the equipment, complete the return information on the original checkout sheet. This includes comments on the performance of the equipment.
c. Lock the storage the room. (Added 08/01)

415.02 Surveillance Vehicle Uses. The surveillance vehicle is a highly technical piece of equipment designed for use in covert operations only. The vehicle is capable of recording surveillance targets without exposing the operator or camera equipment. The vehicle can also be used as an observation platform without the cameras. Special checkout procedures and guidelines for its use were established to ensure it is used in a manner that will not compromise its identity as a covert police vehicle.

a. The vehicle is authorized for covert surveillance only. The officer operating the surveillance equipment should avoid entering or exiting the vehicle in public view unless there is an emergency situation that warrants it. The equipment operator should be driven in and out of the target location positioned in the surveillance platform.
b. The vehicle shall not be used for buy/bust operations, warrants, or other situations that might expose the surveillance platform operator to public view.
c. Special precautions to avoid suspicion should be taken when inserting or extracting the surveillance vehicle from the target location. (Added 08/01)

415.03 Surveillance Vehicle Checkout Procedures. The surveillance vehicle is stored offsite to ensure its covert status. The supervisor or manager requiring the use of the vehicle will contact the S.E.S. supervisor to obtain possession. The checkout procedures for the surveillance vehicle are as follows:
a. Supervisors or managers can check out the surveillance vehicle for use in any situation where a covert surveillance point would be advantageous. An S.E.S. supervisor will check the keys out to the supervisor or manager making the request. To maximize officer safety, only officers trained in its use should operate the surveillance platform. When used as an observation platform (cameras not in use), the officer will require only a brief orientation from a trained operator.
b. To ensure officer safety and monitor the proper use of the surveillance vehicle, an operational plan should be submitted to the S.E.S. supervisor for review prior to checkout. If this is not practical, a report detailing its use will be submitted to the S.E.S. supervisor at the end of the operation.
c. Lieutenants will have access to the surveillance vehicle at all times and can deploy the vehicle outside of this protocol, in situations that require immediate action. (Added 08/01)

415.04 Surveillance Vehicle Maintenance. The S.E.S. narcotics supervisor is responsible for checkout, storage, and maintenance of the surveillance vehicle, to include all necessary repairs and general maintenance. Any equipment failure or other mechanical problems should be directed to the S.E.S. narcotics supervisor. (Added 08/01)

415.05 Surveillance Vehicle Training. All S.E.S. officers will be trained in the use of the surveillance vehicle and available to operate the surveillance platform. All requests for S.E.S. operators should be made through the S.E.S. narcotics supervisor. The S.E.S. narcotics supervisor will coordinate training for other police officers at the request of a supervisor or manager. The S.E.S. narcotics supervisor will maintain a list of police officers trained in the use of the surveillance vehicle. (Added 08/01)

500 USE OF INVESTIGATIONS MEMBERS

501 Duty Call-Out for Detectives.

501.01 Generally, on-duty Patrol members will conduct crime scene investigations. However, if the situation requires the assistance of a detective, one may be called to respond if requested by a Field Supervisor. (Revised 12/03)

501.02 On-Duty Hours. The Field Supervisor shall notify an Investigations Supervisor of any request during Investigations Division duty hours.

501.03 Off-Duty Hours. During off-duty hours for detectives, supervisors contact the Investigations Division Sergeant of the unit responsible to investigate the crime/incident. The Investigations Division Sergeant will call out a detective in their unit if warranted. If additional detectives are needed, an Investigations Division Sergeant will organize the response. (Revised 12/03, 01/20).

501.04 Mandatory Call-Out. In all of the below listed cases an Investigations Division Sergeant will be called: (Revised 12/03, 1/20)
a. All homicides.
b. All officer-involved shootings occurring within the City of Oceanside that result in known injury or death. This includes self-inflicted or accidental injuries. (Revised 11/00)
c. Questionable suicide or death.
d. Any death occurring under mysterious or unusual circumstances.
e. Any death which might be subject to controversy at some later time, where the possibility of a lawsuit against the City exists or law enforcement members are involved.
f. A case where the victim appears to be in imminent danger of expiring, as a result of a serious assault.

g. Any arrests by Department members of a homicide suspect for this or any other jurisdiction. This includes arrests, N.C.I.C. hits, etc.
h. Serious child abuse cases, which require immediate follow-up investigation.
i. Serious sexual assault cases which require immediate follow-up investigation.
j. Arson cases when immediate follow-up investigation is necessary to avoid destruction of evidence or when a suspect is taken into custody for arson.

505 Out of Town Investigations Procedure. Occasionally, Investigations Division members become involved in investigations that take them out of the City of Oceanside. The following procedure is to be followed.

505.01 Generally. If there is a realistic possibility enforcement action may be taken, permission must be given by a unit supervisor prior to leaving the City.

505.01.1 Members of the Investigations Division will not arbitrarily initiate investigations in other jurisdictions unless the activities are tied or linked to Oceanside. (Revised 12/03)

505.02 Notification Procedure. When an investigation takes a member out of the City for a surveillance, enforcement action, or sting operation, after obtaining a unit supervisor's approval and before leaving, the San Diego Law Enforcement Inter-Agency Notification Procedure will be followed.

505.03 In reverse sting operations and large drug transactions, every effort will be made to determine if the "suspects" are undercover officers from another agency. This will include in-depth background checks; contacting other Police Departments, Sheriff's Departments, and Task Forces; running all subjects through the LECC and a complete check of the transaction location. Revised 2/20)

505.04 This procedure is not meant to hamper investigations. It doesn't prohibit members from going to the jail to interview suspects, or leaving the City to pick up informants and interview witnesses. It merely requires the member to obtain approval from a unit supervisor before engaging in any type of enforcement activity outside the City of Oceanside.

510 San Diego County Law Enforcement Inter-Agency Notification Procedure. The nature of undercover narcotics investigations and the proliferation of task forces and teams involved in cross-jurisdictional surveillance and various types of enforcement emphasize the importance of an accepted protocol for inter-agency notifications.
Equally important is the need for recognized procedures in the event of field contacts or confrontation between uniformed and plainclothes officers.
This procedure shall address two issues:
a. A protocol for the notification of planned events in another agency's jurisdiction.
b. Suggested procedures to follow in situations involving a field contact or confrontation between undercover officers and uniformed officers.

510.01 Definitions.
"Service agency" is the law enforcement agency initiating an investigation or planned event, which enters into another agency's jurisdiction.
"Venue agency" is the law enforcement agency having primary responsibility for the delivery of police services in a geographical area.
"Planned event" is a law enforcement activity which can be/is planned in advance, such as the service of a search or arrest warrant, a money or narcotic show, a protracted surveillance, etc.

510.02 Notification. Prior to a planned event, the service agency shall notify the venue agency of the proposed event in a timely manner. Such notification should include:
a. The time and location of the planned event and the names of involved persons, if applicable.
b. The nature of the planned event, i.e. search warrant, etc.
c. An assessment of the potential for problems.
d. What assistance, if any, is or may be required of the venue agency.
e. Description of vehicles involved (suspect and police).

510.03 Narcotics Related Investigations. The following additional steps shall be taken to avoid confrontation between law enforcement officers involved in narcotics related cases and to reduce the overlap of investigative steps taken:

a. Inquiry to the Law Enforcement Coordination Center.
b. Inquiry to the specific venue agency Narcotics Division.
(Revised 2/20)

510.03.1 Once received, the venue agency is responsible for:
a. Maintaining the confidentiality of the information. Any interdepartmental notification which they deem appropriate.
b. Providing reasonable assistance, if requested.

510.03.2 At the conclusion of the event, the service agency shall make an exit notification to advise of the event's termination. If possible, this notification should be to the same individuals or their relief. Should the event result in a noteworthy incident (e.g. a large seizure, arrest of a notable person, etc.) this information shall likewise by conveyed to the venue agency. Press notifications, if appropriate, should be handled by the service agency or jointly.

Special Note: The volume of warrants served by the San Diego Sheriff's Department (SDSD) and the geographical area it serves, makes it impractical for them to routinely follow this procedure. Absent reason to believe the warrant about to be served will involve a subject known to currently be under investigation by another law enforcement agency or that the subject of the warrant has a significant propensity for violence, the SDSD is not required to notify local jurisdictions when they are serving arrest warrants.

510.04 Field Contact/Confrontations. Because plainclothes officers are not readily identifiable as law enforcement officers, contacts between them and uniformed officers include the potential for confrontation. The primary responsibility for avoiding or defusing this risk lies with the plainclothes officer(s). Their actions and deportment when contacted by a uniformed officer are critically important.

510.04.1 The following suggestions are intended to assist in avoiding or alleviating the tension possible in such contacts.
a. Where direct confrontation with suspects is anticipated, the plainclothes officers involved in the contact should wear clothing (such as a vest with the word "POLICE" printed on it) that clearly identifies the officers. (Revised 12/03, 2/20)
b. When not clearly identified as a police officer, the plainclothes officer should carry his/her firearm in compliance with Volume I, Section 520.06.1. (Revised 11/02)
c. When stopped, plainclothes officers should identify themselves verbally and indicate where credentials and weapons are located.
d. Plainclothes officers should follow the instructions of the uniformed officer explicitly.
e. Plainclothes officers should avoid any sudden movement which could be interpreted as suspicious or threatening. Keep hands in sight and open.
f. Plainclothes officers should comply with any requests of the uniformed officer without hesitation.
g. Plainclothes officers should be prepared to provide the phone number and name of a supervisor or other agency member who may be contacted for verification as requested by the uniformed officer.

510.05 Unplanned Events. Recognizing the changing nature and direction that investigations may take, service agencies may find it necessary to enter into a venue agency's jurisdiction without prior coordination. In such instances, the venue agency will be notified as soon as possible, conforming to above procedures.

515 Special Enforcement Section Case Referral. This procedure is for the reception, dissemination, evaluation, and tracking of vice, narcotic and gang related "victimless" complaints and information.

515.01 Generally. "Victimless" complaints are reports by the public of apparent criminal activity in which the reporting party is usually not the victim, but are highly visible and tend to tarnish the city's image. These include complaints of gang or prostitution activity, and street and neighborhood narcotics sales. When citizens make such complaints, they should feel comfortable in knowing that their concerns are being heard, documented and, if applicable, investigated.

515.02 Procedure. Such complaints will be documented on the Special Enforcement Section Case Referral form. Most are received at the front counter of the Police Department. However, when ANY member of the Department receives a "victimless" complaint of apparent criminal activity occurring within the City, he/she will document it on the Case Referral form. Members shall not refer the reporting party to the Special Enforcement Section.

515.03 Patrol Members. When a complaint is received, the member taking the information should complete the top two thirds of the Case Referral form. Anonymous complaints are discouraged. Reporting parties should be advised that their information will be used as a point of contact only for the investigator, who may need to contact them to resolve the problem they are reporting, and it will not be given out. Once completed, the form should be placed in the Special Enforcement Section mailbox. Case numbers are not required for a Case Referral form.

515.04 Special Enforcement Members. When received by the SES, the Referral Form will be assigned a six-digit SES number starting with the letter "N". All referrals will be logged into the SES Case Referral system. Computer checks will be conducted to enhance the information provided. The reporting party may be re-contacted to provide further information.

515.04.1 Assignment. After the appropriate background checks have been completed, the case will be forwarded to the appropriate SES supervisor for a determination on assignment. The case will either be "assigned" or "not assigned". Not assigned cases will be maintained in the Case Referral system for future reference. Assigned cases will be forwarded to the identified detective. Cases may also be assigned to members outside Investigations. (Revised 12/03)

515.04.2 Time Limits. Upon being assigned a case, the detective becomes responsible for the proper and timely investigation of the case. Time limits are to be adhered to in all cases. Supervisors will be given the latitude and held responsible for changing the time limits. Time limit extensions, however, are to be considered the exception. (Revised 12/03)

The following schedule will be followed:
a. The reporting party will be contacted within five days.
b. The case will be presented for review by the assigning supervisor within thirty (30) days.
c. The case will be closed within sixty (60) days.

515.04.3 Once completed, the detective will complete the back of the Case Referral form and submit to the assigning supervisor for approval. (Revised 12/03)

515.04.4 SES members will complete a Case Referral form under any of the circumstances previously outlined and in the following situations:
a. On any location where a search warrant has been obtained.
b. On any assigned "special project".
c. On any self-initiated activity other than a routine arrest.