

Woodland Police Department

Woodland PD Policy Manual

CHIEF'S PREFACE

The department's manual contains policies that direct how we conduct our business. These policies are guided by statute and court decisions. Changes to the policies keep the manual current with procedures, statutes and case law. As a department, our administration meets with board members from each association to get input on these changes. It is expected that members will use good judgment when encountering unusual circumstances and report situations which highlight needed changes to this manual.

When changes to the manual are made, we will distribute them for staff review and acceptance. Every employee will have access to an electronic version of the manual and every employee is responsible for being familiar with and abiding by the policies. Any questions about the policies should be brought to the employee's immediate supervisor for clarification.

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MISSION STATEMENT

The mission of the Woodland Police Department is to preserve the peace and protect the public through strong community partnerships and effective policing.

4 Core Values:

Integrity

We are committed to the highest standards of honesty and ethical conduct, which are the pillars of our profession.

Compassionate Service

We will be mindful of the humanistic needs of our diverse community by showing empathy, respect and responsiveness.

Community Relations

We will have a comprehensive community relations program to enhance visibility and trust, reduce crime and empower the public.

Professionalism

We value dedication, accountability and clear direction. We will achieve professionalism through teamwork, creativity, transparency and continuous education.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Woodland Police Department to perform their functions based on established legal authority.

100.2 PEACE OFFICER POWERS

Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Penal Code § 830.1 et seq.).

100.3 CONSTITUTIONAL REQUIREMENTS

All employees shall observe and comply with every person's clearly established rights under the United States and California Constitutions.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed within the State of California shall receive certification by POST within prescribed time periods.

101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment (Penal Code § 832.4).

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Woodland Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. All sworn members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

"I, (employee name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Government Code § 3105).

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Woodland Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All employees are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

103.1.1 DISCLAIMER

The provisions contained in this Policy Manual are not intended to create an employment contract, nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Woodland Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or employees. Violations of any provision of any policy contained within this manual shall only form the basis for departmental administrative action, training or discipline. The Woodland Police Department reserves the right to revise any policy content, in whole or in part.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to employees of this department under the circumstances reasonably available at the time of any incident.

103.2.1 STAFF

Staff shall consist of the following:

- Deputy Chief of Police
- Lieutenant assigned to Patrol
- Lieutenant assigned to Investigation (Investigations)
- Lieutenant assigned to Community Relations

The staff shall review all recommendations regarding proposed changes to the manual at staff meetings.

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103.2.2 OTHER PERSONNEL

All Department employees suggesting revision of the contents of the Policy Manual shall forward their suggestion, in writing, to the Deputy Chief who will consider the recommendation and forward to staff.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.3.1 ACCEPTABLE ABBREVIATIONS

The following abbreviations are acceptable substitutions in the manual:

- Departmental Directives may be abbreviated as “DD”
- Policy Manual sections may be abbreviated as “Section 106.X” or “§ 106.X”

103.3.2 DISTRIBUTION OF MANUAL

A computerized version of the Policy Manual will be made available on the Department network for access by all employees. The computerized version will be limited to viewing and printing of specific sections. No changes shall be made to the electronic version without authorization.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP- The California Highway Patrol.

CFR - Code of Federal Regulations.

City - The City of Woodland Police Department.

Non-sworn - Employees and volunteers who are not sworn peace officers.

Department/WPD - The Woodland Police Department.

DMV - The Department of Motor Vehicles.

Employee/personnel - Any person employed by the Department.

Juvenile- Any person under the age of 18 years.

Manual - The Woodland Police Department Policy Manual.

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May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Woodland Police Department, including full-time sworn officers, reserve officers, non-sworn employees and volunteers.

Officer - Those employees, regardless of rank, who are sworn peace officers of the Woodland Police Department.

On-duty - A member's status during the period when they are actually engaged in the performance of their assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

103.5 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that they have reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each unit commander/manager will ensure that employees under their command are aware of any Policy Manual revisions.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Bureau Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

Law Enforcement Code of Ethics

104.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

104.2 POLICY

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other persons at the time of appointment (11 CCR 1013).

104.3 LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; 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 to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, 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.

104.3.1 OBJECTION TO RELIGIOUS AFFIRMATION

Reference to religious affirmation in the Law Enforcement Code of Ethics may be omitted where objected to by the officer.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 BUREAUS

The Chief of Police is responsible for administering and managing the Woodland Police Department. There are four bureaus in the Police Department as follows:

- Administration Bureau
- Patrol Bureau
- Investigations Bureau
- Community Relations Bureau

200.2.1 ADMINISTRATION BUREAU

The Administration Bureau is commanded by the Chief of Police whose primary responsibility is to provide general management direction and control for the Administration Bureau. The Administration Division consists of the Chief of Police, Deputy Chief and Chief's Executive Assistant.

200.2.2 PATROL BUREAU

The Patrol Bureau is commanded by the Deputy Chief, and a Lieutenant whose primary responsibilities are to provide general management direction and control for that Bureau. The Patrol Bureau consists of Uniformed Patrol, Tactical Operations, Field Training, Reserves, Bicycle Patrol, Honor Guard and the K-9 Program.

200.2.3 INVESTIGATIONS BUREAU

The Investigations Bureau is commanded by the Deputy Chief, and a Lieutenant whose primary responsibility is to provide general management direction and control for the Bureau. The Bureau consists of the Investigations Bureau, Gang Task Force, FBI Safe Streets Task Force, Cannabis Unit, Crime Analysis Unit, and Property and Evidence.

200.2.4 COMMUNITY RELATIONS BUREAU

The Community Relations Bureau is commanded by the Deputy Chief, and a Lieutenant whose primary responsibility is to provide general management direction and control for the Bureau. The Bureau consists of the Community Relations Sergeant, Traffic Unit, Homeless Outreach Street Team (HOST), School Resource Officers, Records, Crime Prevention and Volunteer Program.

200.2.5 SUPPORT SERVICES UNIT

The Support Services Bureau is commanded by the Deputy Chief, and a Support Services Manager whose responsibility is to provide general management direction and control for the Unit. The Unit consists of Training, Budget, Facility, Alarm Permits and Grants.

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Organizational Structure and Responsibility

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate the Deputy Chief to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) The Lieutenant assigned to Patrol.
- (b) The Lieutenant assigned to Community Relations.
- (c) The Lieutenant assigned to Investigations.
- (d) The senior on-duty sworn supervisor shall be designated as the ranking authority of the Department.

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Forms Control

201.1 PURPOSE AND SCOPE

The policy of the Woodland Police Department will be to establish and ensure procedures for the development, revision, evaluation and consolidation of forms.

201.2 RESPONSIBILITY

The Chief's Executive Assistant retains the responsibility for maintenance and monitoring of all forms for the Department as the coordinator of this procedure. The Chief's Executive Assistant ensures that the forms used by the Department are in conformance with the procedures set forth in this general order.

- (a) Maintenance and monitoring includes: development, revision, data-entry formatting, numbering, ordering, typesetting and general supply of forms, pamphlets and all formal printed and/or website-generated materials available through the Department.
- (b) Command staff will review forms developed or reviewed.

The Chief of Police or their designee retains authority for final approval prior to any printing request being processed or website updated.

201.3 FORM DEVELOPMENT AND/OR REVISION

Any employee may propose the creation, revision or consolidation of forms that would increase the efficiency or effectiveness of the Department. Employees will forward the suggested form or revision to the Chief's Executive Assistant.

Prior to approval or typesetting, the proposed form or revision must be reviewed and evaluated by appropriate staff. Appropriate staff shall include those working directly with the form and those who have knowledge about the procedure the form addresses.

201.4 FORM NUMBERING

Each Department form and pamphlet will be uniquely numbered.

Each form number will consist of a combination of group function identity plus a sequential number and the date originated or revised.

WDPI0001(Orig. 10/01/02) - Investigations WDPP0001(Rev. 10/01/02 - Patrol WDPA0001(Date) - Administration WDPG0001(Date) - General WDPR0001(Date) - Records, Warrants and Property/Evidence

201.5 ORDERING FORMS/INVENTORY STOCK

Forms will be ordered through the Chief's Executive Assistant or designee. Supplies of departmental forms will be stocked with a reorder indicator inserted into the stock at an appropriate level. All personnel who restock forms will be responsible to bring reorder indicators to the attention of the Chief's Executive Assistant.

The Records supervisor or designee will be responsible for ordering additional supplies.

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Forms Control

A complete collection of departmental forms will be retained in the Office of the Chief.

The collection will contain a form sample and a list of information:

- (a) Form number.
- (b) Title.
- (c) Method of reproduction/vendor.
- (d) Location.
- (e) Special preparation instruction.
- (f) Distribution.
- (g) Reorder dates/amounts.
- (h) Minimum stock level.

Media Relations Policy

202.1 PURPOSE

The purpose of this order is to provide policy, direction and procedure for employees when contacted by the media on a newsworthy event.

202.2 POLICY

Within established procedures and in accordance with state and federal law, the authorized Department personnel shall provide certain information to members of the media on matters of public interest.

202.3 RESPONSIBILITIES

The following personnel are assigned to media relations in the following areas:

- (a) The Chief of Police is responsible for the release of information to the media. In the absence of the Chief of Police, the Deputy Chief will assume this responsibility. The Chief of Police may delegate all or part of this responsibility to a Department member.
- (b) The Community Relations Sergeant is designated as the Public Information Officer (PIO) and all requests for media information with the exception noted in subsection c of this section will be directed to the PIO.
- (c) The Bureau Commander or designee is authorized to release information on a day to day basis involving cases under their control, but they shall confer with the PIO on all major criminal investigations in order to consolidate the information with any releases being prepared by the PIO.
- (d) All other personnel of this Department shall refer representatives of the media to the PIO for news releases that pertain to any Department information.

202.4 RELEASEABLE INFORMATION

Except to the extent that disclosure of a particular item of information would endanger the safety of person involved in an investigations or would endanger the success of the investigation or related investigation personnel of the Department shall make public the following information:

- (a) Suspect's name
- (b) Suspect's date of birth.
- (c) Suspect's place of residence (except Juveniles)
- (d) Arresting Department
- (e) Investigative Unit or arresting officer
- (f) The substance or text of the charge (such as complaint or indictment)
- (g) Circumstances immediately surrounding the arrest, to include the time and place of arrest, resistance, pursuit, and possession and use of weapons.

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Media Relations Policy

202.5 NON-RELEASABLE INFORMATION (PREJUDICIAL)

The right to a fair trial and “freedom of the press” are both constitutional guarantees. The resolutions of any conflict are matters for the people and the courts to decide. The police role is to recognize the validity of both principles and base police action on current statutory provisions and case law. In order to comply with these restrictions, personnel shall not discuss the following matters with members of the news media:

- (a) Observations about the suspect's character or reputation.
- (b) Statements, admissions, confessions, or alibis attributable to a suspect, previous criminal records, or the lack of the above.
- (c) References to investigative procedures such as finger printing, polygraph examinations, Computerized Voice Stress Analysis, ballistic tests or laboratory tests or the lack of the above.
- (d) Statements concerning evidence in the case, whether or not it is anticipated that such evidence will be used at trial.
- (e) Statements concerning the identity, credibility, or testimony of a prospective witness.
- (f) Express an opinion of the suspect's guilt or innocence.

202.6 SUSPECT PHOTOGRAPHS OR INTERVIEWS

- (a) Suspects shall not be moved or posed solely for the purpose of allowing photographs or news film to be taken. However, news photographers shall not be prevented from taking un-posed pictures in or from public places.
- (b) Suspects shall not be submitted to an interview by representatives of the news media while in police custody.
- (c) Requests for booking photos shall be directed to the Yolo County Sheriff's Department.

202.7 RESPONSIBILITIES OF THE PUBLIC INFORMATION OFFICER

Responsibilities of the PIO include, but are not limited to the following:

- (a) Handle the day-to-day news media inquiries regarding all crimes occurring within the city limits, as well as questions relative to on-going criminal investigations.
- (b) Release news information that affects two or more Bureaus within the Police Department.
- (c) Respond to the scene of a major incident, disaster, or emergency upon request.
- (d) Disseminate information affecting policy changes or administrative matters.
- (e) Upon request, assist an office, division, or section in the preparation, coordination and release of media information and programs upon request.
- (f) Insure that media information is distributed equally and fairly among the local news media.
- (g) Insure the timely release and coordination of all news information.

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- (h) Coordinate media requests for employee interviews, interviews with the Chief of Police, media news conferences and answer media questions concerning Department policy.
- (i) Handle requests for statistical data made by news media representatives.

NOTE: In the absence of the Community Relations Sergeant responsibilities of the PIO shall rest with the person so assigned by the Chief of Police, or in the Chief's absence a command staff officer.

202.8 NEWS MEDIA

- (a) News Media Contact - Officers shall prepare a memorandum to the PIO concerning any perceived unethical or unprofessional conduct by members of the news media. A copy of this report shall be sent to the appropriate news agency through the Office of the Chief.
- (b) Media Access to the Police Department- Press releases and other documents normally available to the media shall be placed in an appropriate location accessible to the media.
- (c) Media personnel are not allowed free access within the Department. When members of the media are observed in unauthorized areas, it shall be brought to the attention of a supervisor. The supervisor shall ask the individual to leave the unauthorized area. Media personnel will be provided with an area to allow them the opportunity to view the current press releases and crime/arrest reports which are releasable.
- (d) Press Access to Sites and Premises - The US Constitution and California statutes both provide rules concerning media access to public, private, commercial and residential places.
 - 1. California Peace Officers have statutory authority to exclude the public from any accident, disaster or riot. The Penal Code makes unauthorized entry or refusal to leave such areas punishable as a misdemeanor. (409.5 P.C.)
 - 2. No duly authorized representative of any news service, newspaper, radio or television station, shall be prevented from entering enclosed areas, such as those described above, unless police personnel at the scene reasonably determine that such unrestricted access will interfere with emergency operations. (Leiserson vs. San Diego)
 - (a) The media person is required to provide a press badge or some other form of identification which is evidence that they are an authorized representative of a news service.
 - 3. School Grounds - Principals or their designee have the authority to exclude certain defined "outsiders" from their campus (626.4 P.C.) and require that all persons register their presence immediately upon entering the grounds. Reporters and photographers are categorically exempt from this requirement unless, their presence can be shown to be disruptive or threatens to result in the destruction of school property.

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4. Public Meetings - Members of the body conducting the meeting may order the room cleared of all persons who are actively causing a breach of the peace and then resume their meeting in executive session. However, the media is exempt from this order unless they (media) participated in the disorderly demonstration, or breach of peace.
5. Crime Scenes and Raids - The media does not have free access to crime scenes and areas or residences determined to be the scene of a crime or raid where evidence is being protected or gathered. The crime scene area should be cordoned off or protected by the use of tapes or devices to make perimeters of the scene easily identifiable. The media should then be directed to a point or points outside the barriers where the media can conduct their business. Refusal by any member of the media to leave a structure or an area determined to be a crime scene, should be brought to the attention of the PIO or scene commander.

202.9 POLICE REPORTS AND PHOTOGRAPHS

- (a) Police Reports - The news media shall routinely have access to the face sheet media copies of the completed crime and arrest reports for at least a 24 hour period. A completed crime and arrest report shall be defined as a report which has been approved and processed by records.
- (b) Release of Victim/Suspect Identification
 1. Unless otherwise restricted by this order, and unless the release of the information would endanger the safety of the victim, or jeopardize the successful completion of an investigation, the name, age and current address of the victim will be released.
 2. Victim information restricted under Government Code Section 6254(f) will not be disclosed in a press release.
 3. Juvenile Suspects - The identity of juvenile suspects detained or arrested shall not be disclosed in a press release nor provided in response to inquiries from the news media.
 4. Juvenile Victims – The identity of juvenile victims shall not be disclosed in a press release. This section does not affect the current process involving the identity of victims in crime report face sheets.
- (c) Photographs (Adult) - Only authorized personnel, as defined in section A, may release photographs of adults to the news media for investigative purposes. Other personnel shall not release photographs of a subject to the news media without the approval of the Chief of Police or their designee. Prior to the release of any photo, the District Attorney's office will be consulted to ensure the release does not jeopardize the prosecution of the case.
- (d) Photographs (Juvenile) - The Department shall not release photographs of juvenile suspects or juveniles in custody to the news media. Photographs of juveniles listed as victims of a crime or missing persons may be released to the media only after consent has been granted by the authorizing parent or guardian and with supervisory approval.

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- (e) Information on Deceased Persons - No information regarding the identity of the decedent shall be released prior to the Coroner's Office making notification of death to the next of kin.
- (f) Suicide Notes - The contents of suicide notes shall not be released, although it may be reported that a note was found.

202.10 CONDUCT OF DEPARTMENT PERSONNEL

- (a) Personal Opinions - When questions of personal opinion arise, there is always an element of judgment. Officers are advised to adhere to the facts that are releasable. When personal opinions are given, the officer must be sure that their opinion does not include that information designated as non-releasable.
- (b) Personal Interview - Personal media interviews are regarded as prepared news releases within the meaning of this policy. A prearranged appointment shall be made for the interview. The PIO shall be notified of any interview requests and the topic to be discussed prior to the interview being granted. The PIO shall inform the Chief of Police of the interview prior to the actual interview.
- (c) In Progress Situations - Media requests made to personnel regarding an in-progress situation shall be referred to the Department personnel authorized to make media releases.
- (d) Assisting Outside Agencies - Members of the Department, when assisting outside agencies, shall refer media inquiries to the outside agency. Officers shall not release information furnished to the Department by other agencies. If the same information was obtained from our independent investigation of the incident, then the release of the information shall follow the policy as set forth in this order.

Departmental Directive

203.1 PURPOSE AND SCOPE

Departmental Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

203.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of Staff. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01" For example, 08-01 signifies the first Departmental Directive for the year 2008.

203.2 RESPONSIBILITIES

203.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Departmental Directive.

203.2.2 CHIEF OF POLICE

The Chief of Police shall issue all Departmental Directives.

Emergency Management Plan

204.1 PURPOSE AND SCOPE

The City has prepared an Emergency Management Plan for use by all employees in the event of a major disaster or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

204.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Management Plan can be activated on the order of the official designated by local ordinance.

204.2.1 RECALL OF PERSONNEL

In the event that the Emergency Management Plan is activated, all employees of the Woodland Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

204.3 LOCATION OF THE PLAN

The Emergency Management Plan is available on the city network on the "N" drive, under Emergency Patrol (Patrol\N:\Public\Emergency Operations\EOP Basic Plan\Continuity of Operations). All supervisors should familiarize themselves with the Emergency Management Plan. The Administration supervisor should ensure that department personnel are familiar with the roles police personnel will play when the plan is implemented.

204.4 UPDATING OF MANUALS

The Emergency Management Plan Manual shall be reviewed in accordance with city ordinance to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any needed revisions.

Employee Roster

205.1 PURPOSE AND SCOPE

To establish procedures for emergency notification, maintenance, and release of employee residence address and telephone information.

To maintain a complete and accurate roster of employees' home telephone numbers and residence addresses and ensure its confidentiality.

205.2 EMPLOYEE ROSTER

The Chief's Executive Assistant shall be responsible for the completion and distribution of the Department's Employee Roster. Updated rosters shall be distributed as needed.

The Employee Roster shall contain the following information:

- (a) Alphabetical listing of all employees
- (b) Home address, city, zip code
- (c) Mailing address if different from residence
- (d) Primary phone number(s)
- (e) Work extension or Voice Mail number
- (f) Spouse
- (g) Emergency contact and phone number

The Employee Roster is a confidential document and shall have limited distribution. Employees may maintain a copy for personal use.

205.3 EMPLOYEE RESPONSIBILITY

Employees shall maintain current residence addresses and telephone numbers on file with the Chief's Executive Assistant. Employees shall not indicate an answering service, such as a parent's residence and/or telephone number where the employee does not actually reside.

Employees shall review each new issue of the Employee Roster to ensure accuracy. Corrections shall be given to the Chief's Executive Assistant.

Employees who move while on military leave, sick leave, vacation, or Injured on Duty leave shall notify the Chief's Executive Assistant upon return to work.

205.4 RELEASE OF INFORMATION

Confidential personal information shall not be released to anyone who is not a Police Department employee. Every attempt shall be made to protect the confidentiality of employees' home telephone numbers and addresses.

When an employee requests another employee's home telephone number over the telephone, the person giving out the information shall verify beyond any doubt, that the requestor is authorized to have the information. If the person releasing the information is satisfied the requestor is authorized

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to have the information it may be released. However, if not satisfied, the information shall not be released. If the requestor is not authorized to receive the information the requestor's phone number may be taken and that information forwarded to the employee at their residence.

COMPRESSED WORKWEEK - NON-EXEMPT EMPLOYEES

206.1 PURPOSE AND SCOPE

The department seeks to efficiently implement compressed schedules that are equitable, clearly understood, and to the mutual benefit of the unit/department and employee, while ensuring compliance with applicable regulations, personnel policies/procedures and/or collective bargaining agreements. Whenever a non-exempt employee participates in a compressed workweek schedule, the department will need to ensure that FLSA regulations are strictly adhered to.

206.2 PROCEDURE

9/80 FLSA Work Period

- (a) For those employees working a 9/80 schedule, the workweek starts at 12:00 p.m. on their eight-hour workday and ends at 11:59 a.m. seven days later. For those employees who have a start time other than 8:00 a.m., the workweek starts at the mid-point of their eight hour day and ends 168 hours later.
- (b) Days off moved outside of the 40 hour FLSA work period must be approved by a supervisor and may result in overtime.

Training

207.1 PURPOSE AND SCOPE

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

207.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

207.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.
- (c) Provide for continued professional development of department personnel.
- (d) Ensure compliance with POST rules and regulations concerning law enforcement training.

207.4 TRAINING PLAN

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

- (a) State Mandated Training
- (b) Critical Issues Training

207.5 TRAINING NEEDS ASSESSMENT

The Training Section will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

207.6 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. Vacation

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3. Sick leave
 4. Physical limitations preventing the employee's participation.
 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
1. Notify their supervisor as soon as possible but no later than one hour prior to the start of training.
 2. Document their absence in Plan It.
 3. Make arrangements through their supervisor and the Training Manager to attend the required training on an alternate date.

207.7 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Woodland Police Department Policy Manual and other important topics. Generally, twelve training bulletins are available each month. However, the number of DTBs may be adjusted.

When personnel access the DTBs they should only use the password and login name assigned to them by the Training Manager. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Supervisors should incorporate the DTBs into daily briefings as time permits.

Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs while on-duty.

207.8 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

207.9 TRAINING MANAGER

The Chief of Police shall designate a Training Manager who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Manager should review the training plan annually.

207.9.1 TRAINING RESTRICTION

The Training Manager is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

Travel/Training Reimbursement

208.1 PURPOSE AND SCOPE

To establish procedures for requesting approval and reimbursement for training and travel expenses.

208.1.1 DEFINITIONS

TRAINING - An activity that directly results in the improved skills, knowledge, and abilities of the individual employee, and which can be considered beneficial to the Department as a whole. Training shall be defined by the following activities:

- (a) Formal courses, seminars, or conferences, whether sponsored and instructed internally or conducted by another organization or educational institution, which can be shown to improve work skills and increase knowledge necessary for the job.
- (b) Scheduled meetings and interactions with other law enforcement agencies which increase job skills, knowledge, and abilities, and which involve an expense to the City for lodging or travel, excluding costs related to the use of a City vehicle

TRAVEL - The movement of an employee to training put on by another agency, and which is outside of the City of Woodland.

LOCAL TRAVEL - Travel is considered local if it is within a 50-mile radius. This radius is calculated from 1000 Lincoln Ave, Woodland CA 95695.

OUT OF TOWN OR OVERNIGHT TRAVEL - This is defined as travel outside of a 50-mile radius or travel that requires the traveler to be away from home for at least one night. This radius is calculated from 1000 Lincoln Ave, Woodland, CA 95695.

208.1.2 GENERAL GUIDELINES

Information regarding travel expenses is contained in the City of Woodland Travel Policy. See attachment: Travel and Travel Reimbursement (rev 10.1.07).pdf

208.1.3 TRAINING REQUEST PROCESS

All requests for travel or training, regardless of cost or duration, shall be submitted as far in advance as possible, via the chain of command, on a current "Training Course/Conference Request" form. A course or conference flyer shall be attached to the request form. The documents shall be forwarded for action as follows:

- (a) Employee forwards the request form to their immediate supervisor for justification and schedule adjustments as needed.
- (b) Immediate supervisor forwards to the Training Coordinator to verify the training plan requirement and if the course is POST reimbursable and provide a cost estimate
- (c) The Training Coordinator will then forward to the Bureau Lieutenant for approval.
- (d) Bureau Lieutenant forwards up the chain of command to the Chief of Police for approval. The Chief of Police will forward the request form to the Training Coordinator.

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- (e) The Training Coordinator will notify the employee if the training request is approved. Notification of denial will be handled by the Bureau Lieutenant..
- (f) The Training Coordinator will handle all training registration and travel arrangements.

208.1.4 DENIED TRAINING REQUESTS

Incomplete training course request forms will be returned to the employee. In the event a training request is denied a copy of the training request form shall be retained in the employee's evaluation file.

Training requests that are denied by a supervisor will still be reviewed by the Chief of Police via chain of command

208.1.5 TRAVEL ARRANGEMENTS

All commercial travel arrangements shall be made by the Training Coordinator. Cancellations or changes in travel/training dates must be made with the the Training Coordinator as soon as possible. If the officer must change the travel arrangements made by the the Training Coordinator, the officer must first obtain approval from the Bureau Lieutenant and notify the the Training Coordinator of these changes.

208.1.6 TRAINING PACKET

The the Training Coordinator will provide employees with a training packet containing the required City and Department forms. Under normal circumstances, a travel advance will also be available before the start of the trip.

Employees shall return the training packet, with the completed required form(s), all receipts, excess travel advances and any other required paperwork (including the course assessment) to the Training Coordinator within ten (10) business days after completion of the trip.

- (a) Reimbursement requests shall be reviewed by the Training Coordinator.
- (b) The the Training Coordinator shall ensure that reimbursement requests are sent to the Finance Department immediately.
- (c) Reimbursement requests not returned within this time limit may not be honored.

Employees who fail to return any travel advances in excess of claimed expenses, within the ten (10) day maximum time limit, may be subject to disciplinary action.

Travel for transportation of prisoners shall be subject to the requirements noted above. The training packet must be returned with the completed paperwork and receipts as detailed above.

208.1.7 TRANSPORTATION OF PRISONERS

Employees engaged in the transportation of prisoners are exempt from the city requirements to obtain city manager approval prior to travel. Prisoner transport arrangements shall be prepared by the Investigations CSO.

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208.2 OUTSIDE AGENCY SUBPOENAS

1) When an employee is served a subpoena from an outside agency which is located less than 200 miles from Woodland, for actions arising as a result of activity as an employee of the Woodland Police Department, the employee shall contact the agency that issued the subpoena and inquire what material is needed, if the subpoena includes a "Duces Tecum" requirement.

a) Off Duty Court Overtime:

i) Shall include travel time to and from Woodland, except the overtime pay shall stop when released from court if the employee has obtained permission to remain in the area for personal reasons (i.e. staying to have dinner with family/friends).

ii) If the employee's duty hours start while the employee is still in court, or en route back to Woodland, the court overtime stops at the start of shift time.

iii) If an employee is on duty and their shift ends while the employee is still in court or traveling back, the court overtime starts at the end of the shift time and ends on arrival back at the police department.

b) DMV hearings shall be honored.

2) Over 200 miles from Woodland, for actions arising as a result of activity as an employee of the Woodland Police Department. The employee shall contact the agency that issued the subpoena, confirm the date and time needed and inquire what material is needed if the subpoena includes a "Duces Tecum" requirement.

a) The outside agency is required to furnish all transportation, food and lodging expenses.

i) If airline tickets must be provided for travel, the outside agency shall be directed to deal directly with the employee to arrange for ticket purchase and pickup.

ii) Prior to departure, the employee will contact the agency who issued the subpoena to ensure that they are still needed on the date stated on the subpoena.

3) Employee's staying in the outside agency city on a regular work day, shall be considered to have been on-duty while in court or en route back to Woodland.

4) Off-duty court overtime:

a) Shall include travel time to and from Woodland.

b) Employees staying in the outside agency city on their regularly scheduled day(s) off shall be paid overtime during court hours. Overtime shall begin at 0800 and end when the employee is released from court, not including lunch time.

c) Employees shall have their subpoena signed and date/time stamped by the court upon arrival and departure each day.

5) Employees who are required to stay longer than noted on the subpoena, shall call their immediate supervisor and advise them of the reason, time and date they expect to be released.

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6) If employees need transportation from Sacramento International Airport, their immediate supervisor shall make the necessary arrangements.

7) DMV hearings shall be honored.

Electronic Mail

209.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

209.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Department's email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

209.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password by others.

209.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law. Users of email are solely responsible for the maintenance of their email accounts.

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The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

209.5 ACCESS TO DEPARTMENT EMAIL

City of Woodland policy 31-102, Use of City Computers, Electronic Mail and Internet Access, summarizes the restrictions for external access of City computer systems. See attachment: Use of City Computers Elec Mail and Internet Access.pdf

Employees provided a department cellular phone or other City equipment capable of accessing City computer systems for the purpose of viewing, responding, and initiating electronic mail are authorized to use the equipment to access the City's computer systems from outside the City's network.

- (a) Employees who are nonexempt from FLSA overtime shall not access the City's computer systems during nonworking hours without first receiving approval from their Bureau Commander.

Administrative Communications

210.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

210.2 MEMORANDA

Memoranda may be issued periodically by the Chief of Police, or designee, to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

210.3 CORRESPONDENCE

When appropriate all external correspondence shall be on Department letterhead. Personnel should use Department letterhead only for official business.

210.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or the Deputy Chief.

Staffing Levels

211.1 PURPOSE AND SCOPE

STAFFING LEVELS

The purpose of this policy is to ensure that proper staffing and supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

211.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in the scheduling of at least one Sergeant on duty whenever possible. The Lieutenants assigned to the Patrol Bureau will ensure that at least one field supervisor is deployed during each shift.

211.2.1 SUPERVISION DEPLOYMENTS

In order to accommodate training and other unforeseen circumstances, a Corporal may be used as field supervisor in place of a Sergeant, as long as staffing level only drops to one below minimum for that shift.

With prior authorization from the Deputy Chief, a Corporal may act as the Patrol Supervisor for a limited period of time.

211.3 PATROL MINIMUM STAFFING LEVELS

Minimum staffing levels for the patrol division are as follows:

Day Shift: Tuesday through Friday Supervisor and 4 Officers.

Day Shift: Saturday through Monday Supervisor and 4 Officers.

Swing Shift: Tuesday through Friday Supervisor and 4 Officers.

Swing Shift: Saturday through Monday Supervisor and 4 Officers.

Grave Shift: Supervisor and 4 Officers.

On Friday and Saturday nights minimum staffing for the grave shift increases to 5 Officers until 0300 hours.

During all shift overlaps: Monday Grave Shift, Tuesday Day Shift, Friday Swing Shift, daily from 1400 - 1700 hours and 2130 - 0000 hours Supervisor and 6 Officers.

Reserve police officers shall not replace a full time sworn police officer for the purpose of meeting patrol shift minimum staffing levels.

Patrol Shift and Vacation Sign-up Rules

212.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that Patrol shift and Vacation sign-ups are conducted in a consistent manner. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

212.2 PATROL SHIFT SIGN-UP RULES

The restrictions for sign-ups are:

- (a) Patrol sign-ups shall be based on seniority and conducted in the following order:
 - 1. Sergeants - Seniority shall be defined as time in class, plus higher class.
 - 2. Corporals - Seniority shall be defined as time in the assignment.
 - 3. Officers - Seniority shall be defined as the swear-in date as a police officer with the City of Woodland.
- (b) Officers cannot work a shift more than two consecutive times (unless the officer has been approved for preferred assignment). It is the employee's own responsibility to ensure you comply with this regulation before signing up for your next shifts. The Division Commander can assign an officer to a shift in violation of this rule if the assignment is necessary to meet the needs of the department.
- (c) Following the successful conclusion of an officer's initial probation the new officer must work each shift for a full rotation at least once within the following two years.
- (d) No more than two (2) employees assigned to the SWAT Team (excluding Sergeants) can work on the same team. The Bureau Commander can assign an officer to a team in violation of this rule if the assignment is necessary to meet the needs of the department. Shift vacancies causing shifts to be below shift minimum standards by SWAT Team Training will be covered by SWAT Team members. Other personnel covering these shifts or overtime approval for these shifts shall be approved by the Bureau Commander.

212.3 PATROL SHIFT SIGN-UP PROCEDURES

Annually, during the month of October, Officers will be assigned a date and time to sign-up for the following calendar year's patrol shifts. If an officer misses their assigned time, they will be able to sign-up at any time after their assigned block, however less senior officers will have the opportunity to sign-up in the mean time.

212.4 SHIFT TRADES

After the entire shift sign-up is complete officers can trade shifts with another officer as long as the trade is agreeable to both officers and the trade is approved by the Bureau Commander. A shift trade will not be approved if the trade creates a conflict due to scheduled vacation, training, and other scheduled absences or with the sign-up rules. In these cases the trading officers may be required to adjust their scheduled time off to resolve the conflict.

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Patrol Shift and Vacation Sign-up Rules

212.5 PATROL VACATION SIGN-UP RULES

The following are the rules for Patrol Vacation Sign-up work schedule:

- (a) Supervisors and officers will sign up for one or two annual vacation periods. No more than two periods will be honored. The sum of the time for both periods taken cannot exceed 16 scheduled work days (one month). If you sign up for more, only the first two periods will be honored and the other periods will be forfeited.
- (b) No time period can consist of less than four scheduled work days. Employees must sign up for an entire work week; employees cannot sign up for only one, two or three days at a time. The work week for weekend swing shift & graveyards is Friday through Monday consecutively.
- (c) Employees selecting the split time option can only take one period during the months of June, July, and August. The other period must fall outside that time period.
- (d) Annual vacation is extremely important to the department. Due to the many unforeseen changes, which we will undoubtedly face during a coming year, all other vacation requests will be done through the shift supervisor no more than six weeks prior to the date requested. All requests exceeding three consecutive days off will require approval by a supervising lieutenant or above.
- (e) No more than one corporal/officer on the same team may be on vacation at the same time.
 - 1. Two corporal/officers on the same shift shall not have lines that overlap more than one day a week.
- (f) No more than one supervisor may be on vacation at the same time unless their lines do not overlap more than one day per week. Sergeants and Corporals on the same team may not be on vacation at the same time.
- (g) Throughout the year, the shift supervisor has the flexibility to approve additional vacation periods/days/number of personnel off on a specific shift, if staffing allows.
- (h) Sign-ups will be done by seniority.
- (i) If the sign-up is done improperly, the officer making the mistake will be responsible for any corrections needed. It is important to sign-up properly to avoid mistakes and end up getting the dates employees do not want.
- (j) Officers will be assigned a date and time that they are to sign up. If an officer fails to sign up on their respective date and time, then the sign up will continue without them. Officers waiting to sign-up for their vacation should keep tabs on the progress of the sign-up so they know the possible dates for their vacation.
- (k) All personnel are reminded this vacation schedule is a tentative schedule and all annual vacations must be confirmed a maximum of six weeks prior to the vacation to guarantee the vacation will be granted.
- (l) If an employee conducts a shift trade the employee may have to modify or cancel their annual vacation if there is a conflict on the new shift.

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Patrol Shift and Vacation Sign-up Rules

Employees should remember that these are guidelines for the annual vacation sign-up only. These guidelines do not limit the total number or rank of the individuals actually allowed to take time off as the year progresses. If staffing allows (officers assigned, training days, light duty, etc.), employees are encouraged to submit requests through regular channels within six weeks of the additional days requested. Requests will be considered first by the date submitted and second by the rank/seniority of the requestor.

License to Carry a Firearm

213.1 POLICY

The Woodland Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this policy.

213.2 QUALIFIED APPLICANTS

In order to qualify for a license to carry a firearm, the applicant must meet certain requirements, including:

- (a) Be a resident of the City of Woodland Police Department (Penal Code § 26150; Penal Code § 26155).
- (b) Be at least 21 years of age (Penal Code § 29610).
- (c) Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
- (d) Be free from criminal convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted.
- (e) Be of good moral character (Penal Code § 26150; Penal Code § 26155).
- (f) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- (g) Provide proof of ownership or registration of any firearm to be licensed if not registered with the California Department of Justice.
- (h) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).
- (i) Complete required training (Penal Code § 26165).

213.3 APPLICATION PROCESS

The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, or Welfare and Institutions Code § 8103 will be issued a license to carry a firearm. A license shall not be issued if the California Department of Justice (DOJ) determines that the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm (Penal Code § 26195).

213.3.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)

- (a) Any individual applying for a license to carry a firearm shall first fully complete a California DOJ application to be signed under penalty of perjury. Any applicant who

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provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.
2. If an incomplete application package is received, the Chief of Police or the authorized designee may do any of the following:
 - (a) Require the applicant to complete the package before any further processing.
 - (b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.
 - (c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction).
- (b) Applicant fees shall be submitted and processed according to department-established procedures and Penal Code § 26190.
 1. Additional fees may be required for fingerprinting, training, or psychological testing, in addition to the application fee.
 2. Full payment of the remainder of the application fee will be required upon issuance of a license.
 3. Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).
- (c) The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use.
- (d) The applicant should submit at least three signed letters of character reference from individuals other than relatives. The below listed areas shall be included in the background investigation:
 1. Personal interviews with neighbors, employers, co-workers, and references supplied by the applicant.
 2. Local law enforcement agency records checks (especially concerning disturbances and similar activity which may not exist in DOJ records).
 3. Weapons registration check.
 4. Medical records, if applicable.
 5. Military records, if applicable.
 6. Department of Justice and National Crime Information Center records checks.

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7. DMV Records.

- (e) The applicant shall submit proof of ownership or registration of each firearm to be licensed.

Once the Chief of Police or the authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied.

In the event that an application is denied at the conclusion of, or during, phase one, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

213.3.2 PHASE TWO

This phase is to be completed only by those applicants successfully completing phase one.

- (a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or the authorized designee. During this stage, there will be further discussion of any potential restrictions or conditions that might be placed on the license.
- (b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed \$150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).
- (c) The applicant shall complete a minimum of eight (8) hours and up to sixteen (16) hours of training approved by the agency that minimally includes firearms safety and the laws regarding the permissible use of a firearm. Renewing applicants shall complete a minimum of (4) hours of training approved by the agency that minimally includes firearms safety and the laws regarding the permissible use of a firearm., which complies with Penal Code § 26165 (Penal Code § 26165).
- (d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other department authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- (e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, to be administered by the department Rangemaster, or provide proof of successful completion of another department-approved firearms safety and proficiency examination, including completion of all

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releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.

Once the Chief of Police or authorized designee has verified the successful completion of phase two, the license to carry a firearm will either be granted or denied.

Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

213.4 ISSUED FIREARMS PERMITS

In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:

- (a) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner, and circumstances under which the person may carry the firearm.
 - 1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
 - 2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.
- (b) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions, and other pertinent information clearly visible.
 - 1. Each license shall be numbered and clearly identify the licensee.
 - 2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.
- (c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).
 - 1. A license issued to a state or federal magistrate, commissioner, or judge will be valid for a period not to exceed three years.
 - 2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.
- (d) If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).
- (e) The licensee shall notify this department in writing within 10 days of any change of place of residency.

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213.4.1 LICENSE RESTRICTIONS

- (a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:
 - 1. Consuming any alcoholic beverage while armed.
 - 2. Falsely representing him/herself as a peace officer.
 - 3. Unjustified or unreasonable displaying of a firearm.
 - 4. Committing any crime.
 - 5. Being under the influence of any medication or drug while armed.
 - 6. Interfering with any law enforcement officer's duties.
 - 7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
 - 8. Loading the permitted firearm with illegal ammunition.
- (b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.
- (c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.
- (d) A total of three (3) firearms may be listed on the permit.
- (e) No rifle or large caliber pistol firearms (FN 5.7, AR-Pistol, AK-Pistol, etc.) will be allowed on the permit.

213.4.2 AMENDMENTS TO LICENSES

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment along with the current processing fee to the Department in order to (Penal Code § 26215):

- (a) Add or delete authority to carry a firearm listed on the license.
- (b) Change restrictions or conditions previously placed on the license.
- (c) Change the address or other personal information of the licensee (Penal Code § 26210).

In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

213.4.3 REVOCATION OF LICENSES

Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

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- (a) The licensee has violated any of the restrictions or conditions placed upon the license.
- (b) The licensee becomes psychologically unsuitable to carry a firearm.
- (c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.
- (d) The licensee engages in any conduct which involves a lack of good moral character.
- (e) If the licensee moves outside of the City of Woodland.
- (f) The license is one to carry "loaded and exposed," the license shall be revoked immediately upon a change of the licensee's place of residence to another county (Penal Code § 26210)

The issuance of a license by the Chief of Police shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Chief of Police as set forth herein.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

213.4.4 LICENSE RENEWAL

No later than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

- (a) Verifying all information submitted in the original application under penalty of perjury.
- (b) Completing a department-approved training course pursuant to Penal Code § 26165. The training course will consist of no less than four hours including firearms safety and the laws regarding the permissible use of a firearm.
- (c) Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- (d) Paying a non-refundable renewal application fee.

Once the Chief of Police or the authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a firearm will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

213.5 DEPARTMENT REPORTING AND RECORDS

Pursuant to Penal Code § 26225, the Chief of Police shall maintain a record of the following and immediately provide copies of each to the California DOJ:

- (a) The denial of a license

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- (b) The denial of an amendment to a license
- (c) The issuance of a license
- (d) The amendment of a license
- (e) The revocation of a license

The Chief of Police shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.

213.6 CONFIDENTIAL RECORDS

The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner, or judge contained in an application shall not be considered public record (Government Code § 7923.805).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of the applicant's family shall not be considered public record (Government Code § 7923.800).

213.7 HOLD HARMLESS AGREEMENT

A hold harmless agreement must be executed, with the applicant specifically naming the Woodland Police Department and City of Woodland.

213.8 SEVERABILITY

Any section, subsection, sentence, clause, phrase or portion of this policy that is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction shall not affect the validity of the remaining portions of this policy.

213.9 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM

The authority to issue a limited business license to carry a concealed firearm to a non-resident applicant is granted only to the Sheriff of the county in which the applicant works. A chief of a municipal police department may not issue limited licenses (Penal Code § 26150). Therefore, such applicants may be referred to the Sheriff for processing.

An individual who is not a resident of the county but who otherwise successfully completes all portions of phases one and two above, may apply for and be issued a limited license subject to approval by the Sheriff and subject to the following:

- (a) The applicant physically spends a substantial period of working hours in the applicant's principal place of employment or business within the City of Woodland Police Department (Penal Code § 26150).
- (b) Such a license will be valid for a period not to exceed 90 days from the date of issuance (Penal Code § 26220).
- (c) The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

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- (d) Any application for renewal or reissuance of such a license may be granted only upon concurrence of the original issuing authority and the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

Retiree Concealed Firearms

214.1 PURPOSE AND SCOPE

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

214.2 POLICY

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

214.3 LEOSA

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

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that they are not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

214.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

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

214.3.2 AUTHORIZATION

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

- (a) In possession of photographic identification that identifies them as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that they have, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

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2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by California law or by a private person or entity on their property if such prohibition is permitted by California law.

214.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

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

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.
- (b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

214.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

- (a) A photograph of the retiree.
- (b) The retiree's name and date of birth.
- (c) The date of retirement.
- (d) The name and address of this department.
- (e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

214.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Woodland Police Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.

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- (b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

214.4.3 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

214.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Patrol Supervisor of their arrest or conviction in any jurisdiction, or that they are the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

214.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both their personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that they are not prohibited by law from receiving or possessing a firearm.

214.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually at a course approved by this department at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.

214.6 DENIAL, SUSPENSION, OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

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214.7 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

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

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 - 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization, and one selected jointly (Penal Code § 26320).
 - 1. The decision of such hearing board shall be binding on the Department and the retiree.
 - 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Patrol Supervisor as soon as practicable. The Patrol Supervisor should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
 - 1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
 - 2. The Patrol Supervisor should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.

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3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Patrol Supervisor should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Patrol Supervisor may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

214.8 FIREARM QUALIFICATIONS

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

Funeral Procedures

215.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for managing funerals and/or memorial services for officers, employees, reserve officers, or Department volunteers who pass away, by the most respectful and sympathetic means possible, consistent with the wishes and needs of the department member's family.

215.2 GENERAL PROCEDURES

When a member dies, the Woodland Police Department shall assist the family of the member in the planning and implementation of funeral and/or memorial services. The expressed wishes of the family shall be paramount when deciding upon the extent of Departmental involvement and the level of the service to be presented.

When a member of the Department dies, either on or off duty, the Department may provide one of five (5) levels of service:

- Level 1 : Full Honors - for regular or reserve officers killed in the line of duty, sworn administrative staff who die while in office, and any active employees who were veterans.
- Level 2 : Partial Military Funeral - for active employees or reserves whose deaths are not service related.
- Level 3 : Formal Flag Folding Ceremony or Presentation of Colors - for retired officers or reserves, as a fitting tribute for their years of service to the community.
- Level 4 : Honorary Service - for retired employees, as a fitting tribute for their years of service to the community.
- Level 5 : Departmental Representation - at funerals for: officers of other agencies; active or retired Department employees and volunteers; City officials who die while in office; civilians who have been community leaders; or at functions commemorating those who have died in the service of their City, State, or Country.

The Department shall attempt to provide all possible and appropriate assistance, support, and service to the next-of-kin of Department employees.

The Department, at the family's request, may assist the next-of-kin in obtaining a preliminary estimate of available benefits:

- (a) final paycheck
- (b) sick leave/vacation payoff
- (c) retirement/survivor benefits
- (d) insurance
- (e) deferred compensation
- (f) social security

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The Department shall notify Human Resources of the death and ensure that the employee's life insurance claim is processed as soon as possible.

The Department may provide the family with a person to accompany them to Human Resources to learn what benefits they are entitled to and how they will be dispersed:

- (a) continuation of health insurance
- (b) deferred compensation fund.

The Department should follow up one month later to ensure that the family has been contacted by the retirement system and/or life insurance carrier.

The Deputy Chief or designee shall have overall responsibility for the coordination and logistical or operational aspects of providing the funeral services desired and for providing assistance to the member's family as needed.

When it is determined that a military funeral is appropriate and desired by the family, the Deputy Chief or designee shall obtain appropriate assistance.

Employee organizations shall be encouraged to participate.

Outside agencies may be called upon to provide manpower.

215.3 DEATH NOTIFICATION

Upon receiving information that a department employee has died, department members shall immediately notify their supervisor.

Notification shall not be made by police radio transmission.

The supervisor shall immediately notify the Chief of Police, or in the chief's absence the Deputy Chief.

The Chief of Police shall notify the City Manager and the Mayor. It shall be the responsibility of the Chief of Police and a designee to make the next-of-kin notification.

- Notification of the spouse, parent(s), or close relations shall be made in person and as soon as possible.
- A Police Chaplain or clergy from the deceased's faith may accompany the Chief of Police to make the notification.
- If distance makes personal notification impossible, the Chief of Police may ask for assistance from another agency to make the notification.
- If distance will delay personal notification, and media presence threatens the confidentiality of the deceased's name, the Chief of Police may ask for assistance from another agency to make immediate notification.
- The person making the notification must have knowledge of the events causing the death.

The persons making the notification may find it necessary or appropriate to:

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- Contact other family members as requested.
- Assist in providing child care, emergency counseling, and/or alternate lodging.
- Arrange for someone to remain with the next-of-kin until other family members can arrive.
- Provide family members with a contact person within the Department who can answer questions or provide additional assistance.
- Contact a Concerns of Police Survivors advocate.

215.4 MEMORIAL PLANNING ASSISTANCE

It is the Department's desire to maintain the utmost sensitivity and compassion while providing funeral/memorial service planning assistance to the employee's family. The welfare of the bereaved family is of primary concern and the final authority for funeral plans will lie with the next-of-kin.

When the family of an officer killed on or off duty desires assistance, the Department will go forward with the planning and implementation of the appropriate level of funeral.

- Statewide notification of the officer's death shall be sent on CLETS as soon as family notification has been completed. The CLETS transmission will briefly state how the officer died (i.e. traffic collision, shot by armed assailant), and:
 - (a) ° advise that funeral plans and additional details of the incident will follow;
 - ° include a phone number and name of the contact person responsible for the event.
- A second CLETS notification shall be sent statewide after arrangements have been made. It should include:
 - (a) ° a more detailed account of the circumstances surrounding the officer's death;
 - ° the date, time, and location of the service;
 - ° the uniform of the day;
 - ° information on any memorial trust fund set up
- A flier should be prepared to fax to requesting agencies showing the location of the service, internment, reception, etc. A flier listing nearby motels may also be prepared.

When necessary, the Department may provide transportation for relatives arriving at the Sacramento International Airport.

The following guidelines should be followed when providing assistance planning the memorial:

Level 1 - Full Honors - for regular or reserve officers killed in the line of duty, sworn administrative staff who die while in office, and any active employees who were veterans.

Assist in Notification

Assist in Funeral Planning

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Death and Funeral notice on Department Social Media channels

Transportation/ Parking Control – Motors

- (a) Handle outside agency Notification for assistance (if applicable)
- (b) Family escort from residence or staging area to service(s)
- (c) Church parking plan
- (d) Cemetery parking plan
- (e) Escort family package to reception following service

Notify Honor Guard Detail

- (a) Rifle Volley
- (b) Taps
- (c) Flag folding and presentation
- (d) Bagpipe player – only graveside

Develop EOW Broadcast

Secure Photographer

Level 2 – Partial Military Funeral- for active employees or reserves whose deaths are not service related. Event may be private or public depending on wishes of the family.

Assist in Notification (if necessary)

Assist in Initial Funeral Planning

Death and Funeral notice on Department Social Media channels

Transportation/ Parking Control – Motors

- (a) Handle outside agency Notification for assistance (if applicable)
- (b) Family escort from residence or staging area to service(s)
- (c) Church parking plan
- (d) Cemetery parking plan
- (e) Escort family package to reception following service

Notify Honor Guard Detail

- (a) Rifle Volley
- (b) Taps
- (c) Flag folding and presentation
- (d) Bagpipe player – only graveside

Develop EOW Broadcast

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Level 3 – Formal Flag Folding Ceremony or Presentation of Colors - for retired officers or reserves, as a fitting tribute for their years of service to the community. This is a private family event with limited department involvement.

General Notifications to Department

Transportation/ Parking Control – Motors

- (a) Handle outside agency Notification for assistance (if applicable)
- (b) Family escort from residence or staging area to service(s)
- (c) Church parking plan
- (d) Cemetery parking plan
- (e) Escort family package to reception following service

Notify Honor Guard Detail

- (a) Static presence at memorial services
- (b) Presentation of city flag
- (c) Departmental presentation of shadow box

Secure Photographer

Level 4 - Death of Retired Employee (except Chief of Police) - Honorary Service - for retired employees, as a fitting tribute for their years of service to the community. This is a private family event with limited department involvement.

General Notifications to Department

Death and Funeral notice placed on Department Social Media channels (if approved by family members)

Notify Honor Guard Details

- (a) Static presence at memorial services
- (b) Presentation of city flag
- (c) Departmental presentation of shadow box

Level 5 - Departmental Representation - at funerals for: officers of other agencies; active or retired Department employees and volunteers; City officials who die while in office; civilians who have been community leaders; or at functions commemorating those who have died in the service of their City, State, or Country.

General notifications to Department

Transportation/ Parking Control – Motors

- (a) Handle outside agency Notification for assistance (if applicable)
- (b) Family escort from residence or staging area to service(s)

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- (c) Church parking plan
- (d) Cemetery parking plan
- (e) Escort family package to reception following service

215.5 DONATIONS AND TRUST FUNDS

The Department may set up a fund if one is not established by the employee's association, church, or fraternal order.

Donations sent to the department for the employee's family, shall be given to the person designated as treasurer of the fund, for deposit.

- (a) The treasurer shall maintain a list of all donors and their addresses to be given to the next-of-kin.
- (b) The treasurer shall disburse funds to the next-of-kin, if not directed to establish a trust fund for the employee's minor children

215.6 PRE-FUNERAL ARRANGEMENTS

If the family of the employee consents to funeral planning assistance, the Deputy Chief or designee shall be responsible for details including but not limited to:

- (a) Offering the family the appropriate level of funeral services.
- (b) Reserving a facility large enough to accommodate the expected crowd, if no location for the service is specified by the family.
- (c) Arrange for outside speakers if an overflow crowd is anticipated.
 - 1. Establish overflow seating if available.
 - 2. Offering the family an honor guard for the deceased during the viewing hours at the funeral home.
- (d) Securing an American flag for all military type services.
 - 1. Ascertain who is to receive the flag at the cemetery
 - 2. Advise the COP prior to the ceremony

The Traffic Division supervisor shall coordinate parking at the funeral, and establish the best motorcade/cortege route and parking if there is to be a ceremony at the cemetery. The supervisor shall:

- (a) Assign personnel to assist with parking and traffic control.
- (b) Submit an estimate of the approximate length of the cortege and a map of the route to the Deputy Chief or designee.
- (c) Coordinate clearance at all major intersections and freeway ramps along the cortege route with the appropriate agencies.
- (d) Request outside agency assistance if necessary to safely escort the cortege.

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A supervisor shall be designated by the Deputy Chief to organize the logistical details of the service and act as the "coordinator" at the funeral and cemetery services. The coordinator's duties shall include but not be limited to:

- Arranging for and training ushers.
- Planning the ingress/egress routes and seating for the deceased's family members, Department officials, and dignitaries, both at the church and cemetery.
- Planning all formations at the church and cemetery.
 - Preliminary formation if there is to be a formal entry.
 - Entry formations if any.
 - Standing formations for overflow officers.
 - Procession of officers in review past the coffin.
 - Standing formations at the cemetery.
- Making arrangements for bugler(s) and/or bagpipe(s).
- Giving the verbal commands to the assembled officers at the different ceremonies.
- Assigning Department members to maintain the guest register(s), and keep a log of attendees so that letters of recognition and appreciation may be sent:
 - list the agencies of all uniformed representatives
 - list the agencies sending marked vehicles

215.7 PALLBEARER TEAM

In a non-military service, the selection of pallbearers shall be made by the family.

In a military style service, all pallbearers shall wear uniforms.

- (a) The uniform shall be dependent upon the level of the service.
- (b) The Deputy Chief shall choose a team leader, giving first consideration to any person requested by the family. The team leader will be responsible for:
 1. the selection and training of the team;
 2. ensuring that the team is correctly attired;
 3. arranging transportation for the team.

The responsibilities of the pallbearers are:

- (a) The team members will not wear headgear during the services at the church/chapel.
- (b) The team will join the honor guard in forming a corridor between the hearse and the church/chapel entrance.
 1. There will be three (3) members on each side.
 2. The team shall be closest to the hearse parking.

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- (c) Upon the arrival of the hearse, the team will accept the casket and follow the honor guard into the building. They will place the casket on the stand and then take their seats.
- (d) After the service, the team will not pass in review of the casket.
 - 1. The team will remain in the building until everyone has exited.
 - 2. The team will take the casket, follow the honor guard out of the building, and go to the hearse.
- (e) The team will ride in the first Police unit behind staff cars.
- (f) Upon arrival at the gravesite, the team will wear headgear.
- (g) When all officers from the cortege have assembled, the team will accept the casket from the hearse, follow the honor guard to the grave site, and place the casket on the stand.
 - 1. The team leader will give the order to face the casket.
 - 2. The team will remain at attention throughout the ceremonies even when all other officers have been placed at parade rest by the coordinator.
- (h) After the last note of taps, the team will lift the flag from the casket and fold the colors. The team leader will then present the colors to the COP or designee.
- (i) If the deceased was killed in the line of duty, the team will remove their gloves and place them on the casket.
- (j) The team will then march to a predetermined location and remain at attention until all officers are dismissed.

215.8 HONOR GUARD

The honor guard shall consist of twelve (12) officers including a team leader. The family's preference will be given first consideration in choosing officers. Officers may be from other agencies and/or branches of the military if appropriate.

The team leader shall be chosen by the Deputy Chief. The team leader shall be responsible for:

- (a) the selection and training of the team.
- (b) ensuring that the team is correctly attired.
- (c) arranging transportation for the team.

The responsibilities of the team are:

- (a) The team will join the pallbearers in forming a corridor leading to the church/chapel entrance.
 - 1. There will be six (6) members on each side.
 - 2. The team will be closer to the church/chapel doors than the pallbearers.
- (b) The team will precede the casket into the church/chapel two abreast.

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- (c) The team will flank the casket stand, six (6) on each side, and upon command turn to face the audience.
 - 1. The team will remain at attention until the casket is placed on the stand and the pallbearers dismissed.
 - 2. The team will be placed at parade rest and remain in that position during the service.
 - 3. The team will come to attention before the final viewing, and remain in that position until everyone has passed in review and exited the building.
- (d) The team will precede the casket two abreast when leaving the building.
- (e) The team will form a corridor outside, six (6) on each side, through which the pallbearers will pass with the casket.
- (f) The team will ride in the Police unit immediately behind the pallbearers.
- (g) Upon arrival at the grave site, the team will wear headgear.
- (h) The team will form two abreast and precede the casket to the grave site.
- (i) The team will assume a position in the first row of uniformed officers and will follow the commands of the coordinator until dismissed.

215.9 FIRING TEAM

The firing team shall be comprised of seven (7) officers including a team leader.

The team leader shall be a range master. The team leader shall be responsible for:

- (a) the selection and training of the team
- (b) ensuring that the team is correctly attired
- (c) arranging transportation for the team
- (d) the acquisition of firearms and ammunition
- (e) assigning an officer at the cemetery to remind the deceased's family of the coming volley of shots so as not to startle them.

The responsibilities of the Firing Team are:

- (a) The team will not wear headgear during the services at the church/chapel.
- (b) The team will line up behind the honor guard corridor at the church/chapel, four on one side and three on the other side. The team will:
 - 1. Follow the commands given by the coordinator.
 - 2. Move up to the positions vacated by the honor guard when they precede the casket into the building.
- (c) The team will stand at attention until the family has passed.

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- (d) The team will follow the family into the building and be seated in the first row behind the family.
- (e) At the conclusion of the service, the team shall be the first to pass in review and exit the building.
- (f) The team will proceed immediately to the grave site.
- (g) Upon arrival at the grave site, the team will wear headgear.
- (h) The team will be in position as the casket is being taken from the hearse, and will follow the commands of the coordinator.
- (i) At the conclusion of the chaplain's portion of the service, the team leader will:
 - 1. call the team to attention.
 - 2. conduct the twenty-one gun salute
- (j) Immediately after the last volley, the team will go to "present arms" and remain thus during Taps and/or Amazing Grace. After Taps/Amazing Grace, the team leader will:
 - 1. call "order arms"
 - 2. march the team to a predesignated location

215.10 UNIFORMED OFFICER PROTOCOL

Officers shall arrive in the designated uniform of the day and follow the directions of the coordinator.

Officers will be in their formation at least fifteen (15) minutes prior to the estimated arrival of the hearse for a Full Honors funeral.

- Officers will form a corridor through which the pallbearers will pass with the casket en route to the entrance doors of the church/chapel.
 - An equal number of Officers should be on each side, behind the pallbearers, firing team, and honor guard.
 - If sufficient Officers are present, a longer corridor may be formed through which the hearse and family's vehicles will pass.
- Officers shall remain at parade rest until brought to attention by the coordinator.

Upon the arrival of the hearse and the family vehicles, the coordinator shall call everyone to "attention."

As the pallbearers receive the casket from the hearse, the coordinator will order the officers to "present arms." Officers will:

- render the hand salute.

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- hold this position until the casket and family have entered the church/chapel, and the coordinator calls for everyone to "order arms."

Officers shall remain standing at attention until other orders are given by the coordinator.

Officers shall enter the building in procession. The order of admission shall be:

- Clergy
- Honor Guard
- Pallbearers with casket
- Family
- Rifle Team
- Officers and civilians

Officers shall remain standing at attention inside the building until told to be seated by the officiating clergy.

After the service is completed, all uniformed personnel will pass the coffin in review as directed by the ushers. The order of viewing and egress shall be:

- Firing Team
- All Officers
- Clergy
- Honor Guard
- Pallbearers
- Family
- All others

Uniformed Officers shall:

- salute the casket as they exit.
- rejoin the formation in front of the building.

Uniformed Officers shall stand at parade rest awaiting the coordinator's orders:

- As the clergy exit the building, the coordinator will call the detachment to "attention."
- As the casket comes into view, the coordinator will order the detachment to "present arms."
- As the casket is placed in the hearse, the coordinator will call for everyone to "order arms."
- Officers shall remain at attention until dismissed.

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When the coordinator gives the order to "dismiss, " Officers will move to their vehicles.

- Officers not assigned to traffic control should refrain from starting their engines until it is apparent that the cortege is about to start.
- When directed to do so, Officers shall start their engines, turn their light bar on to the Code 3 setting, and turn on their headlights.
- Officers shall join the cortege to the cemetery.

At the cemetery, all Officers shall join in the formation near the grave site and follow the coordinator's orders.

- Officers will be called to "attention" as the pallbearers remove the casket from the hearse.
- As the procession approaches, the coordinator will order, "present arms." Officers will:
 - render the hand salute.
 - hold this position until the casket has been placed on the stand and the coordinator calls for "order arms."
- Officers will then be ordered to "parade rest" and will remain in that position during the service.

After the service, the coordinator will call the detachment to "attention."

- The order will be given to "present arms" during the twenty-one gun salute, the playing of Taps, and/or Amazing Grace.
- when the coordinator calls for "order arms," Officers will remain at attention until the end of the ceremonies .

After the flag is presented to the next-of-kin, the coordinator will dismiss the detachment.

215.11 OTHER RELATED DUTIES

In the event of an employee's death which is not service related, the employee's immediate supervisor shall be responsible for emptying the employee's locker, desk and/or pursuit case.

- Personal property shall be examined and, if appropriate, returned to the next-of-kin.
- Issued property shall revert to the Department.

In the event of an on-duty death, the Detective Sergeant or designee shall be responsible for collecting Department-issued property and the employee's personal property from the employee's locker, the hospital, and/or the coroner's office.

- Personal property shall be examined and, if appropriate, released to the family.
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The Public Information Officer (PIO) shall act as the Department's liaison with the news media and shall provide press releases announcing a member's death and any updates on the circumstances as appropriate. The PIO shall be available for media interviews as necessary and appropriate, and the PIO shall establish a media area beforehand at the funeral and cemetery sites if needed.

215.12 INELIGIBILITY

Any law enforcement officer whose death meets one of the following conditions shall be ineligible for honors:

- Deaths attributed to voluntary alcohol or controlled substance abuse or while the victim officer is under the influence of alcohol or a controlled substance
- Deaths caused by the intentional misconduct of the officer
- Deaths caused by the officers intention to bring about his/her own death
- Deaths attributed to an officer performing his/her duty in a grossly negligent manner at the time of death
- Off-duty law enforcement officers serving as overseas peace keepers, government contractors, or active-duty military

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

Retaliation prohibitions for reporting suspected violations are addressed in the Anti-Retaliation Policy.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - 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 (Penal Code § 835a).

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person (Government Code § 7286(a)).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Serious bodily injury - A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code § 243(f)(4)).

Totality of the circumstances - All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code § 835a).

De-escalation - Tactics or techniques undertaken by an officer(s) to avoid physical confrontations and to increase the likelihood of voluntary compliance and cooperation. De-escalation does not require an officer to retreat from a situation if that retreat could cause death or serious bodily injury to themselves or a member of the public.

Crisis Intervention Techniques (CIT) - A collaborative approach to safely and effectively address the needs of people with mental illnesses, link them to appropriate services, and divert them from the criminal justice system if appropriate. The primary goal of CIT is to improve officer and mental health consumer safety while reducing injuries to officers and consumers during law enforcement

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contacts. Crisis intervention techniques include using distance, time, verbal tactics, or other tactics to de-escalate a situation.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

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

The Woodland Police Department values the sanctity of human life and the freedoms guaranteed by the United States and California Constitutions. An officer shall only use the amount of force that the officer reasonably believes is necessary under the totality of the circumstances. An officer shall consider the principles of proportionality in looking at the totality of the circumstances by weighing the severity of the offense, the reasonably perceived level of resistance and the need for apprehension prior to the utilization of force. An officer shall use only the force that is reasonable to effect an arrest, prevent escape, or to overcome resistance. During these situations, an officer shall continually evaluate their tactics when determining the appropriate use of force response. If necessary, an officer shall render, if properly trained, or otherwise request medical aid as soon as reasonably possible.

An officer shall employ de-escalation and crisis intervention techniques when feasible and when doing so does not increase the risk of harm to officers or others. When making use of force decisions, an officer should be mindful that subjects may be physically or mentally incapable of responding to police commands due to a variety of circumstances including, but not limited to, alcohol or drugs, mental impairment, medical conditions, or language and cultural barriers.

Officers use deadly force only when necessary in defense of human life or serious bodily injury. The decision by an officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force. The Woodland Police Department shall evaluate the use of force used by its employees to ensure officers only use force that is lawful and consistent with this policy.

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer

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under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code § 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject (Government Code § 7286(b)).

300.2.2 DUTY TO REPORT EXCESSIVE FORCE

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report these observations to a supervisor (Government Code § 7286(b)).

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.2.3 FAILURE TO INTERCEDE

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the officer who used force beyond that which is necessary (Government Code § 7286(b)).

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident. When feasible and safe under the totality of the circumstances and where it may be accomplished without increasing the risk of harm to officers or others, officers should attempt to de-escalate situations. When an officer believes they are dealing with a mentally ill, developmentally disabled, or an emotionally disturbed individual, the officer shall, when feasible and safe under the totality of the circumstances, utilize Crisis Intervention Techniques. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code § 7286(b)).

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved tools, weapons, or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any

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improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal Code § 835a).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit (Government Code § 7286(b)). These factors include but are not limited to:

- (a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time (Penal Code § 835a).
- (c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The conduct of the involved officer leading up to the use of force (Penal Code § 835a).
- (e) The effects of suspected drugs or alcohol.
- (f) The individual's apparent mental state or capacity (Penal Code § 835a).
- (g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
- (h) Proximity of weapons or dangerous improvised devices.
- (i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
- (j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
- (k) Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.
- (l) Training and experience of the officer.
- (m) Potential for injury to officers, suspects, bystanders, and others.

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- (n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (o) The risk and reasonably foreseeable consequences of escape.
- (p) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (r) Prior contacts with the subject or awareness of any propensity for violence.
- (s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the officer.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 FORCE OPTIONS

- (a) Officers have a variety of force options available to them. Officers do not need to follow a continuum of force, but shall select the use of force they deem appropriate for the circumstances, ensuring their use of force complies with the law, the provisions of this order and any specific department orders or manuals governing the type of force they select to use. Officers shall continue to assess their use of force selection and either transition to a different use of force or discontinue a use of force based on their assessment, ensuring their use of force remains reasonable for the circumstances.
- (b) The following is a list of use of force options. This is not a complete list of options:
 - 1. Chemical Agents
 - 2. Conductive Energy Devices (CED)
 - 3. Control Holds/Pain Compliance
 - 4. Discharge of Firearms and Other Deadly Force
 - 5. Impact projectiles
 - 6. Impact weapons
 - 7. Personal Body Weapons

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8. Pointing of a Firearm at a person
 9. Takedowns
 10. Use of Canine
 11. Verbal Commands/Instructions/Command Presence
 12. Pursuit Intervention Techniques
- (c) The following is a list of department policies covering specific use force topics:
1. Handcuffing and Restraints
 2. Control Devices and Techniques
 3. TASER Device Guidelines
 4. Vehicle Pursuits
 5. Canines

300.3.5 PROHIBITED USES OF FORCE

- (a) Officers shall not use force:
1. Against individuals who are not subject to arrest or detention, except to protect the officer, the public or another person.
 2. Against individuals who are handcuffed or otherwise restrained, except where the individual is actively resisting, attempting escape, or poses an imminent threat to the officers, the public, or themselves.
 3. Against individuals for the sole purpose of preventing the exercise of first amendment rights, when a legitimate law enforcement purpose does not exist.
 4. To punish or to retaliate.
 5. To stop a subject from swallowing a substance that is already in their mouth.

300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- (a) Summoning additional resources that are able to respond in a reasonably timely manner.
- (b) Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- (c) Employing other tactics that do not unreasonably increase officer jeopardy.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the

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need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)). Such alternatives may include but are not limited to:

- (a) Attempts to de-escalate a situation.
- (b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

300.3.7 RESTRICTIONS ON THE USE OF A CHOKE HOLD

Officers of this department are not authorized to use a choke hold. A choke hold means any defensive tactic or force option in which direct pressure is applied to a person's trachea or windpipe (Government Code § 7286.5).

300.3.8 ADDITIONAL RESTRICTIONS

Terms such as "positional asphyxia," "restraint asphyxia," and "excited delirium" continue to remain the subject of debate among experts and medical professionals, are not universally recognized medical conditions, and frequently involve other collateral or controlling factors such as narcotics or alcohol influence, or pre-existing medical conditions. While it is impractical to restrict an officer's use of reasonable control methods when attempting to restrain a combative individual, officers are not authorized to use any restraint or transportation method which might unreasonably impair an individual's breathing or respiratory capacity for a period beyond the point when the individual has been adequately and safely controlled. Once controlled, the individual should be placed into a recovery position (e.g., supine or seated) and monitored for signs of medical distress (Government Code § 7286.5).

300.4 DEADLY FORCE APPLICATIONS

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (Penal Code 835a(5)(c)(1)(B)).

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (Government Code § 7286(b)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless

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immediately apprehended. Where feasible, the officer shall, prior to the use of 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 person is aware of those facts.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others (Government Code § 7286(b)).

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.4.2 POINTING A FIREARM

- (a) Nothing in this policy shall preclude an officer from drawing of a firearm when the officer reasonably believes it necessary for the safety of the officer or another.
- (b) Detentions involving the pointing of a firearm at a person shall be entered in accordance with the Racial and Identity Profiling Act (RIPA) Policy.
- (c) The pointing of a firearm at a person shall be documented in the appropriate report or on the CAD call.

300.4.3 DISPLAYING OF FIREARMS

- (a) Given that individuals might perceive the display of a firearm as a potential application of force, officers should use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):
 - 1. If the officer does not perceive an imminent threat but reasonably believes that the potential for such threat exists (e.g., building search), firearms should generally be kept in the low-ready or other position not directed toward an individual.
 - 2. If the officer reasonably believes that an imminent threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry,

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armed encounter), firearms may be directed toward such imminent threat until the officer no longer perceives such threat.

Once it is reasonably safe to do so, officers should carefully secure all firearms.

300.4.4 DISCHARGE OF FIREARMS AND OTHER DEADLY FORCE

- (a) The use of a firearm or other deadly force is the most serious decision an officer may make. In determining whether deadly force is necessary, officers shall evaluate each situation considering the circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to a reasonable officer.
- (b) An officer may discharge a firearm in the performance of their official duty
 1. To protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury.
 2. To prevent a crime where the suspect's actions are reasonably believed to place person(s) in imminent jeopardy of death or serious bodily injury.
 3. To effect an arrest, prevent an escape, or recapture an escapee when the officer reasonably believes the suspect to be arrested poses an imminent threat to cause death or serious bodily injury if apprehension is delayed.
 4. To stop a dangerous animal that poses an imminent risk of death or serious bodily injury to a person.
 5. At a firing range, pursuant to all safety rules and regulations.
- (c) Firearms shall not be discharged as a warning.
- (d) If feasible, and if doing so would not increase the danger to the officer or others, the officer should give a verbal warning prior to using deadly force.
- (e) If feasible, an officer shall take reasonable care when discharging their firearm so as not to jeopardize the safety of another officer or another person and consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm.
- (f) The decision by a peace officer to use deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.
- (g) When an employee discharges or attempts to discharge a firearm while on or off duty, intentionally or accidentally, the employee shall immediately notify the on-duty watch commander. This does not include intentional discharges at a range or for recreational purposes (e.g., hunting, private target practice, or other similar activities).

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable

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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. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATION TO SUPERVISORS

Any use of force by an officer shall be reported immediately to a supervisor, including but not limited to the following circumstances (Penal Code § 832.13):

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (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 conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

As used in this subsection, "immediately" means as soon as it is safe and feasible to do so.

300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

Statistical data regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is to be reported to the California Department of Justice as required by Government Code § 12525.2.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, properly trained officers should promptly provide or procure medical assistance for any person injured or claiming to have been injured in a use of force incident (Government Code § 7286(b)).

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff, or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another

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officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain, or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY

A supervisor should respond to any reported use of force, if reasonably available. The responding supervisor is expected to (Government Code § 7286(b)):

- (a) Respond to the location of the arrest to ensure that a thorough investigation takes place. A thorough investigation into a use of force by an officer should include, but is not limited to, an area canvass (for witnesses, evidence and surveillance video), witness statements (which should be obtained by a supervisor or officers not involved in the use of force), suspect statements, and photographs of the scene and any injuries.
- (b) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (c) Ensure that any injured parties are examined and treated.
- (d) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (e) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

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- (f) Identify any witnesses not already included in related reports.
- (g) Review and approve all related reports.
- (h) Review all recordings (both audio and video) of the event, including In-Car Camera, Body Worn Camera video, and any available surveillance video).
- (i) Determine if there is any indication that the subject may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (j) Consider arranging for other officers to transport and book the suspect in the event the suspect continues to display hostile, confrontational, or oppositional behavior toward the arresting officer(s)
- (k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

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

300.7.1 PATROL SUPERVISOR RESPONSIBILITY

The Patrol Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy.

300.7.2 MANAGEMENT LEVEL REVIEW

- (a) The officer's supervisor shall initiate a management level review by making an entry into the Department's use of force tracking software whenever the following reportable use of force events occur:
 - 1. Any reportable use of force, involving an incident where the suspect actively resisted the officer or the officer pointed a firearm or CED at the suspect.
 - 2. Any reportable use of force that results in the suspect requiring a medical clearance prior to booking or, if the suspect is not booked into jail or juvenile hall, any injury that would likely require a medical clearance.
 - 3. Any reportable use of force, involving the discharge of a firearm, a canine bite, or the use of an impact weapon, chemical agent, or CED.
 - 4. Any reportable use of force that deviates from the techniques taught or the equipment provided by the Department.
 - 5. Any use of force the supervisor determines should be subject to a management level review.
- (b) The supervisor shall enter the following information into the tracking software:
 - 1. List of officers involved.
 - 2. The type of force that was used.

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3. The extent of injuries (if any) to the officer and the suspect.
 4. Any administrative actions taken by the supervisor or other personnel.
 5. The supervisor's opinion as to whether the use of force was consistent with department policy.
 6. All pertinent documents shall be attached to the entry.
- (c) Tracking software entries should be completed within 14 days of the incident date and forwarded to the Bureau Commander to initiate the management level review. The supervisor shall notify the Bureau Commander if there any delays in meeting the 14 day deadline.
- (d) In cases where a firearm has been discharged or the use of force results in death, the tracking software entry shall be completed by the Administrative Sergeant and shall not be completed by the field supervisor.
- (e) Use of force deployed by supervisors
1. In the event a sergeant uses force or gives an officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the Lieutenant will be responsible for identifying the person responsible for complying with this section.
 2. In the event a Command Staff member uses force or gives an officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the manager shall notify their direct superior and the superior shall be responsible for identifying the person responsible for complying with this section.

300.8 USE OF FORCE ANALYSIS

At least annually, the Deputy Chief should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

300.9 TRAINING

- (a) All officers shall receive training, at least annually, on this agency's use of force policy and related legal updates.
- (b) In addition, training shall be provided on a regular and periodic basis and designed to
 1. Provide techniques for the use of, and reinforces the importance of, de-escalation.
 2. Simulate actual shooting situations and conditions.

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3. Enhance an officer's discretion and judgment in using less lethal and deadly force in accordance with this policy.
- (c) All use of force training shall be documented.

300.10 USE OF FORCE COMPLAINTS

The receipt, processing, and investigation of civilian complaints involving use of force incidents should be handled in accordance with the Personnel Complaints Policy (Government Code § 7286(b)).

300.11 POLICY REVIEW

The Chief of Police or the authorized designee should regularly review and update this policy to reflect developing practices and procedures (Government Code § 7286(b)).

300.12 POLICY AVAILABILITY

The Chief of Police or the authorized designee should ensure this policy is accessible to the public (Government Code § 7286(c)).

300.13 PUBLIC RECORDS REQUESTS

Requests for public records involving an officer's personnel records shall be processed in accordance with Penal Code § 832.7 and the Personnel Records and Records Maintenance and Release policies (Government Code § 7286(b)).

Handcuffing and Restraints

301.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

301.2 POLICY

The Woodland Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy, and department training. Restraint devices shall not be used to punish, to display authority, or as a show of force.

301.3 USE OF RESTRAINTS

Only members who have successfully completed Woodland Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

301.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

301.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the arrestee, officers, or others (Penal Code § 3407; Penal Code § 6030).

In accordance with Penal Code § 3407:

- An inmate known to be pregnant or in recovery after delivery shall not be restrained by the use of leg irons, waist chains, or handcuffs behind the body.
- A pregnant inmate in labor, during delivery, or in recovery after delivery, shall not be restrained by the wrists, ankles, or both, unless deemed necessary for the safety and security of the inmate, the staff, or the public.
- Restraints shall be removed when a professional who is currently responsible for the medical care of a pregnant inmate during a medical emergency, labor, delivery, or recovery after delivery determines that the removal of restraints is medically necessary.
- Upon confirmation of an inmate's pregnancy, she shall be advised, orally or in writing, of the standards and policies governing pregnant inmates.

301.3.3 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

301.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

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301.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and so that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head, and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

301.6 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest, or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

301.6.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

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- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

301.7 REQUIRED DOCUMENTATION

Any use of physical force by a member of the Woodland Police Department to overcome physical resistance or use of pain compliance to overcome non-compliant behavior shall be documented in an appropriate report depending upon the nature of the incident, (e.g., arrest report, crime report, incident report).

301.8 TRAINING

Subject to available resources, the Training Manager should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

At Risk Prisoners In The Holding Facility

302.1 PURPOSE AND SCOPE

This policy shall establish procedures for identifying and processing "at risk" prisoners.

"At risk" prisoners shall be evaluated, monitored and medically cleared during arrest processing in accordance with established procedural, statutory and constitutional guidelines.

"At risk" prisoners are arrested subjects who are at risk of injuries or sudden death.

Such prisoners may be suffering from;

- (a) drug-induced psychosis.
- (b) excited delirium.
- (c) a medical condition.
- (d) any other condition, injury or ingestion that threatens prisoners' health.

302.2 PROCEDURE

Any prisoner who, in an officer's opinion, is "at risk" must be evaluated and a medical clearance must be obtained from a physician prior to being transported to a police or jail facility.

In determining whether or not a prisoner is "at risk", the officer shall consider if the prisoner exhibits one or more of the following symptoms:

- (a) unconsciousness
- (b) not at a functional level of consciousness. A person would be considered "not at a functional level of consciousness" if s/he does not know one or more of the following;
 - 1. who s/he is.
 - 2. where s/he is.
 - 3. the time and date.
 - 4. what is happening.
- (c) difficulty breathing.
- (d) convulsing or having a seizure.
- (e) tremors.
- (f) delirium or sensory hallucinations.
- (g) extremely violent or aggressive behavior.
- (h) superhuman strength.
- (i) dilated or uneven pupils.
- (j) paranoia.
- (k) non-purposeful behavior, meaningless acts.

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At Risk Prisoners In The Holding Facility

- (l) high blood pressure, rapid heart rate.
- (m) hyperthermia, high body temperature, sweating (naked).
- (n) confused.
- (o) involuntary loud voice, yelling.
- (p) involuntary thrashing after being restrained.

Any prisoner who is suspected of ingesting a controlled substance during contact with officers or immediately preceding their contact with officers shall be considered an at risk prisoner even if no other at risk symptoms are present.

302.3 EMERGENCY SITUATIONS

If an emergency exists, or a prisoner's condition is in doubt, an ambulance attendant/paramedic should be called to evaluate and transport.

- (a) the decision to transport an at risk prisoner to a hospital by police vehicle or ambulance should be based on the officer's judgment as to which option will provide the fastest access to advanced life support and professional medical care.
- (b) if an officer transports a potential "at risk" prisoner to a police or medical facility a second officer should provide constant observation during transport.

302.4 PROCESSING

At risk prisoners must be processed and booked as promptly as possible, consistent with proper investigative procedures. Unreasonable delays must be avoided for both humane and legal reasons.

- (a) the transporting officer shall advise booking personnel using the YCSO Medical Clearance form of any "at risk" symptoms exhibited by the prisoner while in custody.
- (b) booking personnel shall be supplied with a copy of any medical clearance form obtained from a physician.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

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

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

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

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 PATROL SUPERVISOR RESPONSIBILITIES

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

303.4.2 FIREARMS COORDINATOR RESPONSIBILITIES

The Firearms Coordinator or the Chief Executive Assistant shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Less Lethal Impact Device will be periodically inspected by the Firearms Coordinator or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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

303.5 BATON GUIDELINES

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

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

303.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Patrol Supervisor, Incident Commander or Tactical Operations Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

Oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.7.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly

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cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.9 LESS LETHAL IMPACT MUNITIONS GUIDELINES

This department is committed to reducing the potential for violent confrontations. Less Lethal Impact Munitions, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 DEPLOYMENT AND USE

Only department-approved Less Lethal Impact Munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease their actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm themselves or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Severity of the crime.
- (b) Subject's capability to pose an imminent threat to the safety of officers or others.
- (c) If the subject is actively resisting arrest or attempting to evade arrest by flight.
- (d) The credibility of the subject's threat as evaluated by the officers present, and physical capacity/capability.
- (e) The proximity of weapons available to the suspect.
- (f) The officer's versus the subject's physical factors (e.g. size, relative strength, skill level, injury exhaustion, the number of officer(s) versus subjects(s)).
- (g) The availability of other force options and their possible effectiveness.
- (h) Distance and angle to target.
- (i) Type of munitions employed.

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- (j) Type and thickness of subject's clothing.
- (k) The subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the 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 give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9.3 SAFETY PROCEDURES

Only officers who have been trained in the use of a specific weapon system shall use it.

Officers will inspect the weapon and projectiles at the beginning of each shift to ensure that the weapon is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the weapon will be unloaded and properly and securely stored in the vehicle.

303.10 TRAINING FOR LESS LETHAL IMPACT MUNITIONS

The Firearms Coordinator shall ensure that all personnel who are authorized to carry a Less Lethal Impact Munitions have been properly trained and certified to carry the specific device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, Less Lethal Impact Munitions instructor.
- (b) All training and proficiency for Less Lethal Impact Munitions will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying Less Lethal Impact Munitions and may be subject to discipline.

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303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training may be issued and may carry the CED.

The personnel with the responsibility of issuing equipment should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform shall carry it in a holster on the side opposite the duty weapon (Penal Code § 13660).

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment or trunk of their vehicles.

304.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED 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:

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- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

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 CED in the related report.

304.5 USE OF THE CED

The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

304.5.1 APPLICATION OF THE CED

The CED may be used, when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

Mere flight from a pursuing officer, without additional circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

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

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals 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 potential 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.

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- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should 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 force options or actions.

304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

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304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that CEDs 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.

304.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports. Photographs should be taken of any obvious probe impact or drive-stun application sites. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data. Information that should be included in the reports includes:

- (a) The type and brand of CED and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

304.6.1 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

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304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel or officers trained in probe removal and handling should remove CED probes from a person's body. Used CED 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 CED probes or who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, 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 be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to a CED. The device's battery should be downloaded by the officer and saved with the related arrest/crime report. The officer should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

304.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED

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as a part of their assignments for a period of six months or more shall be recertified by a qualified CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time, if deemed appropriate by the Training Manager. All training and proficiency for CEDs will be documented in the officer's training files.

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

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

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

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Manager should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.3 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings or in custody deaths. This may include at least one investigator from the agency that employs the involved officer. See attachment: OFFICER INVOLVED CRITICAL INCIDENTS PROTOCOL - MAY 2020.pdf

Jurisdiction is determined by the location of the shooting or in custody death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating these types of incidents.

305.3.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Woodland Police Department would control the investigation if the suspect's crime occurred in the City of Woodland.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief and with concurrence from the other agency.

305.3.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

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Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.3.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.4 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or in custody death.

305.4.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting, the first uninvolved WPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.4.2 NOTIFICATIONS

The following person(s) shall be notified as soon as practical:

- Chief of Police
- Deputy Chief
- District Attorney's Office Investigations Division
- Community Relations Sergeant
- Civil Liability Response Team (YCPARMIA)
- Psychological/Peer support personnel
- Coroner (if necessary)
- Officer representative
- A sworn board member of the respective labor organization

All outside inquiries about the incident shall be directed to the shift supervisor.

305.4.3 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.

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1. Involved WPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
2. Requests from involved non-WPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).
- (d) A licensed psychotherapist shall be provided by the Department to each involved WPD officer. A licensed psychotherapist may also be provided to any other affected WPD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member are addressed in the Wellness Program Policy.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved WPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Patrol Supervisor to make schedule adjustments to accommodate such leave.

305.4.4 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
- (b) If necessary, the supervisor may administratively order any officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

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2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional employees until properly relieved by another supervisor or other assigned personnel or investigator.
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers or employees pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene, ensure that they are provided with a comparable replacement weapon or transported by other officers.

305.4.5 NOTIFICATION TO DEPARTMENT OF JUSTICE

The California Department of Justice (DOJ) is required to investigate an officer-involved shooting resulting in the death of an unarmed civilian. The Patrol Supervisor should promptly notify the DOJ in all incidents involving an officer-involved shooting resulting in the death of an unarmed civilian, including where it is undetermined if the civilian was unarmed.

For purposes of notification, "unarmed civilian" means anyone who is not in possession of a deadly weapon (Government Code § 12525.3).

305.5 THE SHOOTING INCIDENT CRIMINAL INVESTIGATION

305.5.1 REPORTS BY INVOLVED WPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved WPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved WPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved WPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

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305.5.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.6 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or in custody death, this department may conduct an internal administrative investigation of officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Community Relations Sergeant and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

- (a) If any officer has given a voluntary statement to criminal investigators that statement shall be used for the administrative statement.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of their prior statement before proceeding with any subsequent interviews.
- (b) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

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1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, they should be given *their Lybarger or Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
5. The Community Relations Sergeant shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.7 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or in custody death shall be permitted to review Mobile Audio/Video (MAV), body-worn video, or any other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with approval of assigned investigators or a supervisor.

Any MAV, body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office, as appropriate.

305.8 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Patrol Supervisor, Investigation Bureau Commander and Public Information Officer in the event of inquiries from the media.

The Department shall not subject any involved WPD officer to visits by the media (Government Code § 3303(e)). No involved WPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Bureau Commander. Department members receiving

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inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.9 REPORTING

If the death of an individual occurs in the Woodland Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Patrol Bureau Commander will ensure that the Records Supervisor is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Woodland Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

Firearms

306.1 PURPOSE AND SCOPE

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

This policy does not apply to issues related to the use of a firearm that are addressed in the Use of Force or Officer-Involved Shootings and In-Custody Deaths policies.

This policy only applies to those employees who are authorized to carry firearms.

306.2 POLICY

The Woodland Police Department will equip its employees with firearms to address the risks posed to the public and employees by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate, in good working order and that relevant training is provided as resources allow. Except in an emergency situation, no firearms will be carried until they have been inspected by the Department Firearms Coordinator or a specified Rangemaster nor until the officer has qualified with that weapon at a department approved range.

306.2.1 DUTY WEAPONS

The departmental issued primary duty sidearm is the Glock Model G45 9mm, Glock Model 22C, or Glock Model 22.40 S&W caliber. It is the expectation this weapon will be used on duty if it is issued to an employee.

For specific specialty assignments the Glock Model 27,.40 S&W caliber is another issued departmental handgun.

Officers may, at their cost, purchase, carry and train with a personally owned sidearm, as their primary duty sidearm that meets the criteria and guidelines of this policy. They will turn in the issued weapon upon completion of this transition.

- (a) The officer must continue to qualify with personally owned and deployed sidearm as judged by the Department Firearms Coordinator.
- (b) The personally owned sidearms being deployed will be maintained, at the officer's expense, in a serviceable condition consistent with Department standards as judged by the Department Firearms Coordinator.
- (c) Personally owned sidearms of a make not issued by the department will be inspected by the Department Firearms Coordinator or designee, at the department's expense.
- (d) Officers choosing to purchase and carry their own sidearms will be required to sign a City of Woodland Police Department Hold Harmless Agreement and Acknowledgement. This document will be provided by the Department Firearms Coordinator and be kept in the member's training folder. The personally owned sidearm to be carried as the primary sidearm shall meet the following criteria:
 - 1. A semi-automatic handgun in a 9mm, .40 S&W or .45 ACP caliber, with a barrel length of three to six inches (minimum of 3.5 inch barrels while in uniform (not

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applicable to Investigations), which is capable of safely and consistently firing department approved ammunition. It must also be equipped with night sights and a light rail on the frame. The trigger pull will be no less than 3.5 lbs.

2. Authorized manufacturers; Beretta, Colt, Glock, Heckler & Koch, Ruger, Sig Sauer, Smith & Wesson, Springfield Armory, Walther, or any other reputable manufacturer and approved by the Department Firearms Coordinator.

306.2.2 AUTHORIZED SECONDARY FIREARM

Officers desiring to carry a secondary firearm are subject to the following restrictions:

- (a) The firearm shall be in good working order and meets the requirements under 306.2.1d.
 1. The sidearm shall have a minimum capacity of 5 rounds either in an attached magazine or cylinder (Revolver or Semi-automatic).
 2. The sidearm shall have a bore of no less than 9mm or .380 ACP.
- (b) Only one secondary firearm may be carried at a time.
- (c) The purchase of the firearm and ammunition shall be the responsibility of the officer.
- (d) The firearm shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge or loss of physical control.
- (e) The firearm shall be inspected by the Firearms Coordinator prior to being carried and thereafter shall be subject to inspection whenever deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the firearm is other than department issue, the Firearms Coordinator shall approve the ammunition.
- (g) Prior to carrying the secondary firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (h) Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second firearm to the Firearms Coordinator.

306.2.3 AUTHORIZED OFF-DUTY FIREARM

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

- (a) The firearm shall be in good working order and meets the requirements under 306.2.1(d).
- (b) The purchase of the firearm and ammunition shall be the responsibility of the officer.
- (c) The firearm shall be carried concealed at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.

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- (d) It will be the responsibility of the officer to submit the firearm to the Firearms Coordinator for inspection prior to being carried. Thereafter the firearm shall be subject to periodic inspection by the Firearms Coordinator.
- (e) Prior to carrying any off-duty firearm, the officer shall demonstrate to the Firearms Coordinator that they are proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (f) The officer will successfully qualify with the firearm prior to it being carried and thereafter once annually. The range qualification dates will be specified by the Firearms Coordinator.
- (g) A complete description of the firearm shall be contained on the qualification record approved by the Firearms Coordinator.
- (h) If any officer desires to use more than one firearm while off-duty, they may do so, as long as the officer meets all the requirements set forth in this policy for each firearm used.
- (i) When armed, whether on- or off-duty, officers shall carry their department identification.

306.2.4 PATROL RIFLE

The departmentally issued Patrol Rifle is a Colt LE6920, AR platform rifle chambered in 5.56mm. It is an air cooled shoulder fired semiautomatic rifle that is magazine fed and gas operated.

Officers may, at their cost, purchase, carry and train with a personally owned patrol rifle, as long as it is built on an AR platform chambered in 5.56mm or .223 Wylde chambered and the following criteria and guidelines of this policy are met.

- (a) The rifle shall be purchased through a reputable dealer and registered appropriately through the California DOJ. This includes the ATF Form 1 which includes the Chief of Police's signature.
- (b) Officers choosing to purchase and carry their own patrol rifle will be required to sign an agreement to the above condition of approval, as well as the City of Woodland Police Department Hold Harmless Agreement and Acknowledgement. These documents will be provided by the Department Firearms Coordinator and be kept in the member's training folder.
- (c) The personally owned patrol rifle being deployed will be maintained, at the officer's expense, in a serviceable condition consistent with department standards as judged by the Department Firearms Coordinator.
- (d) The rifle shall be inspected annually.
 - 1. If the rifle is of a make not issued by the department the Firearms Coordinator will determine if the inspection can be accomplished by a department armorer. If the rifle cannot be inspected by a department armorer the rifle will be inspected by a certified armorer, at the officer's expense, certifying the rifle meets department standards as judged by the Department Firearms Coordinator.

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- (e) Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of patrol rifle familiarization course and qualification score with a certified Patrol Rifle Instructor or the Department Firearms Coordinator. Officers shall thereafter be required to successfully complete annual training and qualification conducted by a certified Patrol Rifle Instructor or Department Firearms Coordinator.
- (f) Any officer carrying a patrol rifle or personally owned patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned officer, the chamber is empty and a fully loaded magazine is inserted into the magazine well. While on duty, the rifle will be secured in the supplied vehicle electronic lock. If the personal rifle does not fit in the supplied lock (light in the way, fore-end too large, etc.), the officer will secure the rifle in a heavy padded nylon-type or hard case, in the trunk of the vehicle out of plain view.
- (g) If the officer ceases to use the weapon in an official capacity, or upon separation from full time peace officer status, officers must either transfer serialized components to the Woodland Police Department, sell the assault rifle to another full time police officer in the State of California, transfer/sell the rifle out of the State of California or alter the weapon and have it declassified by DOJ as an assault weapon. The department will send a letter to DOJ notifying them of our withdrawing of authorization for the rifle.
- (h) The entire rifle must be from a quality manufacturer. Upper and lower receiver may be of different manufacturer but must be complete factory builds. These manufacturers include but are not limited to Colt, Sig Sauer, Smith & Wesson, Knight's Armament, LMT, LWRC, etc. Final approval will be at the direction of the Firearms Coordinator. Weapon, and related parts, will be of a black or matte black finish.
- (i) Other Equipment:
 - 1. The officer must provide their own magazines. The officer will have no less than two (2) twenty round magazines when deploying the rifle.
 - 2. The officer must provide their own weapon bag or hard-sided case when transporting the rifle.
 - 3. The officer is responsible for all batteries pertaining to their rifle and its equipment (flashlights and optics).
 - 4. The weapon must be equipped with a tactical sling.
 - 5. Modifications to factory weapons that increase weapon performance/accuracy must first be approved by the Department Firearms Coordinator. A partial list of approved modifications include:
 - (a) Collapsible sights.
 - (b) Replacing grips, buttstock, handguard.
 - (c) Fore-end mounted grips
 - (d) Tuned trigger with a pull of at least 3.5 pounds.
 - (e) Extended charging handle.

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- (f) Ambidextrous fire controls.
- (g) EOTech sight.

306.2.5 AMMUNITION

Officers shall carry only department-authorized ammunition while on duty. Officers shall be issued fresh duty ammunition in the specified quantity for their primary sidearm and rifle during the officer's first scheduled qualification each year. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed in accordance with established policy.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Officers shall only use firearms that are issued or approved by the Department and have been thoroughly inspected. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Bureau Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 SAFETY CONSIDERATIONS

- (a) Officers shall not unnecessarily display or handle any firearm.
- (b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Firearms Coordinator.
- (c) Officers shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle.
- (e) Officers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing a prisoner, but shall place all firearms in the firearm lockers or another secure location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the jail section with any firearm. Additionally, officers shall use the firearm lockers provided at any correctional institution prior to entering the facility. Firearms shall not be stored unsecured in a department vehicle.
- (f) Officers shall not use any automatic weapon, heavy caliber rifle, gas or other type of chemical weapon from the armory, except with approval of a supervisor.
- (g) Any weapon authorized by the department to be carried on- or off-duty, that is found by the officer to be malfunctioning or needing service, shall not be carried. It

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shall be promptly presented to the Firearms Coordinator for inspection. Any weapon determined to be in need of service or repair during an inspection by the Firearms Coordinator, will be immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is serviceable.

306.3.2 STORAGE AT HOME

Employees shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access (Penal Code § 25100).

Employees shall be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

306.4 FIREARMS QUALIFICATIONS

All sworn personnel are required to qualify with their duty weapon, their off-duty weapon and secondary weapon annually on an approved range course. The Firearms Coordinator shall keep accurate records of qualifications, repairs, maintenance, training or as directed by the Training Manager. In addition to regular qualification schedules, the Firearms Coordinator shall be responsible for providing all sworn personnel with annual practical training designed to simulate field situations. At least annually, all personnel carrying a firearm will receive training on the department Use of Force policy and demonstrate their knowledge and understanding.

306.4.1 NON QUALIFICATION

If any officer is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to the Chief of Police via the Chain of Command, or designee, prior to the end of that scheduled range date. The officer shall await a decision from the Chief of Police or designee on their work status before being relieved from duty for the day.

Officers who repeatedly fail to qualify will be relieved from field assignment and appropriate disciplinary action may follow.

Officers who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:

- (a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.
- (b) Officers shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

306.4.2 TACTICAL LIGHTS AND HANDGUN OPTIC SIGHTS (RED DOT SIGHTS)

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

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Optic sights may only be installed on a firearm carried on-duty after examination by the department Range Master. The SWAT Team Leader shall examine and approve optic sights for members of the SWAT Team. Any approved sighting system shall only be installed in strict accordance with manufacturer specifications.

Red Dot Sights (RDS) or Reflex optics shall only be mounted in conjunction with raised, fixed iron sights (back up iron sights/suppressor sights) and shall be mounted in such a way that will not obstruct the use of the fixed iron sights. The iron sights shall "co-witness" with optic sights. Red Dot Sights are not "laser" sights and do not cast a visible beam or laser to the target.

Co-Witness: This refers to the double verification of the target that occurs when you line up your iron sights with the red dot or reflex sight. In an absolute co-witness sight picture, the red dot sights dot image, should rest on the top of the front sight (touching the sight). In a lower third co-witness sight picture, the dot image should rest above or within the lower third of the sight window. The co-witness position is up to the individual member.

Once approved sights and optics have been properly installed and examined by an approved Range Master, the member shall show proficiency and pass an approved Woodland Police Department Handgun qualification.

If a member chooses to carry the approved RDS, it is the responsibility of the member to purchase their own firearm, RDS, back up iron sights and duty holster. At no time will department issued firearms be modified or machined to accommodate the RDS or back up iron sights. If the department issued firearm is factory milled to receive the RDS and back up iron sights, only then may members have them installed at their own expense.

Recommended RDS brands include Trijicon, Leupold, EOTech and Vortex. Other brands may be considered with prior approval from the Range Master.

306.5 WARNING AND OTHER SHOTS

Warning shots are prohibited by this department.

306.5.1 ALCOHOL AND DRUGS

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

306.5.2 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container which is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

Officers are exempt from this requirement during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

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306.6 DESTRUCTION OF ANIMALS

Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances in which officers have sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any officer from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.6.1 INJURED ANIMALS

With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.

306.7 REPORT OF FIREARM DISCHARGE

Except during training or recreational use, any employee who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to their supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shooting Policy. If a firearm was discharged as a use of force, the involved employee shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

306.8 RANGE COORDINATOR DUTIES

The range will be under the exclusive control of the Range Coordinator. All officers attending will follow the directions of the Range Coordinator. The Range Coordinator will maintain a roster of all members attending the range and will submit the roster to the Training Manager after each range date. Failure of any officer to sign in and out with the Range Coordinator may result in non-qualification.

The range shall remain operational and accessible to officers during hours established by the Department.

The Range Coordinator has the responsibility of ensuring inspections are performed, at least once a year, of all duty weapons carried by officers of this department to verify proper operation. The Range Coordinator has the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to their personal weapon and it will not be returned to service until inspected by the Range Coordinator.

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306.9 MAINTENANCE AND REPAIR

Firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned weapons is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such weapon.

306.9.1 REPAIR OR MODIFICATIONS OF DUTY WEAPONS

The Firearms Coordinator or designee shall be the only person authorized to repair or modify any department-owned weapon. All repairs and/or modifications of department issued weapons not performed by the Firearms Coordinator must be approved in advance by the Firearms Coordinator and accomplished by a department approved gunsmith.

Any repairs or modifications to the officer's personally owned weapon shall be facilitated by the Firearms Coordinator.

- (a) Any personal sidearm approved by the Department for on/off duty use shall not be modified from its manufacturer's specifications without the expressed written consent of the Firearms Coordinator.
- (b) Any approved modification may only be made by a licensed firearms repair center or a reputable manufacturer's tuning shop. Routine Maintenance shall not be considered a modification as long as the replacement parts meet the original manufacturer's specifications.
- (c) A partial list of approved modifications include:
 - 1. Adjustable Night sights.
 - 2. Crowning of barrel.
 - 3. Replacement of grips.
 - 4. Throating of barrel.
 - 5. Polish and adjust trigger assembly to duty reliability.
 - 6. Extended, short or wide trigger assembly installation.
 - 7. Tune slide, barrel, and or bushings for accuracy but to duty standards, "Match-grade".

306.9.2 REPAIR OR REPLACEMENT OF DAMAGED/SEIZED FIREARMS (PERSONALLY OWNED)

All personally owned firearms whether for duty use or back up will be maintained within department guidelines.

In the event damage to a personally owned firearm, which is entirely beyond the control of the officer and resulting from a law enforcement function, the officer may request reimbursement of repair or replacement. The loss or damage shall be ascertained or estimated according to a comparison between the department issued equipment and personally owned equipment and shall in no event exceed what it would then cost to repair or replace the lesser expensive piece of equipment.

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In these cases, officers shall submit a memorandum to the Chief of Police, via the chain of command, explaining the circumstances of the damage and request consideration for reimbursement. The final decision regarding reimbursement of repair remains with the Chief of Police or designee.

Personally owned firearms or equipment seized as a result of participation in a law enforcement event will be returned after two years or all court proceedings are concluded, whichever is later. The department will only provide department issued replacement equipment during this period of time.

306.10 FLYING WHILE ARMED

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

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.
- (b) Officers must carry their Department identification card which must contain a full-face picture, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Woodland Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Woodland Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message to airport personnel as authorization to travel while armed on the day of travel.
- (d)
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter.
- (g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officers must keep the firearm concealed on their person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (h) Officers should not surrender their firearm but should try to resolve any problems through the flight captain, ground security manager or other management representative of the air carrier.
- (i) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

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306.11 CARRYING FIREARMS OUT OF STATE

Qualified active full-time officers and qualified retired officers (see Policy Manual § 214) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC 926B and C):

- (a) The officer shall carry their Department identification card whenever carrying such weapon.
- (b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other Department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 USC 926B and C.

306.12 PRECISION RIFLES

Officers assigned to the Precision Rifle element of the SWAT team may carry and use personally owned Precision Rifles during SWAT Activations or training if all of the following conditions are met:

- (a) The precision rifle is a .308 caliber or 6.5 Creedmoor caliber in bolt or semiautomatic action with a minimum barrel length of 16 inches.
- (b) The rifle is equipped with properly mounted optics at least equivalent to department issued units and has properly installed mounting equipment for department issued night vision devices.
- (c) The rifle shall be equipped with 3.5 lbs. trigger pull.
- (d) The officer must provide the rifle's factory specifications to the Precision Rifle Team Leader for retention and inclusion in annual inspection.
- (e) No modifications will be made to the rifle without prior approval by the Tactical Commander.
- (f) The officer was approved to carry an alternate rifle by the Chief of Police and documented in a memorandum to be held in the employee's training file.
- (g) The officer continues to qualify with the rifle as judged by the Precision Rifle Team Leader.

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- (h) The rifle is maintained in a serviceable condition consistent with Department standards as judged by the SWAT Team Commander during annual inspection.
 - 1. In the event damage to a personally owned rifle occurs, that is entirely beyond the control of the officer resulting from a law enforcement function, officers may request reimbursement of repair. The loss or damage shall be ascertained or estimated according to a comparison between the department issued equipment and personally owned equipment and shall in no event exceed what it would then cost to repair or replace the lesser expensive piece of equipment. In these cases, members shall submit a memorandum to the Chief of Police, via the chain of command, explaining the circumstances of the damage and request consideration for reimbursement. The final decision regarding reimbursement of repair remains with the Chief of Police or designee.
- (i) Officers choosing to purchase and carry their own precision rifle will be required to sign a City of Woodland Police Department Hold Harmless Agreement and Acknowledgement. This document will be provided by the Department Firearms Coordinator and be kept in the member's training folder.

Shift Expectations

307.1 PURPOSE AND SCOPE

To establish standardized patrol officer work and shift expectations. Nothing in this document precludes a supervisor from developing their own list of expectations, specific to their team's performance, in addition to the expectations outlined below.

307.2 GENERAL PROCEDURES

Patrol supervisors are expected to ensure that members of their shifts are aware of the following guidelines and that they become the department standards.

- (a) Be at briefing on time and prepared to take notes. Officers are expected to participate in the exchange of information. Newspapers, magazines, cell phones and food will not be allowed during briefing unless directed by your supervisor.
- (b) Shift minimums are to be maintained per policy and MOU.
- (c) Patrol vehicles will be inspected prior to leaving the station but not before the shift. All officers will replace supplies and equipment as required and report any vehicle damage or equipment malfunctions. Test and operate the Mobile Digital Video system per policy guidelines.
- (d) Vehicles shall be searched for contraband prior to deployment and after prisoner transportation.
- (e) Vehicles shall be kept clean and washed as necessary.
- (f) Report writing shall be completed in the field. When reports must be completed at the station the officer shall get approval from the shift supervisor.
 - 1. Dictation should be used for police reports with narratives over 100 words in length.
 - 2. In-custody reports completed within the last 3 hours of an officer's shift may be dictated with supervisory approval.
- (g) Officers will utilize unassigned time to work on Intelligence Led Policing tasks and conduct proactive enforcement in their beat, to include arrests, traffic enforcement, crime prevention activities, and field interviews.
- (h) Vehicles will be fueled prior to the end of shift.
- (i) Code 7/work breaks: Not more than two patrol units shall check off at the same location or time for Code 7 or 7-C. Officers shall receive approval by radio from dispatch before going to code. Code 7 is limited to 30 minutes and 7-C breaks are 15 minutes. Officers shall notify dispatch of the location when checking off.
- (j) Officers on Code 7 shall remain alert to priority calls for service and be available if requested by dispatch. Taking Code 7 during the first or last hour of the shift shall be approved by the shift supervisor.
- (k) No more than 3 uniformed officers shall take Code 7 at the same location without supervisor approval.

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Shift Expectations

307.3 BEAT RESPONSIBILITY

- (a) Each officer is responsible for patrolling their assigned beat. Officers should remain in their respective beats unless dispatched out of beat or for follow-up.
- (b) Officers are responsible for monitoring Intelligence Led Policing tasks and Community Oriented Policing Projects in their beat and providing directed enforcement in problematic areas.
- (c) Officers shall respond to calls in a timely manner while meeting driving requirements as set forth in department policy.
- (d) Officers will not self dispatch to calls. If an officer is on a call and about to clear they may advise dispatch of their status. Dispatch will direct which units shall respond. The shift supervisor has the ultimate discretion to redirect responding units if necessary.
- (e) Officers are expected to notify the shift supervisor of any unusual occurrences in their beat, e.g. large parties, hazards, demonstrations.
- (f) Officers planning group enforcement activities such as warrant sweeps, parole/probation searches, etc. shall discuss their plans with the shift supervisor before implementation.

307.4 RADIO PROCEDURES

- (a) Officers shall log into CAD with their beat and CAD designator when initially going in service. Officers shall put themselves in service at the end of briefing, unless directed otherwise by the shift supervisor.
- (b) Radio communications shall be brief, to the point and at a volume which is audible to monitoring units.
- (c) Officers are expected to identify themselves then await dispatch acknowledgement before making a call disposition or request.
- (d) Officers shall be professional in all communications.
- (e) Conflicts with a dispatcher or call shall be brought to the shift supervisor's attention. Officers shall not call dispatchers about conflicts or disagreements.
- (f) The radio should be the primary means of communication with dispatch. Phone calls should only be used when dispatch makes a request or when sensitive information may be compromised by using the radio.

307.5 MISCELLANEOUS EXPECTATIONS

- (a) Officers are expected to clean up after themselves and keep patrol cars, work areas, break rooms, fitness center and holding cells neat and orderly.
- (b) Officers shall keep their locker/storage areas clear and clean and no items shall be left outside of the locker. Items of evidence shall not be placed in personal lockers/storage areas.
- (c) Holding cell procedures shall be strictly enforced. The Juvenile Detention Log must be completed per policy.

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Shift Expectations

- (d) Overtime shall be approved by the shift supervisor before it is started.
- (e) All requests for shift trades will be completed through Plan It and approved by the shift supervisor.
- (f) Briefings shall be limited to no more than 30 minutes unless approved by the shift supervisor. The on-coming supervisor is responsible for notifying the on-duty supervisor and dispatch when briefing is extended.
- (g) Day off requests shall be entered into Plan It and approved by the respective shift supervisor. In all other cases the Shift Patrol Commander shall have approval authority.
- (h) Officers shall advise dispatch of the destination, starting and ending mileage of all subjects transported in their patrol vehicles.
- (i) Officers shall make personal contact with all parties requesting police services unless specifically requested to call via telephone. Suspects shall not be interviewed by telephone unless approved by the shift supervisor.

307.6 MISCELLANEOUS OFFICER/SUPERVISOR EXPECTATIONS

- (a) Supervisors are expected to ride with each officer on their shift at least once during a rotation. It is recommended that the supervisor spread the rides over the entire rotation period.
- (b) Officers and supervisors are expected to keep the lines of communication open and avoid personalizing issues. The chain of command shall be adhered to when conflicts arise.

Vehicle Pursuits

308.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects.

308.1.1 DEFINITIONS

Blocking - A low-speed tactic where one or more authorized police department emergency vehicles intentionally restrict the movement of a suspect vehicle, with the goal of containment or preventing a pursuit. Blocking is not boxing in or a roadblock.

Boxing-in - A tactic designed to stop a suspect's moving vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention - An attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT (known as Pursuit Intervention Technique or Precision Immobilization Technique), ramming, or roadblock procedures.

Pursuit Intervention Technique (PIT) - A low-speed tactic intentionally applied to cause the suspect vehicle to spin out and terminate the pursuit.

Ramming - The deliberate act of impacting a suspect's vehicle with another vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the suspect's vehicle.

Tire deflation device - A device that extends across the roadway designed to puncture the tires of the pursued vehicle, sometimes referred to as spike strips.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit

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

308.2 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by Vehicle Code

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§ 21055. Officers are responsible for continuously driving with due regard and caution for the safety of all persons and property (Vehicle Code § 21056).

308.2.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when the officer reasonably believes that a suspect, who has been given appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that should be considered in deciding whether to initiate a pursuit include:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones), and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risk of the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.
- (i) Suspect and officer vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders, hostages).
- (k) Availability of other resources such as air support or vehicle locator or deactivation technology.

308.2.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

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The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves, and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers, or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence, risk of serious harm, or weapons (independent of the pursuit) are generally discouraged.

308.3 PURSUIT UNITS

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable

Vehicle pursuits should be limited to three vehicles (two units and a supervisor); however, the number of units involved may vary with the circumstances.

An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it reasonably appears that the number of officers involved may be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

308.3.1 MOTORCYCLE OFFICERS

When involved in a pursuit, police department motorcycles should be replaced by marked four-wheel emergency vehicles as soon as practicable.

308.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit.

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308.3.3 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless the officer is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to any person.

The primary unit should notify the dispatcher commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including but not limited to:

- (a) The location, direction of travel, and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including license plate number, if known.
- (c) The reason for the pursuit.
- (d) Known or suspected weapons. Threat of force, violence, injuries, hostages, or other unusual hazards.
- (e) The suspected number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or secondary unit, the officer in the primary unit is responsible for the broadcasting of the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

308.3.4 SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary unit and is responsible for:

- (a) Immediately notifying the dispatcher of entry into the pursuit.
- (b) Remaining a safe distance behind the primary unit unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting the progress, updating known or critical information, and providing changes in the pursuit, unless the situation indicates otherwise.
- (d) Identifying the need for additional resources or equipment as appropriate.
- (e) Serving as backup to the primary pursuing officer once the suspect has been stopped.

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308.3.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. 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. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing units should exercise due regard and caution when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) against traffic. In the event that the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 - 3. Request other units to observe exits available to the suspects.
- (d) Notify the California Highway Patrol (CHP) and/or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (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 unit and with a clear understanding of the maneuver process between the involved units.

308.3.6 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspects and reporting the incident.

308.3.7 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, the unit should assume control over the pursuit. The primary and secondary ground units, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants the continued close proximity and/or involvement of ground units in the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road

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hazards, or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact of the pursued vehicle and the air support unit determines that it is unsafe to continue the pursuit, the air support unit should recommend terminating the pursuit.

308.3.8 UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

308.4 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for:

- (a) Immediately notifying involved unit and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required number of units are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in the supervisor's judgment, it is unreasonable to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (i) Controlling and managing Woodland Police Department units when a pursuit enters another jurisdiction.
- (j) Preparing a post-pursuit review and documentation of the pursuit.
 - 1. Supervisors should initiate follow up or additional review when appropriate.

308.4.1 PATROL SUPERVISOR RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Patrol Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and

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requirements of this policy. Once notified, the Patrol Supervisor has the final responsibility for the coordination, control, and termination of a vehicle pursuit and shall be in overall command.

The Patrol Supervisor shall review all pertinent reports for content and forward to the Bureau Commander.

308.5 DISPATCH

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies and units.

308.5.1 DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved units and personnel.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notify the Patrol Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

308.5.2 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

308.6 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

308.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Woodland Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation.

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The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports. Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific.

308.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit is responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a supervisor may authorize units from this department to join the pursuit until sufficient units from the initiating agency join the pursuit or until additional information is provided allowing withdrawal of the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of Woodland Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Patrol Supervisor should review a request for assistance from another agency. The Patrol Supervisor or supervisor, after considering the above factors, may decline to assist in, or assume the other agency's pursuit.

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers should provide appropriate assistance to officers from the allied agency including but not limited to scene control, coordination and completion of supplemental reports, and any other reasonable assistance requested or needed.

308.7 WHEN PURSUIT INTERVENTION IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards to the public arising from the use of each tactic, the officers, and persons in or on the pursued vehicle to determine which, if any, intervention tactic may be reasonable.

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308.7.1 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and subject to the policies guiding such use. Officers should consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

- (a) Blocking should only be used after giving consideration to the following:
 - 1. The technique should only be used by officers who have received training in the technique.
 - 2. The need to immediately stop the suspect vehicle or prevent it from leaving reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 - 3. It reasonably appears the technique will contain or prevent the pursuit.
- (b) The PIT should only be used after giving consideration to the following:
 - 1. The technique should only be used by officers who have received training in the technique, including speed restrictions.
 - 2. Supervisory approval should be obtained before using the technique.
 - 3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 - 4. It reasonably appears the technique will terminate or prevent the pursuit.
- (c) Ramming a fleeing vehicle should only be done after giving consideration to the following:
 - 1. Supervisory approval should be obtained before using the technique.
 - 2. The need to immediately stop the suspect vehicle reasonably appears to substantially outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 - 3. It reasonably appears the technique will terminate or prevent the pursuit.
 - 4. Ramming may be used only under circumstances when deadly force would be authorized.
 - 5. Ramming may be used when all other reasonable alternatives have been exhausted or reasonably appear ineffective.
- (d) Before attempting to box a suspect vehicle during a pursuit the following should be considered:
 - 1. The technique should only be used by officers who have received training in the technique.
 - 2. Supervisory approval should be obtained before using the technique.

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3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
4. It reasonably appears the technique will terminate or prevent the pursuit.
- (e) Tire deflation devices should only be used after considering the following:
 1. Tire deflation devices should only be used by officers who have received training in their use.
 2. Supervisory approval should be obtained before using tire deflation devices.
 3. The need to immediately stop the suspect vehicle reasonably appears to outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 4. It reasonably appears the use will terminate or prevent the pursuit.
 5. Tire deflation devices should not be used when the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, except in extraordinary circumstances.
 6. Due to the increased risk to officers deploying tire deflation devices, such deployment should be communicated to all involved personnel.
- (f) Roadblocks should only be used after considering the following:
 1. Roadblocks should only be used by officers who have received training in their use.
 2. Supervisory approval should be obtained before using the technique.
 3. The need to immediately stop the suspect vehicle reasonably appears to substantially outweigh the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
 4. It reasonably appears the technique will terminate or prevent the pursuit. Roadblocks may be used only under circumstances when deadly force would be authorized.
 5. Roadblocks may be used when all other reasonable alternatives have been exhausted or reasonably appear ineffective.

308.8 REPORTING REQUIREMENTS

All appropriate reports should be completed to comply with applicable laws, policies, and procedures.

- (a) The primary officer should complete appropriate crime/arrest reports.
- (b) The Patrol Supervisor shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP not later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required information on the form as is known and forward the report to the Patrol Supervisor for review and distribution.

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After first obtaining the available information, the involved, or if unavailable on-duty, field supervisor shall promptly complete a management level review summarizing the pursuit to the Chief of Police or the authorized designee.

- (a) The officer's supervisor shall initiate a management level review by making an entry into the Department's use of force/pursuit tracking software whenever the following reportable pursuit events occur:
 - 1. Date and time of pursuit.
 - 2. Initial reason and circumstances surrounding the pursuit.
 - 3. Length of pursuit in distance and time, including the starting and termination points.
 - 4. Involved units and.
 - 5. Alleged offenses.
 - 6. Whether a suspect was apprehended, as well as the means and methods used.
 - 7. Any use of force that occurred during the vehicle pursuit shall documented in a separate report in the Department's use of force tracking software.
 - (a) Any use of force by a member should be documented in the appropriate report (See the Use of Force Policy).
 - 8. Any injuries and/or medical treatment.
 - 9. Any property or equipment damage.
 - 10. Name of supervisor at scene or who handled the incident.
 - 11. After receiving copies of reports, logs, and other pertinent information, the or the authorized designee should conduct or assign the completion of a post-pursuit review.
- (b) The supervisor shall enter the following information into the tracking software:
 - 1. List of officers involved.
 - 2. The extent of injuries (if any) to the officer and the suspect.
 - 3. Any administrative actions taken by the supervisor or other personnel.
 - 4. The supervisor's opinion as to whether the pursuit was consistent with department policy.
 - 5. All pertinent documents shall be attached to the entry.
- (c) Tracking software entries should be completed within 14 days of the incident date and forwarded to the Bureau Commander to initiate the management level review. The supervisor shall notify the Bureau Commander if there any delays in meeting the 14 day deadline.
- (d) Pursuits initiated by supervisors

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1. In the event a sergeant initiates or is involved in a pursuit that triggers the reporting requirements set forth in this order, the Lieutenant will be responsible for identifying the person responsible for complying with this section.
2. In the event a Command Staff member initiates or is involved in a pursuit that triggers the reporting requirements set forth in this order, the manager shall notify their direct superior and the superior shall be responsible for identifying the person responsible for complying with this section.

Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuit reports to minimally include policy suitability, policy compliance, and training or equipment needs.

308.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

The Training Manager shall make available to all officers initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, Vehicle Code § 17004.7(d), and 11 CCR 1081, and no less than annual training addressing:

- (a) This policy.
- (b) The importance of vehicle safety and protecting the public.
- (c) The need to balance the known offense and the need for immediate capture against the risks to officers and others.

308.8.2 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read, and understand this policy initially, upon any amendments, and whenever training on this policy is provided. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member's training file.

308.9 APPLICATION OF VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.

308.10 POLICY

It is the policy of this department to balance the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

Officer Response to Calls

309.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

309.2 RESPONSE TO CALLS

Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Dispatch.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

309.3.1 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code-3 unless the supervisor authorizes an additional unit(s).

309.4 INITIATING CODE 3 RESPONSE

If an officer believes a Code-3 response to any call is appropriate, the officer should notify Dispatch when reasonably possible and give the location from which they are responding.

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309.5 RESPONSIBILITIES OF RESPONDING OFFICERS

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Dispatch. An officer shall also discontinue the Code-3 response when directed by a supervisor.

309.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the supervisor shall verify the following:

- (a) The proper response has been initiated
- (b) No more than those units reasonably necessary under the circumstances are involved in the response
- (c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in their judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

309.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the supervisor, or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

Response to Alarm Calls

310.1 PURPOSE AND SCOPE

To establish procedures for responding to various types of alarm calls while allowing appropriate notification of business owners and the alarm coordinator.

The procedure which is outlined below is meant to be used as a guideline for officers to follow when handling any alarm call.

This procedure should significantly reduce the hazards to officers who must respond to robbery alarms.

310.2 ROBBERY ALARMS

[REDACTED]
 [REDACTED]
 [REDACTED]

[REDACTED]

[REDACTED]

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Response to Alarm Calls

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Response to Alarm Calls

[REDACTED]

310.3 INTRUSION ALARMS

Two (2) officers shall be dispatched to all alarm calls.

If available, a canine unit shall be dispatched as a one officer cover unit.

Officers shall:

- (a) Notify dispatch when a field unit discovers a ringing alarm.
- (b) Check the premises of all alarm calls for any signs of attempted or actual entry.
- (c) Where evidence of criminal activity exists, complete a Crime or Incident Report, documenting the crime.

When there appears to be no entry and/or a false alarm, the primary officer at the scene shall determine if the situation warrants a cover unit. If there is no need for a cover unit, the primary officer shall cancel the unit, and have it return to service.

Officers will not cancel additional responding units until such time they themselves are on scene and can advise with certainty additional units will not be required.

Canines

311.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment police services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

311.2 GUIDELINES FOR THE USE OF CANINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed or threatened to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The individual 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 individual(s) is/are 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. In any such case, a standard of objective reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances.

Absent reasonable belief that an individual has committed or threatened to commit a serious offense, mere flight from pursuing officer(s) shall not serve as good cause for the use of a canine to apprehend the individual.

Once the individual has been located and no longer reasonably appears to represent a threat or risk of escape, the canine should be secured as soon as it becomes reasonably practical.

If the canine is utilized to track or search for non-criminals such applications should be conducted under such conditions that will minimize the likelihood that the canine will bite or otherwise injure the individual.

A canine handler shall have the ultimate authority not to deploy the dog. The handler will evaluate each situation and determine if the use of a canine is technically feasible. Generally, the decision whether to deploy the dog shall remain with the handler. However, a supervisor sufficiently apprised of the situation may decide not to deploy the dog.

311.2.1 WARNINGS GIVEN TO ANNOUNCE THE USE OF A CANINE

When practical, an audible warning will be given announcing that a canine will be released prior to deploying a canine. The canine handler, when practical, should first advise the supervisor of their decision if a verbal warning is not given prior to releasing the canine. In the event of an apprehension, the handler shall document in any related report whether or not a verbal warning was given and, if none was given, the reasons why.

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311.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Bureau to function primarily in assist or cover assignments. However, they may be assigned by the Patrol Supervisor 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. If such assignment is necessary, it should only be made with the approval of the Patrol Supervisor.

311.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Bureau Lieutenant or the authorized designee.

The responsibilities of the coordinator 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 a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a 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.

311.5 REQUESTS FOR CANINE TEAMS

Patrol Bureau members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Bureau shall be reviewed by the Patrol Supervisor.

311.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Canine Coordinator or Patrol Supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that they deem unsuitable.
- (c) Calling out off-duty canine teams is discouraged.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

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311.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator 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 coordinator.

311.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is 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 is 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 Patrol Supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine or the public, such canine use should be conducted 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 practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

311.6.1 WARNINGS AND ANNOUNCEMENTS

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

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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 their 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.

311.6.2 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. 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 the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use 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 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).

311.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

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- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

311.7.1 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.

311.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags, and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

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.

311.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced residence that includes a dedicated and secure outdoor area (minimum 5-foot high fence).
- (c) A garage that can be secured and accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the Woodland Police Department. All driving times will be determined by using Google Maps.
- (e) Agreeing to be assigned to the position for a minimum of four years.

311.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

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 their control in a clean and serviceable condition.

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- (c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Woodland Police Department facility.
- (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 Sergeant.
- (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. When off-duty, the canine may be let out of the kennel while under the direct control of the handler or designee approved by the Canine Sergeant.
- (g) The canine should be permitted to socialize in the home with the handler's family under the direct supervision of the handler or designee.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the Canine Sergeant or Patrol Supervisor.
- (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 Sergeant or Patrol Supervisor.
- (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 Sergeant so that appropriate arrangements can be made.

311.9.1 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 canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

311.10 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 Sergeant or Patrol Supervisor as soon as practicable. If the injury was a result of criminal activity it will be documented in a crime report.

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 appropriate canine file.

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311.11 TRAINING

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.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Patrol Supervisor.

311.11.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current POST, CNCA, or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Woodland Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

311.11.2 FAILURE TO MAINTAIN CERTIFICATION

Any canine team failing to maintain certification shall not be deployed in the field for tasks the team is not certified to perform until certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

In the event of an extended absence (in excess of thirty days) from duty, the canine will receive at least one day of training and be re-certified to POST standards, prior to being placed back in service.

311.11.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

311.11.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Woodland Police Department may work with outside trainers with the applicable licenses or permits.

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311.11.5 CONTROLLED SUBSTANCE TRAINING AIDS

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)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Woodland Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

311.11.6 CONTROLLED SUBSTANCE PROCEDURES

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 and maintained by this 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 coordinator with a copy forwarded to the dispensing agency.
- (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 coordinator 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 Property and Evidence Section or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

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311.12 DONATIONS AND PURCHASES

Any purchases made for the Woodland Police K-9 Unit, regardless of origination of funds (i.e. Foothills K-9 Association, Woodland Police Officers' Association), requires Division Commander approval.

Animal Control Calls

312.1 PURPOSE AND SCOPE

To establish guidelines for handling animal nuisance and injured animal calls for service.

Animal control is responsible for most animal complaint related offenses, however Woodland Police officers often time are called, especially at night when no other personnel are available, for injured animals or disturbances involving animals.

312.1.1 COUNTY ANIMAL CONTROL RESPONSE

Outside the normal business hours requires supervisor approval and will be decided on a case by case basis, except when required by 121595 H&S, 121600 H&S and 597f PC.

312.2 INJURED/STRAY ANIMALS AND SUPERVISOR RESPONSIBILITIES

Reports of Injured animals after the hours of response for County Animal Control shall be forwarded to the shift supervisor. Prior to authorizing an Animal Control call-out the shift supervisor should send an officer to evaluate the situation and relay the findings to the shift supervisor for evaluation. Shift Supervisors shall use discretion in evaluating the totality of the circumstance prior to deciding whether or not to call out County Animal Control after hours. Factors to consider include:

- (a) The animal's injuries, if any.
- (b) Whether or not the animal is contained.

312.3 VICIOUS DOGS

Officers responding to vicious dog calls shall obtain the following information in order to determine if County Animal Control should be called out to respond.

- (a) Is the dog free roaming or out of the owners control.
- (b) Has the dog attacked or bitten a human being.
- (c) Is the dog presently a public safety hazard.
- (d) If the above conditions are present contact the shift supervisor to authorize immediate County Animal Control response.
- (e) Is the reporting party willing to keep the uninjured animal contained until the following morning when the animal is not injured.
- (f) Does the animal appear to be suffering or in distress from starvation or injury.

Vicious dog calls not meeting the above requirements shall be directed to County Animal Control requesting a response during normal business hours.

In all cases identification and contact with the owner should be attempted and forwarded to County Animal Control.

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312.4 ENFORCEMENT PROFILE

County Animal Control is the primary enforcement agency for vicious dog calls. As a matter of policy, officers will protect public safety when violations are brought to their attention or they observe violations during the course of their duties. In non-emergency situations officers shall assure the owner has containment of the dog and there is no public safety hazard.

Officers may issue citations should the circumstances dictate.

Domestic Violence

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Abuse- means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to themselves or another. (PC 13700(a))

- (a) Corporal Injury is physical injury inflicted on the body.
- (b) Great Bodily Injury means a significant or substantial physical injury. (PC 12022.7(e))
- (c) Serious Bodily Injury means a serious impairment of physical condition, including, but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (PC 243(f)(4))
- (d) Trauma is a wound caused by external force.
- (e) Traumatic Condition is a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force. (PC 273.5(c))*[Yolo County District Attorney's Note: Examples of traumatic condition may include, but are not limited to, the following, visually observable redness, swelling, bruising, bleeding, hair pulled out, or medically verified internal injury. Complaint of pain, by itself, is not enough.]*
- (f) Wound is a physical injury to a person's body.

Battery- is any willful and unlawful use of force or violence upon the person of another. (PC 242)

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic Violence- is abuse committed against an adult or minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. Same sex relationships are included. (PC 13700(b))

Domestic Disturbance- is an argument or disagreement within the family or between partners as defined in Penal Code section 13700 that does not involve violence, threats of violence, or court order violations, which would require an arrest.

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313.1.2 PRO-ARREST POLICY

This department implements a pro-arrest policy, if there is probable cause to believe that a domestic violence offense has been committed then an arrest shall be made. (Penal Code section 13701(b).)

The arrest may be for a felony or misdemeanor offense.

313.2 POLICY

The Woodland Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

313.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

313.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the original officer responsible for the investigation in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

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- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 - 11. The social status, community status, or professional position of the victim or suspect.

313.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

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313.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.
 - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

313.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected:

- (a) Victims should be provided with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (b) Victims should also be alerted to any available victim advocates, shelters, and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
- (d) If the victim has sustained injury or complaints of pain, officers should seek medical assistance as soon as practicable.
- (e) Officers should ask the victim whether the victim has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for the victim's safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers should seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).

313.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

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313.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

313.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
 - 1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).
- (b) Check available records or databases that may show the status or conditions of the order.
 - 1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

313.9 REPORTS AND RECORDS

- (a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.

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- (b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.
- (c) Officers who seize any firearm, ammunition, or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)).

313.10 RECORD-KEEPING AND DATA COLLECTION

This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Supervisor to maintain and report this information as required.

313.11 SERVICE OF COURT ORDERS

- (a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located and shall provide the person protected or the person's parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).
- (b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).
- (c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)).
- (d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).
- (e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide the person with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

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313.12 PUBLIC ACCESS TO POLICY

A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

313.13 DECLARATION IN SUPPORT OF BAIL INCREASE

Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee's appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).

313.14 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

- (a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval. This decision could include, but not limited to, medical or other health reasons.
 - 1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises and the investigation has been on-going and continuous. (Penal Code § 836).
- (b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of the victim's right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).
- (c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):
 - 1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
 - 2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender's child)
 - 3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
 - 4. Penal Code § 646.9 (stalking)
 - 5. Other serious or violent felonies specified in Penal Code § 1270.1

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- (d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:
 - 1. The intent of the law to protect victims of domestic violence from continuing abuse.
 - 2. The threats creating fear of physical injury.
 - 3. The history of domestic violence between the persons involved.
 - 4. Whether either person acted in self-defense.
- (e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer's presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

Search and Seizure

314.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Woodland Police Department personnel to consider when dealing with search and seizure issues.

314.2 POLICY

It is the policy of the Woodland Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

314.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and their familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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Search and Seizure

314.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

314.4.1 STRIP SEARCHES, VISUAL BODY CAVITY SEARCHES, OR PHYSICAL BODY CAVITY SEARCHES

These searches may only be conducted after a lawful arrest has been made and shall follow the guidelines contained in Policy Manual § 901 specific to each search type.

314.5 DOCUMENTATION

Officers are responsible to document all parole and probation searches of residences or businesses and any other search where evidence is collected. These reports shall include, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred, to include photographs
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- An itemized list of seized property shall be left at the residence, or if taken from a person, with them or placed in their property at the jail.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

314.6 PAROLE AND PROBATION SEARCHES

Officers shall verify the search conditions of those persons subject to search as a condition of parole or probation prior to conducting parole and probation searches, when possible.

Arrests or Interviews at Schools or Businesses

315.1 PURPOSE AND SCOPE

To establish procedures for affecting arrests or conducting interviews while at schools or businesses, and when possible, prevent any disruptions to business or school routines.

315.1.1 PROCEDURE

Officers shall, when possible, contact the person in charge of a business or school before making an arrest or conducting an interview of employees or students.

Officers should make every attempt possible to isolate a potential arrestee or interviewee from the "main stream" of the business or school by requesting the subject be brought to the officer. (Also see Child Abuse Policy)

Contact should be made with a management representative, Principal, Security Officer, or School Police and inform them of the need to arrest or interview.

For cases of a dangerous subject or flight risk the officer may accompany the representative to the work site or classroom.

Temporary Custody of Juveniles

316.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Woodland Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

316.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for the juvenile's own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for the juvenile's protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles 11 years of age or younger are considered juvenile non-offenders even if they have committed an offense that would subject an adult to arrest.

Juvenile offender - A juvenile 12 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (Welfare and Institutions Code § 602). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1; 15 CCR 1150).

Safety checks - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.

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- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when a non-secure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact that is more than brief or inadvertent.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

316.2 POLICY

The Woodland Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Woodland Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release.

316.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Woodland Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated except when approved by the Patrol Supervisor. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol, or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

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These juveniles should not be held at the Woodland Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed (15 CCR 1142).

316.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Patrol Supervisor shall be notified of the need for medical attention for the juvenile. Department members should administer first aid as applicable (15 CCR 1142).

316.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill themselves, or any unusual behavior which may indicate the juvenile may harm themselves while in either secure or non-secure custody (15 CCR 1142).

316.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Woodland Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Woodland Police Department without authorization of the arresting officer's supervisor or the Patrol Supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of the juvenile's entry into the Woodland Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1).

316.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Woodland Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

Juveniles 11 years of age or younger who have committed an offense that would subject an adult to arrest may be held in non-secure custody for the offenses listed in Welfare and Institutions Code § 602(b) (murder and the sexual assault offenses) and should be referred to a probation officer for a placement determination (Welfare and Institutions Code § 602.1).

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316.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

316.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Woodland Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and taken into custody for committing or attempting to commit a felony with a firearm shall not be released and be transported to a juvenile facility (Welfare and Institutions Code § 625.3).

A juvenile offender suspected of committing murder, a sex offense described in Welfare and Institutions Code § 602(b) that may subject the juvenile to criminal jurisdiction under Welfare and Institutions Code § 707, or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

- (a) Released upon warning or citation.
- (b) Released to a parent or other responsible adult after processing at the Department.
- (c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
- (d) Transported to the juvenile offender's home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative that least restricts the juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

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316.5 ADVISEMENTS

Officers shall take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that the juvenile is in custody, the location where the juvenile is being held, and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, the juvenile shall be given the *Miranda* rights advisement regardless of whether questioning is intended. This does not apply to juvenile non-offenders taken into temporary custody for their safety or welfare (Welfare and Institutions Code § 625).

Anytime a juvenile offender is placed in secure custody, the juvenile offender shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last, and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1).

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to their parent or guardian; one to a responsible relative or their employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

316.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile.
- (b) Date and time of arrival and release from the Woodland Police Department (15 CCR 1150).
- (c) Patrol Supervisor notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
- (e) Any changes in status (e.g., emergency situations, unusual incidents).
- (f) Time of all safety checks.
- (g) Any medical and other screening requested and completed (15 CCR 1142).
- (h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1; 15 CCR 1145).
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Patrol Supervisor shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

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316.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1; Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Woodland Police Department (trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).

316.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Woodland Police Department shall ensure the following:

- (a) The Patrol Supervisor should be notified if it is anticipated that a juvenile may need to remain at the Woodland Police Department more than four hours. This will enable the Patrol Supervisor to ensure no juvenile is held at the Woodland Police Department more than six hours.
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal safety checks and significant incidents/activities shall be noted on the log.
- (d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).
- (f) Juveniles shall be provided sanitary napkins, panty liners, and tampons as requested (15 CCR 1143).
- (g) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).
- (h) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).
- (i) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (j) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).

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- (k) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).
- (l) Blankets shall be provided as reasonably necessary (15 CCR 1143).
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (m) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.
- (n) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (o) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.
- (p) Juveniles shall have access to language services (15 CCR 1143).
- (q) Juveniles shall have access to disability services (15 CCR 1143).
- (r) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse (15 CCR 1142).

While held in temporary custody, juveniles shall be informed in writing of what is available to them pursuant to 15 CCR 1143 and it shall be posted in at least one conspicuous place to which they have access (15 CCR 1143).

316.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Woodland Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Patrol Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others (15 CCR 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR 1142).

316.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Woodland Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Woodland Police Department.

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316.11 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Patrol Supervisor approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to themselves or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to themselves or others include the following (15 CCR 1145):

- (a) Age, maturity, and delinquent history
- (b) Severity of offense for which the juvenile was taken into custody
- (c) The juvenile offender's behavior
- (d) Availability of staff to provide adequate supervision or protection of the juvenile offender
- (e) Age, type, and number of other individuals in custody at the facility

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

316.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
- (b) Juveniles shall have constant auditory access to department members (15 CCR 1147).
- (c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1).

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- (d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).
 - 1. All safety checks shall be logged.
 - 2. The safety check should involve questioning the juvenile as to the juvenile's well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (e) Juveniles of different genders shall not be placed in the same locked room (15 CCR 1147).
- (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

316.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Patrol Supervisor will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Woodland Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police, and Investigation Bureau Supervisor.
- (b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the City attorney.
- (e) Notification to the coroner.
- (f) Notification of the juvenile court.
- (g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections within the same time frame (15 CCR 1046).
- (h) A medical and operational review of deaths and suicide attempts pursuant to 15 CCR 1046.
- (i) Evidence preservation.
- (j) Upon receipt of a report of death of a minor from the administrator, the Board may within 30 calendar days inspect and evaluate the jail, lockup, or court holding facility. Any inquiry made by the Board shall be limited to the standards and requirements set forth in 15 CCR Section 1046.

316.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

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Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, an officer shall permit a juvenile 17 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):

- (a) Information is necessary to protect life or property from an imminent threat.
- (b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

316.14 FORMAL BOOKING

Any juvenile, 14 years of age or older, who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, should be booked, fingerprinted and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed after giving due consideration to the following:

- (a) The gravity of the offense.
- (b) The past record of the offender.
- (c) The age of the offender.

316.15 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

A copy of the current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Woodland Police Department Policy Manual. Such releases are authorized by Welfare and Institutions Code § 827.

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Supervisor and the appropriate Detective Bureau supervisors to ensure that personnel of those bureaus act within legal guidelines.

316.16 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION

The Patrol Bureau Commander shall coordinate the procedures related to the custody of juveniles held at the Woodland Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

316.17 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

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316.18 TRAINING

Department members should be trained on and familiar with this policy and any supplemental procedures.

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317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Woodland Police Department members as required by law (Penal Code § 368.6).

The Woodland Police Department is committed to providing equal protection and demonstrating respect for all persons regardless of age or disabilities, and to conscientiously enforcing all criminal laws protecting elders, and adults and children with disabilities, regardless of whether these crimes also carry civil penalties (Penal Code § 368.6) (see Child Abuse Policy for child abuse investigations and reporting).

317.2 DEFINITIONS

Definitions related to this policy include:

Adult Abuse - Any offense or attempted offense involving violence or neglect of adults over the age of 65 or any offense or attempted offense involving a dependent adult victim committed by a caregiver. This also includes any other act that would mandate notification to a social service/ licensing agency or law enforcement related to the abuse of an adult (Welfare and Institutions Code § 15610.07; Welfare and Institutions Code § 15610.27; Welfare and Institutions Code § 15610.23).

Dependent Adult - Any person residing in this state, between 18 and 64 years of age, who has physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This includes any person between 18 and 64 years of age who is admitted as an inpatient to a 24-hour health facility, as defined in state law (Health and Safety Code § 1250; Health and Safety Code § 1250.2; Health and Safety Code § 1250.3).

317.3 MANDATORY NOTIFICATION

Any officer who has observed or has knowledge of an incident that reasonably appears to be adult abuse, is told by an elder or dependent adult that they have experienced abuse or who reasonably suspects abuse, shall report to the county adult protective services agency as soon as practicable as provided in Welfare and Institutions Code § 15630.

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30). Notification is also made in cases of abandonment, abduction, isolation and neglect (Welfare and Institutions Code § 15610.05;

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Welfare and Institutions Code § 15610.06; Welfare and Institutions Code § 15610.43; Welfare and Institutions Code § 15610.57).

Notification should also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

- (a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):
 - 1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
 - 2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.
 - 3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.
- (b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman.
- (c) The State Department of Public Health shall be notified of all known or suspected abuse occurring in a long-term facility.
- (d) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.
- (e) The District Attorney's office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.
- (f) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the State Department of State Hospitals or the State Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse.
- (g) If the abuse occurred at a residential care facility for the elderly or adult day program, the State Department of Social Services shall be notified.
- (h) If the abuse occurred in an adult day health care center, the State Department of Public Health and the California Department of Aging shall be notified.

Failure to make a report is a misdemeanor (Welfare and Institutions Code § 15630(h)).

The Detective Bureau supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney's Office and any other regulatory agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

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317.3.1 RECORDS BUREAU RESPONSIBILITY

The Records Division is responsible for the following:

- (a) Provide a copy of the adult or elder/dependent abuse report to Adult Protective Services. This requirement is applicable even if the initial call was received from Adult Protective Services.
- (b) Retain the original adult or elder/dependent abuse report with the initial case file.

317.4 OFFICER'S RESPONSE

All incidents involving actual or suspected adult abuse shall be fully investigated and appropriately documented.

317.4.1 INITIAL RESPONSE

Officers may be called upon to effect a forced entry as the first responder to the scene of suspected adult abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel, if not already present.

317.4.2 STABILIZE THE SITUATION

Officers must quickly assess the situation in an effort to ensure the immediate safety of all persons. Officers shall also consider taking the following actions:

- (a) Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible.
- (b) Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence that may change in appearance (e.g., injuries) should be photographed as soon as practicable.
- (c) Assess and define the nature of the problem. Officers should assess the available information to determine the type of abuse that may have taken place or the potential for abuse in the future that may be eliminated by intervention.
- (d) Make on-scene arrests when appropriate. Officers may arrest a person without a warrant when probable cause exists to believe that the person has committed an assault or battery, whether or not the assault or battery has in fact been committed, upon an adult to whom the suspect is related by blood or legal guardianship, provided the arrest is made at the time probable cause arises (Penal Code § 836).

If an arrest is not otherwise required by law, officers should consider the consequences that the immediate arrest of a sole supporting family caretaker might have on the victim. The decision to arrest should be based on the best interests and caretaking needs of the elderly or dependent adult victim. The present and future safety of the victim is of utmost importance.

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317.4.3 SUPPORT PERSONNEL

The following persons should be considered for notification if it appears an in-depth investigation is appropriate:

- Patrol supervisor.
- Detective personnel.
- Evidence collection personnel.
- Protective Services Agency personnel.
- Ombudsman shall be called if the abuse is in a long-term care facility, to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).
- Investigation efforts shall be coordinated with the designated investigators of the State Department of State Hospitals or the State Department of Developmental Services if the abuse occurred in a state mental hospital or state developmental center (Welfare and Institutions Code § 15630(b)).

317.4.4 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

317.5 ADULT ABUSE REPORTING

Every allegation of adult abuse shall be documented in a report. When documenting elder/dependent abuse cases the following information should also be included in the report:

- Current location of the victim
- Victim's condition/nature and extent of injuries, neglect or loss
- Names of agencies and personnel requested and on scene

Reporting cases of adult abuse is confidential and will only be released in accordance with the Release of Records and Information Policy.

Officers investigating adult abuse shall complete a State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

317.6 JURISDICTION

The Woodland Police Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and

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criminal neglect and may assist in criminal investigations upon request, if consistent with federal law, in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).

Additional jurisdiction responsibilities for investigations of abuse involving various facilities and agencies may be found in Welfare and Institutions Code § 15650.

317.7 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police or the authorized designee responsibilities include but are not limited to (Penal Code § 368.6):

- (a) Taking leadership within the Department and in the community, including by speaking out publicly in major cases of senior and disability victimization, to assure the community of department support for the victims and their families and for others in the community who are terrorized and traumatized by the crimes, and to encourage victims and witnesses to the crimes or similar past or future crimes to report those crimes to help bring the perpetrators to justice and prevent further crimes.
- (b) Developing and including department protocols in this policy, including but not limited to the following:
 - 1. Protocols for seeking emergency protective orders by phone from a court at any time of day or night pursuant to Family Code § 6250(d).
 - 2. Protocols for arrest warrants and arrests for senior and disability victimization for matters other than domestic violence and consistent with the requirements of Penal Code § 368.6(c)(9)(B) that include the following:
 - (a) In the case of a senior and disability victimization committed in an officer's presence, including but not limited to a violation of a relevant protective order, the officer shall make a warrantless arrest based on probable cause when necessary or advisable to protect the safety of the victim or others.
 - (b) In the case of a felony not committed in an officer's presence, the officer shall make a warrantless arrest based on probable cause when necessary or advisable to protect the safety of the victim or others.
 - (c) In the case of a misdemeanor not committed in the officer's presence, including but not limited to misdemeanor unlawful interference with a mandated report or a misdemeanor violation of a relevant protective order, or when necessary or advisable to protect the safety of the victim or others, the agency shall seek an arrest warrant based on probable cause.
 - (d) Protocol for seeking arrest warrants based on probable cause for crimes for which no arrest has been made.
 - 3. Procedures for first responding officers to follow when interviewing persons with cognitive and communication disabilities until officers, or staff of other responsible agencies with more advanced training, are available. The procedure shall include an instruction to avoid repeated interviews whenever possible.

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- (c) For each department protocol, include either a specific title-by-title list of officer responsibilities or a specific office or unit in the Department responsible for implementing the protocol.
- (d) Ensure an appendix is created and attached to this policy that describes requirements for elder and dependent adult abuse investigations consistent with Penal Code § 368.6(c)(8)(B).
- (e) Ensure a detailed checklist is created and attached to this policy regarding first responding responsibilities that includes but is not limited to the requirements of Penal Code § 368.6(c)(23).
- (f) Ensuring that all members carry out their responsibilities under this policy.
- (g) Verifying a process is in place for transmitting and periodically retransmitting this policy and related orders to officers, including a simple and immediate way for officers to access the policy in the field when needed.
- (h) Ensure this policy is available to the Protection and Advocacy Agency upon request.

See attachment: Adult Abuse Investigation Addendum.pdf

See attachment: Adult Abuse Checklist.pdf

See attachment: Appendix Elder and Dependent Abuse Investigations.pdf

317.8 ELDER AND DEPENDENT ADULT ABUSE LIAISON

The Investigations Lieutenant is appointed by the Chief of Police or the authorized designee to serve as the Elder and Dependent Adult Abuse Liaison. Responsibilities of the liaison include but are not limited to (Penal Code § 368.6):

- (a) Acting as a liaison to other responsible agencies (defined by Penal Code § 368.6(b)(15)) to increase cooperation and collaboration among them while retaining the law enforcement agency's exclusive responsibility for criminal investigations (Welfare and Institutions Code § 15650).
- (b) Reaching out to the senior and disability communities and to the public to encourage prevention and reporting of senior and disability victimization.

Discriminatory Harassment

318.1 PURPOSE AND SCOPE

Click the hyperlink for the City of Woodland policy #16-101

See attachment: Policy Against Harassment in the Work Place.pdf

318.2 REQUIRED POSTERS

The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).

Child Abuse

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when officers are required to notify the county Child Protective Services (CPS) of suspected child abuse.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

319.2 POLICY

The Woodland Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

All reports of alleged child abuse reported to Patrol shall be investigated by the Patrol Bureau. This is to ensure a timely investigation takes place and the child is in a safe environment. The Criminal Investigations Bureau will immediately be notified of any allegation of child abuse that required even temporary hospitalization or when the allegations involve sexual battery of a child. The Criminal Investigations Bureau will follow-up on cases in which specialized expertise is needed due to the complexity of the allegations or evident crime. This will include most sexual assault investigations and physical abuse investigations where severe trauma is believed to have been intentionally inflicted. Severe trauma includes fractures, multiple bruised areas, internal head/organ injuries, and reports of the child losing consciousness due to physical punishment.

319.3 MANDATORY NOTIFICATION

The child protection agency shall be notified when (Penal Code § 11166):

- (a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child's welfare, or
- (b) A person responsible for the child's welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney's office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Notification of the District Attorney is not required for reports only involving neglect by a person, who has the care or custody of a child, to provide adequate

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food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority. When the alleged abuse or neglect involves a child of a minor parent or a dependent adult, notification shall also be made to the attorney of the minor or the dependent adult within 36 hours (Penal Code 11166.1; Penal Code 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1); neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of the peace officer's employment as a peace officer.

319.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.
- (b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

319.4 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.

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- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

319.4.1 EXTRA JURISDICTIONAL REPORTS

If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

319.5 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from the child's parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

- (a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, and further has good cause to believe that any of the following conditions exist:
 - 1. The child has an immediate need for medical care.
 - 2. The child is in immediate danger of physical or sexual abuse.

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3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child's health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.
- (b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:
 1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
 2. There is no lawful custodian available to take custody of the child.
 3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
 4. The child is an abducted child.
- (c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

319.5.1 CALIFORNIA SAFELY SURRENDERED BABY LAW

An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

319.5.2 NEWBORNS TESTING POSITIVE FOR DRUGS

Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.

Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

319.6 INTERVIEWS

319.6.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained

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in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

319.6.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

319.6.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

319.7 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

319.8 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

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319.8.1 SUPERVISOR RESPONSIBILITIES

The supervisor should activate any available interagency response when an officer notifies the supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

319.8.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

319.9 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

Missing Persons

320.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

320.1.1 DEFINITIONS

At risk - Includes, but is not limited to (Penal Code § 14215) the following:

- 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 their ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Those 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).

320.2 POLICY

The Woodland 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 the facts reveal otherwise. The Woodland 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).

320.3 ACCEPTANCE OF REPORTS

Any employee 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 employees who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert an employee 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).

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320.4 INITIAL INVESTIGATION

Officers or other employees 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 person 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 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 no 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) For investigations where the missing party does not have a history of past MP Reports and/or there are other criteria leading the investigating officer to believe the missing party may be at risk or the victim of foul play; the following items may be reviewed for relevance and determined whether or not to be beneficial to the investigation. If identified as beneficial, the investigating officer should collect the item(s) and book them into evidence.
 - 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).
 - 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 their 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

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transmission to the appropriate agency. If the information relates to an at-risk missing person, the officer should notify a supervisor and proceed with reasonable steps to locate the missing person.

320.5 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.

320.5.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall review and approve missing person reports upon receipt and ensure resources are deployed as appropriate. The reports should be promptly sent to Records Division.

The supervisor shall also ensure applicable notifications and public alerts are made and documented and that records have been entered into the appropriate missing person networks.

The supervisor should also take reasonable steps to identify and address any jurisdictional issues to ensure cooperation between agencies.

320.5.2 RECORDS DIVISION RESPONSIBILITIES

The receiving employee 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).
- (b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (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 (Penal Code § 14211).
- (d) Forward a copy of the report to the Detective Bureau.

320.6 DETECTIVE BUREAU 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.

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- (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 Coroner.
- (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 § 566).

320.7 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 reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Supervisor shall ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Entries are made in the applicable missing person networks (Penal Code § 14207).
- (b) The missing person's school is notified.
- (c) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation (Penal Code § 14207(b)).
- (a) Entries are made in the applicable missing person networks (Penal Code § 14207).

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320.7.1 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.

320.8 CASE CLOSURE

The Detective Bureau 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 Woodland Police Department 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 inactive 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.

320.9 ADDITIONAL REPORT ON CHRONIC RUNAWAYS

- (a) In the case of chronic runaways it may be acceptable to follow up by phone.
- (b) Personal contact provides for the best information and delivery of police services. If the employee has personal knowledge or is advised by dispatch that the missing person has a history of being reported as a runaway, and this does not appear to be an "at risk" situation, and the employee's workload dictates there is only time for a phone call, the employee may handle the call by phone. The employee's choice of using the telephone may significantly shorten the time to resolve the call for service and should still meet the needs of the reporting party.
- (c) The employee can make telephone contact with the reporting party to determine the following:
 - 1. Has the MP's status changed?
 - 2. Has the description or other data changed?
- (d) Additional information pertinent to the MP.

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- (e) The employee shall use the case number from the original case and complete a "Missing Person Update Information/Clear-up Report" form.
 - (f) The employee causes the MP to be entered into MUPS via the Records Division.
 - (g) The employee then submits the routing sheet, "Missing Person Update Information/Clear-up Report", narrative and new MUPS entry for report approval.
5. Special procedures apply for chronic runaways from a group home.
- (a) An officer will be dispatched to all runaway reports at Woodland Youth Services when it is the first time that calendar year the juvenile has runaway. A new missing person case is required each calendar year.
 - (b) Only one face sheet is required per person per calendar year, as long as the type of report is consistent (i.e. If the juvenile is forcibly kidnaped, then an officer will be dispatched and a new case number and form will be required)
 - (c) If the juvenile has already been reported as a runaway within the calendar year, Woodland Youth Services will contact the Records Bureau directly.
 - (d) The Records Bureau will assign a case number to the incident and provide that information to Woodland Youth Services.
 - (e) Woodland Youth Services will then fax the information sheet provided to Records, with all the information on the runaway. They will note the case number provided on the information sheet. The information sheet will be faxed to the police department at 530-662-5356.
 - (f) Upon return of the juvenile, Woodland Youth Services will fax the return information to the Woodland Police Department at 530-662-5356.
 - (g) During Woodland Police Department after hours (M-F 1900-0630 and Sat/Sun all day), Woodland Youth Services must call dispatch at 530-666-2411. Once a case number is obtained by dispatch, they must fax the information sheet to the Woodland Police Department at 530-662-5356.

Alert Notifications

321.1 PURPOSE AND SCOPE

Alert notifications provide a means of notifying officers and other personnel to persons of interest utilizing contact messages within the ALERT field of the Records Management System Master Name Index (MNI). Generally, queries shall be made in the Master Name Index (MNI) ALERT database on all subjects to determine if there are any contact messages.

321.1.1 DEFINITIONS

CONTACT MESSAGES: shall include, but are not limited to detective and patrol contact requests, FI's, PC to arrest notices, ID photographs and relative contact messages

ALERT DATABASE: Information entered in the Master Name Index (MNI) on persons of interest not amounting to arrest warrants but requiring action or notification to specific law enforcement personnel to further active investigations or detention, which may result in arrest. The database also includes 290PC Reg., 457.1PCReg., Communicable Disease Notifications, Deceased Persons and information from allied agencies

PERSONS OF INTEREST (POI): Persons sought for investigative reasons including statements, photographs, FI and PC arrest, etc

ALERT DEFINITIONS

- (a) **WDP FIELD INTERVIEW** - Obtain current information on the FI Dashboard App and take a photo of the subject. Corroborate information due to the nature of the request
- (b) **WDP ID PHOTO** - Current digital photograph for the purpose of providing investigative leads or identification
- (c) **WDP DECEASED** - Entry by Records of deceased individuals.
- (d) **WDP 457.1PC REG** - Arson Registrant, entry by Records or Investigations CSO.
- (e) **WDP 290PC REG** - Sex Registrant, entry by Records or Investigations CSO.
- (f) **WDP CONTACT RELATIVE** - Used for emergency notifications to family members, entries can be made by all staff.
- (g) **WDP GANG REG** - Court ordered registration entered by CAU.
- (h) **WDP GANG MEMBER** - Validated gang members entered by CAU.
- (i) **WDP COMMUNICABLE DISEASE** - Contagious disease warnings may be entered by all staff but cannot include the specific disease.
- (j) **WDP OFFICER SAFETY** - Entry of subjects posing a threat to officers or public.
- (k) **WDP MULTIPLE ALIASES** - Confirmed names and DOBs a subject may use to avoid identification, not monikers.
- (l) **WDP PATROL CONTACT** - Contact request entered by patrol officer when POI is located. If designated Patrol Officer is unavailable contact shift supervisor. If no timely response, complete FI and release. Entry requires an expiration date.

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- (m) WDP PC DECLARATION ARREST - should be completed and posted in briefing with contact person info. Notify contact person upon arrest if requested. Entry requires an expiration date. PC Arrest Alerts shall be time sensitive (10 Days).
- (n) WDP MISC - All other notifications of importance, not listed above.
- (o) WDP CCW PERMIT - Entry by Records Supervisor for individuals issued and who maintain active CCW permits. Entry requires an expiration date.
- (p) WDP MESSAGE TECH - Entry by Records Supervisor for individuals issued massage technician permit.
- (q) WDP TAXI DRIVER - Entry by Records Supervisor for individuals issued taxi driver permits. Entry requires an expiration date. Annual updates will be noted as an update to the existing alert.

321.2 PROCEDURE

ALERT ENTRY TITLE FORMAT

- (a) WDP FIELD INTERVIEW
- (b) WDP ID PHOTO
- (c) WDP DECEASED
- (d) WDP 457.1PC REG
- (e) WDP 290PC REG
- (f) WDP CONTACT RELATIVE
- (g) WDP GANG REG
- (h) WDP GANG MEMBER
- (i) WDP UNIVERSAL PRECAUTIONS
- (j) WDP OFFICER SAFETY
- (k) WDP MULTIPLE ALIASES
- (l) WDP DETECTIVE CONTACT EXP __/__/__
- (m) WDP PATROL CONTACT EXP __/__/__
- (n) WDP PC DEC ARREST EXP __/__/__
- (o) WDP MISC
- (p) WDP CCW PERMIT
- (q) WDP DDIC
- (r) WDP DDIC - ARRESTS
- (s) WDP DDIC - FTA
- (t) WDP SNAP ALERT

ALERT CHECKS

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Alert Notifications

- (a) The Alert field shall be checked in addition to running a subject for wants and warrants in RMS, this procedure shall be done by Line Officers, Detectives, Dispatch, Crime Analysis and Records Personnel.

ALERT ACCESS

- (a) Log into RMS
- (b) On the Main screen, click on the Name icon, under "Master Indices"; select Master Name
- (c) Enter First and Last Name, or any part of the name available; click on "Finish" and the name you requested will appear on the screen. If multiple names have appeared, select (click) the name you need.
- (d) Click on "Go to Master" button
- (e) Click on "Alert" button and it will pull up all Alerts attached to the name
- (f) A secondary method of searching for an Alert would include Steps # 1, # 2, and # 3. You would then select the "Synopsis" button (looks like half of a Christmas tree). The Synopsis contains all warrants, reports, citations, FIs, and Alerts on the subject. You are able to double click on the Alert in the Synopsis to pull up the Alert information.

ALERT ENTRY

All alerts must be entered using the procedures for the specific application. Required fields (Alert Title, Narrative, Entry Date) must be filled. Alert Narrative must include the officer's name, CAD number, case number and subject name.

- (a) Once at the Alert screen [ALERTS] select the ADD (+) button so a new Alert can be entered
- (b) Add the Alert Title in the Box using the format above
- (c) Once the title is entered then go down to the Alert Narrative box and enter your specific request, entry date of Alert, Cad # and your initials Ex;
 - 1. WDP FIELD INTERVIEW (Alert Title Box)
 - (a) Data Box Narrative: F.I., and place in my mail box 1/1/06 804 FR
 - 2. WDP PC Dec Arrest EXP 05/16/06 (Alert Title Box)
 - (a) Alert Narrative: Case WDP 06-0332 / 245 PC/ entered 05/06/06/Officer's Name & CAD#/ Obtain statement upon arrest if I am not working.
 - 3. WDP Detective Contact EXP 05/20/06 (Alert Title Box)
 - (a) Data Box Narrative: Subject wanted for questioning in 245 PC; call Det._____/Sgt. _____, entered 05/01/06, Officer's Name & CAD#, if no detective available, complete FI card and forward to me.
 - 4. Click on the Save button (looks like a little blue floppy disk)
 - 5. Click on the "Door" to exit the Alert screen

ALERT CLEARANCE

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Patrol/Investigations will give Records Personnel an Alert Status Sheet with instructions to clear alert from RMS.

- (a) Alerts shall be cleared by designated personnel
 - 1. Records Supervisor
 - 2. Investigations CSO
 - 3. Records Personnel
- (b) All Alerts to be cleared shall be listed separately in case multiple Alert entries are attached to a subject
- (c) Alerts requiring case report documentation shall be cleared by checking the "Alert Attached" box in the Instructions to Records section on the Report Routing Slip and also attaching an; ALERT Status Sheet indicating action to be taken.
- (d) The ALERT Status Sheet should be used to process all ALERT entries or clearances.
- (e) All ALERT Status Sheets shall be forwarded to Records Division

ALERT NARRATIVE BOX INFORMATION REQUIRED

- (a) This is an open text field which should include directions as to what needs to be done when the POI is contacted. This field should include the contact information, task required, date of entry and the contact person requesting action, subject's name.

ALERT CHECKS/REQUESTS

- (a) Officers shall utilize the "Alert Check" in the same manner as other subject checks.
- (b) Alert Checks will occur when a POI is run on a "Local Check"

DISPATCH RESPONSIBILITIES

- (a) Dispatchers assigned to the Woodland radio channel shall check for Alerts on all subjects queried by personnel.
- (b) Flag all Alerts that need to be cleared with a notation on the Alert title of "Clear Alert"
 - 1. EX: (CLEAR ALERT WDP _____, (POI Name), dispatch identifier, date
 - 2. Alert clearance flags by outside agencies shall be completed by dispatchers and sent to records personnel for clearance.
- (c) Dispatch Queried Alert
 - 1. Print "Synopsis" screen and fax to Records
 - 2. Note on fax to CLEAR ALERT

RECORDS DUTIES

- (a) Designated records personnel shall review all Routing and Alert Status Sheets submitted for Alert action.
- (b) A Cleared Alert notice shall be sent to the contact person who generated the Alert. The Notice can be a copy of the Alert Status Sheet.

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INVESTIGATION ALERTS

- (a) Investigations personnel shall enter case Alerts
- (b) Upon review of a new case submitted to investigations Alerts shall be checked by the assigned investigator on listed suspects.
- (c) Detectives shall periodically check the status of their own Alerts and have the Investigations CSO clear Alerts as needed.

PATROL ALERTS

- (a) Alerts shall only be entered by patrol supervisors for Patrol, (sergeants/corporals)
- (b) Cleared Alerts shall be noted on the Case Routing Sheet/ Alert Status Sheet and forwarded to Records for clearance.
- (c) Officer Duties
 1. Officer notifies Dispatch to flag Alert for clearance
 2. Place on watch log "Clear Alert"
 3. Check "Alert Attached" on Routing Sheet and complete the Alert Status Sheet and forward to Records.

Public Alerts

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

322.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

322.3 RESPONSIBILITIES

322.3.1 MEMBER RESPONSIBILITIES

Members of the Woodland Police Department should notify their supervisor, Patrol Supervisor, or Detective Bureau Supervisor as soon as practicable upon learning of a situation where public notification, a warning, or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

322.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify their division commander when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed

322.4 AMBER ALERTS

The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.

322.4.1 CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

- (a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
- (b) The victim is 17 years of age or younger, or has a proven mental or physical disability.

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- (c) The victim is in imminent danger of serious injury or death.
- (d) There is information available that, if provided to the public, could assist in the child's safe recovery.

322.4.2 PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the child:
 - 1. The child's identity, age and description.
 - 2. Photograph if available.
 - 3. The suspect's identity, age and description, if known.
 - 4. Pertinent vehicle description.
 - 5. Detail regarding location of incident, direction of travel, potential destinations, if known.
 - 6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison.
 - 7. A telephone number for the public to call with leads or information.
- (b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
- (c) The press release information is forwarded to the Yolo Emergency Communications Agency so that general broadcasts can be made to local law enforcement agencies.
- (d) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
- (e) The following resources should be considered as circumstances dictate:
 - 1. The local FBI office
 - 2. National Center for Missing and Exploited Children (NCMEC)

322.5 BLUE ALERTS

Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

322.5.1 CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

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- (a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
- (b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
- (c) A detailed description of the suspect's vehicle or license plate is available for broadcast.
- (d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

322.5.2 PROCEDURE FOR BLUE ALERT

The supervisor in charge should ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the suspect:
 - 1. The license number and/or any other available description or photograph of the vehicle.
 - 2. Photograph, description and/or identification of the suspect.
 - 3. The suspect's identity, age and description, if known.
 - 4. Detail regarding location of incident, direction of travel, potential destinations, if known.
 - 5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison.
 - 6. A telephone number for the public to call with leads or information.
- (b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.
- (c) The information in the press release is forwarded to the Yolo Emergency Communications Agency so that general broadcasts can be made to local law enforcement agencies.
- (d) The following resources should be considered as circumstances dictate:
 - 1. Entry into the California Law Enforcement Telecommunication System (CLETS).
 - 2. The FBI local office.

322.6 SILVER ALERTS

Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

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322.6.1 CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

- (a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
- (b) The department has utilized all available local resources.
- (c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor 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.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

322.6.2 PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol.

322.7 ADDITIONAL ALERTS FOR PUBLIC SAFETY EMERGENCIES

Additional public safety emergency alerts may be authorized that utilize wireless emergency alert system (WEA) and emergency alert system (EAS) equipment for alerting and warning the public to protect lives and save property (Government Code § 8593.7).

322.7.1 PROCEDURE

Public safety emergency alerts should be activated by following the guidelines issued by the Office of Emergency Services (Government Code § 8593.7).

322.7.2 CRITERIA

Public safety emergency alerts may be issued to alert or warn the public about events including but not limited to:

- (a) Evacuation orders (including evacuation routes, shelter information, key information).
- (b) Shelter-in-place guidance due to severe weather.
- (c) Terrorist threats.
- (d) HazMat incidents.

322.8 YELLOW ALERT

A Yellow Alert may be issued when a person is killed due to a hit-and-run incident and the department has specified information concerning the suspect or the suspect's vehicle (Government Code § 8594.15).

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322.8.1 CRITERIA FOR YELLOW ALERT

All of the following conditions must be met before activating a Yellow Alert (Government Code § 8594.15):

- (a) A person has been killed due to a hit-and-run incident.
- (b) 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.
- (c) The department has additional information concerning the suspect or the suspect's vehicle including but not limited to the following:
 - 1. The complete license plate number of the suspect's vehicle.
 - 2. A partial license plate number and additional unique identifying characteristics, such as the make, model, and color of the suspect's vehicle, which could reasonably lead to the apprehension of a suspect.
 - 3. The identity of a suspect.
 - 4. Public dissemination of available information could either help avert further harm or accelerate apprehension of a suspect based on any factor, including but not limited to 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.

322.8.2 PROCEDURE FOR YELLOW ALERT

Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

322.9 FEATHER ALERT

A Feather Alert may be issued when an indigenous person is reported missing under unexplained or suspicious circumstances (Government Code § 8594.13).

322.9.1 CRITERIA FOR FEATHER ALERT

All of the following conditions must be met before activating a Feather Alert (Government Code § 8594.13):

- (a) The missing person is an indigenous person.
- (b) The Department has utilized local and tribal resources.
- (c) The investigating officer has determined the person has gone missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor 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.
- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

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322.9.2 PROCEDURE FOR FEATHER ALERT

Requests for a Feather Alert shall be made through the California Highway Patrol (Government Code § 8594.13).

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324.1 PURPOSE AND SCOPE

The purpose of this policy is to meet or exceed the provisions of Penal Code § 13519.6(c) and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias. This policy is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow-up, and reporting as related to law enforcement's role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how the Woodland Police Department may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy (Penal Code § 13519.6).

324.2 POLICY

It is the policy of this department to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This department will employ reasonably available resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this department should take all reasonable steps to attend to the security and related concerns of the immediate victims and their families as feasible.

All officers are required to be familiar with the policy and use reasonable diligence to carry out the policy unless directed by the Chief of Police or other command-level officer to whom the Chief of Police formally delegates this responsibility.

324.3 PLANNING AND PREVENTION

In order to facilitate the guidelines contained within this policy, department members will continuously work to build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Department personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Hate incidents should be investigated and documented as part of an overall strategy to prevent hate crimes.

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324.3.1 RELEASE OF INFORMATION

Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure often assists greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

- (a) Dissemination of correct information.
- (b) Assurance to affected communities or groups that the matter is being properly and promptly investigated.
- (c) The ability to request information regarding the commission of the crimes from the victimized community.

Information or records relating to hate crimes subject to public disclosure shall be released as provided by the Records Maintenance and Release Policy or as allowed by law. In accordance with the Media Relations Policy, the supervisor, public information officer, or the authorized designee should be provided with information that can be responsibly reported to the media. When appropriate, the department spokesperson should reiterate that hate crimes will not be tolerated, will be investigated seriously, and will be prosecuted to the fullest extent of the law.

The Department should consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

- (a) Inform community organizations in a timely manner when a community group has been the target of a hate crime.
- (b) Inform the community of the impact of these crimes on the victim, the victim's family, and the community, and of the assistance and compensation available to victims.
- (c) Inform the community regarding hate crime law and the legal rights of, and remedies available to, victims of hate crimes.
- (d) Provide the community with ongoing information regarding hate crimes and/or hate incidents.

324.3.2 HATE CRIMES COORDINATOR

A department member appointed by the Chief of Police or the authorized designee will serve as the Hate Crimes Coordinator. The Hate Crimes Coordinator will be the Deputy Chief and the Deputy Chief shall assign the following responsibilities to the appropriate personnel. The responsibilities of the Hate Crimes Coordinator should include but not be limited to (Penal Code § 422.87):

- (a) Meeting with residents in target communities to allay fears; emphasizing the department's concern over hate crimes and related incidents; reducing the potential for counter-violence; and providing safety, security, and crime-prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.
- (b) Finding, evaluating, and monitoring public social media sources to identify possible suspects in reported hate crimes; to identify suspects or suspect groups in future hate crimes or hate incidents affecting individuals, groups, or communities that may be victimized; and to predict future hate-based events.

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- (c) Providing direct and referral assistance to the victim and the victim's family.
- (d) Conducting public meetings on hate crime threats and violence in general.
- (e) Establishing relationships with formal community-based organizations and leaders.
- (f) Expanding, where appropriate, preventive programs such as hate, bias, and crime-reduction seminars for students.
- (g) Reviewing the Attorney General's latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab/Middle Eastern and Muslim communities (Penal Code § 13519.6(b)(8)).
- (h) Providing orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, black or African-American, Jewish, Sikh, and persons with disabilities.
- (i) Coordinating with the Training Manager to include in a training plan recognition of hate crime bias characteristics, including information on general underreporting of hate crimes.
- (j) Verifying a process is in place to provide this policy and related orders to officers in the field; and taking reasonable steps to rectify the situation if such a process is not in place.
- (k) Taking reasonable steps to ensure hate crime data is provided to the Records Division for mandated reporting to the Department of Justice.
 - 1. Ensure the California Department of Justice crime data is posted monthly on the department website (Penal Code § 13023).
- (l) Reporting any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer, the assigned designee, or other appropriate resource; and verifying that such data is transmitted to the Joint Regional Information Exchange System in accordance with the protocols of the Records Division Policy.
- (m) Maintaining the department's supply of up-to-date hate crimes brochures (Penal Code § 422.92; Penal Code § 422.87).
- (n) Annually assessing this policy, including:
 - 1. Keeping abreast of the Commission on Peace Officer Standards and Training (POST) model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, and planning and prevention methods.
 - 2. Analysis of the department's data collection as well as the available outside data (e.g., annual California Attorney General's report on hate crime) in preparation for and response to future hate crimes.

324.4 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP

324.4.1 INITIAL RESPONSE

First responding officers should know the role of all department personnel as they relate to the department's investigation of hate crimes and/or incidents. Responding officers should evaluate

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the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.

At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:

- (a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime (see Appendix).
- (b) Stabilize the victims and request medical attention when necessary.
- (c) Properly protect the safety of victims, witnesses, and perpetrators.
 - 1. Assist victims in seeking a Temporary Restraining Order (if applicable).
- (d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
- (e) Properly protect, preserve, and process the crime scene, and remove all physical evidence of the incident as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to facilitate removal or covering as soon as reasonably possible. Department personnel should follow up with the property owner to determine if this was accomplished in a timely manner.
- (f) Collect and photograph physical evidence or indicators of hate crimes such as:
 - 1. Hate literature.
 - 2. Spray paint cans.
 - 3. Threatening letters.
 - 4. Symbols used by hate groups.
- (g) Identify criminal evidence on the victim.
- (h) Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.
- (i) Conduct a preliminary investigation and record pertinent information including but not limited to:
 - 1. Identity of suspected perpetrators.
 - 2. Identity of witnesses, including those no longer at the scene.
 - 3. The offer of victim confidentiality per Government Code § 7923.615.
 - 4. Prior occurrences in this area or with this victim.
 - 5. Statements made by suspects; exact wording is critical.
 - 6. The victim's protected characteristics and determine if bias was a motivation "in whole or in part" in the commission of the crime.

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- (j) Adhere to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.
- (k) Provide information regarding immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).
- (l) Provide the department's Hate Crimes Brochure (per Penal Code § 422.92) if asked, if necessary, or per policy.
- (m) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).
- (n) Document any suspected multi-mission extremist crimes.

324.4.2 INVESTIGATION

Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

- (a) Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).
- (b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.
- (c) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).
- (d) Properly investigate any report of a hate crime committed under the color of authority per Penal Code § 422.6 and Penal Code § 13519.6.
- (e) Document physical evidence or indicators of hate crimes, in accordance with the provisions of the Property and Evidence Policy, such as:
 - 1. Hate literature.
 - 2. Spray paint cans.
 - 3. Threatening letters.
 - 4. Symbols used by hate groups.
 - 5. Desecration of religious symbols, objects, or buildings.
- (f) Request the assistance of translators or interpreters when needed to establish effective communication.
- (g) Conduct a preliminary investigation and record information regarding:
 - 1. Identity of suspected perpetrators.
 - 2. Identity of witnesses, including those no longer at the scene.
 - 3. Offer of victim confidentiality per Government Code § 7923.615.

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4. Prior occurrences, in this area or with this victim.
 5. Statements made by suspects; exact wording is critical.
 6. Document the victim's protected characteristics.
- (h) Provide victim assistance and follow-up.
 - (i) Canvass the area for additional witnesses.
 - (j) Examine suspect's social media activity for potential evidence of bias motivation.
 - (k) Coordinate the investigation with department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.
 - (l) Coordinate the investigation with the crime scene investigation unit (if applicable) or other appropriate units of the Department.
 - (m) Determine if the incident should be classified as a hate crime.
 - (n) Take reasonable steps to provide appropriate assistance to hate crime victims, including the following measures:
 1. Contact victims periodically to determine whether they are receiving adequate and appropriate assistance.
 2. Provide ongoing information to victims about the status of the criminal investigation.
 3. Provide victims and any other interested persons the brochure on hate crimes per Penal Code § 422.92 and information on any local advocacy groups (if asked).
 - (o) Document any suspected multi-mission extremist crimes.
 - (p) Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents, and determine if organized hate groups are involved.

Additionally, if a case is assigned to the Investigations Bureau, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate
- (b) Maintain contact with the victim(s) and other involved individuals as needed

324.4.3 SUPERVISION

The supervisor shall confer with the initial responding officer and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

- (a) Provide immediate assistance to the crime victim by:
 1. Expressing the department's official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.

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2. Expressing the department's interest in protecting victims' anonymity (confidentiality forms, Government Code § 7923.615) to the extent reasonably possible. Allow the victims to convey their immediate concerns and feelings.
 3. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy, or a department chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per Penal Code § 422.92).
- (b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.
 - (c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
 - (d) In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning an officer to specific locations that could become targets).
 - (e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.
 - (f) Verify adherence to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).
 - (g) Respond to and properly initiate an investigation of any reports of hate crimes committed under the color of authority.
 - (h) Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For additional information refer to the California Department of Justice website.
 - (i) Verify reporting of any suspected multi-mission extremist crimes to the agency Hate Crimes Coordinator.
 - (j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Chief of Police for approval.

324.5 TRAINING

All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should include (Penal Code § 422.87):

- (a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias, gender bias, and religion bias.

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- (b) Accurate reporting by officers, including information on the general underreporting of hate crimes.
- (c) Distribution of hate crime brochures.

324.6 APPENDIX

See attachments:

Statutes and Legal Requirements.pdf

Hate Crime Checklist.pdf

Standards of Conduct

325.1 PURPOSE AND SCOPE

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

This policy applies to all employees (full- and part-time), reserve officers and volunteers.

325.1.1 TRAFFIC CITATIONS - CITY VEHICLE

Traffic and parking citations issued to an employee using a city vehicle are the responsibility of the employee, with the exception of owner responsibility violations.

Any employee receiving a citation for a moving violation in a city vehicle shall prepare a memo to their supervisor outlining the circumstances. The memo shall be forwarded to the Traffic Division Commander for administrative review.

325.2 DISCIPLINE POLICY

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

Employees shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority. An employee's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee's ability to perform official duties or to the extent that it may be indicative of unfitness for their position.

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

325.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE

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

325.3.1 UNLAWFUL OR CONFLICTING ORDERS

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

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

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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

325.3.2 CONDUCT

- (a) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily injury on another.
- (b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Chief of Police of such action.
- (c) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.
- (d) Unauthorized possession of, loss of or damage to department property or the property of others, or endangering it through unreasonable carelessness or maliciousness.
- (e) Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution or discipline under this policy.
- (f) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (g) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without

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the express authorization of the Chief of Police or designee may result in discipline under this policy.

- (h) Discourteous, disrespectful or discriminatory treatment of the public or any employee of this department.
- (i) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (j) Engaging in on-duty sexual relations including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

325.3.3 DISCRIMINATION

Discriminating against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

325.3.4 INTOXICANTS

- (a) Reporting for work or being at work following the use of intoxicants or a controlled substance where such use impairs the employee's ability to perform assigned duties.
- (b) Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring controlled substance or other illegal drug to any work site.

325.3.5 PERFORMANCE

- (a) Unauthorized sleeping during on-duty time or assignments.
- (b) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
- (c) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without a reasonable and bona fide excuse.
- (d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (e) Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority.
- (f) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.

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- (g) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the Department or subverts the good order, efficiency and discipline of the Department or which would tend to discredit any officer thereof.
- (h) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or employees thereof.
- (i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.
- (j) Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person.
- (k) The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.
- (l) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee's duties (lawful subpoena fees and authorized work permits excepted).
- (m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.
- (n) Work-related dishonesty, including attempted or actual theft of department property, services or the property of others, or the unauthorized removal or possession of department property or the property of another person.
- (o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.
- (p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.
- (q) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved department practices or procedures.
- (r) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when a department employee knew or reasonably should have known of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

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- (s) Offer or acceptance of a bribe.
- (t) Acceptance of a gratuity.
- (u) Misappropriation or misuse of public funds.
- (v) Exceeding lawful peace officer powers.
- (w) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions: while on department premises; at any work site; while on-duty or while in uniform; or while using any department equipment or system. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (x) Substantiated, active, continuing association on a personal rather than official basis with a person or persons who engage in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department. An exception to this prohibition exists when it becomes necessary to maintain normal relations with a family member or other person with whom the employee has a long-standing relationship that pre-dates the criminal conduct.
- (y) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing themselves as a member of this department, except as expressly authorized by the Chief of Police.
- (z) Engaging in political activities during assigned working hours except as expressly authorized by the Chief of Police.
- (aa) Violating any misdemeanor or felony statute.
- (ab) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming an employee of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its employees.
- (ac) Any failure or refusal of an employee to properly perform the function and duties of an assigned position.
- (ad) Failure to maintain a basic driver's license.
- (ae) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

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325.3.6 SAFETY

- (a) Failure to observe posted rules, signs and written or oral safety instructions while on duty and/or within department facilities or to use required protective clothing or equipment.
- (b) Knowingly failing to report any on-the-job or work-related accident or injury.
- (c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.
- (d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.

325.3.7 SECURITY

Unauthorized, intentional release of designated confidential information, materials, data, forms or reports

325.3.8 SUPERVISION RESPONSIBILITY

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

- (a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws
- (b) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose
- (c) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (d) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (e) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

325.3.9 ATTENDANCE

- (a) Leaving job to which assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness on scheduled day(s) of work.
- (c) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

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325.3.10 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

325.3.11 ETHICS

- (a) Using or disclosing one's status as a member of the Woodland Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for nondepartment business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

325.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1010. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

325.4.1 WRITTEN REPRIMANDS

Any employee wishing to formally appeal a written reprimand must submit a written request to their Lieutenant within fourteen calendar days of receipt of the written reprimand. The Lieutenant will then forward the appeal to the Chief of Police, or their designee, an assigned uninvolved supervisor at least one rank higher than the issuing supervisor.

Absent a written stipulation to the contrary, the employee will be provided with an evidentiary hearing before the Chief of Police or the assigned, uninvolved supervisor within 30 days. The decision of the Chief of Police or the assigned, uninvolved supervisor to sustain, modify or dismiss the written reprimand shall be considered final.

325.5 POST INVESTIGATION PROCEDURES

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325.5.1 DEPUTY CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Deputy Chief shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Deputy Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

- (a) Prior to forwarding recommendations to the Chief of Police, the Deputy Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.
- (b) When forwarding any written recommendation to the Chief of Police, the Deputy Chief shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

325.5.2 RESPONSIBILITIES OF THE CHIEF OF POLICE

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 Deputy Chief 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, to be recommended.

In the event disciplinary action is recommended, the Chief of Police shall provide the employee with written (*Skelly*) notice of the following information within one year of the date of the discovery of the alleged misconduct (absent an exception set forth in Government Code § 3304(d) or Government Code § 3508.1):

- (a) Specific charges set forth in separate counts, describing the conduct underlying each count.
- (b) A separate recommendation of proposed discipline for each charge.
- (c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (d) An opportunity to respond orally or in writing to the Chief of Police within fourteen calendar days of receiving the *Skelly* notice.
 - 1. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.
 - 2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

325.6 EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review

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the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) This *Skelly* 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 *Skelly* response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.
- (f) Once the employee has completed their *Skelly* response or, if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. Once the Chief of Police determines that discipline will be imposed, a timely written decision shall be provided to the employee within 30 days, imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reason for termination and the process to receive all remaining fringe and retirement benefits.
- (g) Once the Chief of Police has issued a written decision, the discipline shall become effective.

325.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

325.8 POST SKELLY PROCEDURE

In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police's imposition of discipline pursuant to the operative Memorandum of Understanding (MOU) or collective bargaining agreement and personnel rules.

During any post-Skelly 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

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allegations of misconduct have been independently established. Thereafter, such *Brady* evidence shall be limited to determining the appropriateness of penalty. (Government Code § 3305.5).

325.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

- (a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file
- (b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the *Skelly* procedure as set forth above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline
- (c) At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies
- (d) A probationary employee's appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee's continuation of employment
- (e) The burden of proof for any probationary employee's appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence
- (f) In the event that a probationary employee meets their burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee's personnel file
- (g) In the event that a probationary employee fails to meet their burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police

Information Technology Use

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

326.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Woodland Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

326.2 POLICY

It is the policy of the Woodland Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

326.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

Only when authorized by the the Chief of Police (or designee), the agency's information systems staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the City of Woodland information network.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a

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database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.

The Department shall not require a member to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

326.4 AGENCY PROPERTY

All information, data, documents, communications, and other entries initiated on, sent to or from, or accessed on any department computer, or through the department computer system on any other computer, whether downloaded or transferred from the original department computer, shall remain the exclusive property of the Department and shall not be available for personal or non-departmental use without the expressed authorization of an employee's supervisor.

326.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

326.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

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The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

326.7 PROTECTION OF AGENCY SYSTEMS AND FILES

All employees have a duty to protect the system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the system.

It is expressly prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason.

Report Preparation

327.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

327.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

327.1.2 REPORT HOLD OVERS

In the event a report cannot be completed during an officer's regular duty hours, the following procedure will be adhered to.

- (a) Every officer will receive supervisory approval to hold over a report(s). The Case Status Sheet will be completed by the officer prior to obtaining such approval. A copy of the face sheet and CAD call should accompany the Case Status Sheet.
- (b) The supervisor will sign the approval to hold the report. All reports and signed Case Status Sheets will be kept in the appropriate hold over bin.
- (c) Reports requiring follow-up, with supervisor approval, will be completed by the end of their workweek. Any follow-up investigation will be completed as a supplemental report.
- (d) Supervisors are also responsible for keeping track of, and ensuring the completion of, follow up requests from Detectives or the District Attorney's Office that have been assigned to officers on their shift.

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327.1.3 REPORT COMPLETION

All report writing time whether during shift or on overtime will be completed in the following priority.

- (a) Felony Arrests.
- (b) In-Custody Juvenile Arrests (Booked Juvenile Hall).
- (c) In-Custody Arrests (Non-release).
- (d) In-Custody Child Protective Reports (300 W&I).
- (e) Other Arrests.
- (f) Felony Reports with Identifiable Suspect Information.
- (g) Serious Injury/Fatal Accident Reports.
- (h) All other Felony Reports.
- (i) Misdemeanor Reports with Suspect Information.
- (j) All other Misdemeanor Reports.
- (k) Other Required or Assigned Reports.

The following reports must be completed prior to the officer going off duty.

1. Felony Arrests.
2. In-Custody Juvenile Arrests (Booked Juvenile Hall).
3. In-Custody Misdemeanor Arrests (Non-release).
4. In-Custody Misdemeanor Arrests (With an ID Hold).
5. In-Custody Child Protective Reports.

The exception will be on a Friday or Saturday, or any day preceding a Court Holiday and the report cannot be completed during duty hours. In these cases, the report may be held for one additional day. However, the report must be completed by the end of the next working day.

327.1.4 CLETS ENTRIES

CLETS entries should be attached to any associated reports that have been approved for hold over.

Officers are responsible for ensuring that immediate CLETS entries are made by Records or Dispatch personnel for cases involving any of the following:

- (a) Missing persons or runaway juveniles.
- (b) Stolen, recovered, embezzled, stored, or impounded vehicles (Form CHP 180).
- (c) Serialized stolen property.
- (d) Emergency Protective Orders (EPOs).

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- (e) Served restraining orders.
- (f) Alerts.

Any Stolen, recovered, embezzled, stored, or impounded vehicle (CHP 180) forms shall be completed and turned in to Records the same day as the report was taken without exception.

327.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

327.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-Felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
 - 1. Use of Force Policy
 - 2. Domestic Violence Policy
 - 3. Child Abuse Policy
 - 4. Senior and Disability Victimization Policy
 - 5. Hate Crimes Policy
 - 6. Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

327.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

- (a) Any use of force against any person by a member of this department (see the Use of Force Policy).
- (b) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (c) Any found property taken for safekeeping. Found property with a value under \$50 and where the owner cannot be identified, may be destroyed by the officer.
- (d) Any found evidence.

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- (e) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy).
- (f) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (g) All protective custody detentions.
- (h) Suspicious incidents that may place the public or others at risk.
- (i) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

327.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.
- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

327.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

327.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) Attempted suicide
- (b) The injury is major/serious, whereas death could result
- (c) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident they deem necessary.

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327.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES

A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Division shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

327.2.7 CRITERIA FOR CITIZEN ASSISTED REPORTS (MLRS) AND ONLINE REPORTING (COPLOGIC)

MLRs and CopLogic can be used to document the following crimes when they are not in progress, there is no known suspect(s) or the suspect(s) cannot be described, no evidence exists to readily identify the suspect(s) and the crime happened in the jurisdictional limits of Woodland.

- (a) Vehicle Burglary (459 PC) Theft from a locked vehicle and does not involve a substantial loss (greater than \$950)
- (b) Theft (484, or 488 PC) Theft of property and does not involve a substantial loss (greater than \$950). This includes thefts of totes and recycling bins. Thefts of firearm(s) shall not be handled with an MLR. If a crime involves serialized property a MLR can be utilized, but the victim should be notified that their property will be entered into CLETS once the report is submitted .
- (c) Misdemeanor Malicious Mischief/Vandalism (594 PC). Vandalism of property that does not involve a substantial loss (greater than \$950.)
- (d) Annoying or Harassing Phone Calls (653m PC) With the exception of the following:
 - 1. Cases where the victim knows the suspect, The victim can be referred to the Victim/Witness program at 666-8187 for a restraining order. The victim should also be advised of the option of changing their phone number and instructed to contact their telephone company service provider at the regular business number for those changes.
 - 2. Cases involving death threats, whether the suspect is known to the victim or not, An officer will be dispatched for a threats report.
- (e) Vehicle Tampering (10852 VC).
- (f) Identity Theft (530.5 PC) even if the crime occurred outside of our jurisdiction.

327.2.8 ARREST REPORTS

Report Criteria

Any officer effecting an arrest of an adult or juvenile is responsible to complete the WPD arrest report form in addition to any other required reports.

The details of the arrest and any investigation subsequent to the arrest shall be recorded in a narrative supplemental or incident supplement report to the associated crime/incident report, except:

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Arrests for Section 647(f) PC and warrants may be documented within the body of the arrest report form. If sufficient details supporting these charges are contained in the body of the arrest report form, no other arrest narrative will be required.

Misdemeanor arrests for vehicle code violations involving an unlicensed driver or driving on a suspended/revoked license or city ordinance violations where the subject is released in the field on a Notice to Appear. For these violations, an NTA continuation form may be used. This also includes citations issued for violations of 11357(b) H&S.

The arresting officer is responsible for the completion and submission for approval of all arrest reports before the end of their shift. A supervisor may, under certain circumstances, authorize the hold-over of an arrest report.

All identifying arrestee information including social security number, driver's license number, date of birth, current residence, and business address shall be obtained in order to facilitate booking fee reimbursement.

ROUTING OF ARREST REPORTS

All arrest reports must be approved by a supervisor before submission of the report to the Records Division.

Adult Arrests:

- The transporting officer shall deliver a copy of pages 2 and 3 of the completed arrest reports to the Yolo County Jail at the time of booking.
- Pages 1 & 4 shall be delivered to the Records Division and may be copied for officer retention or statistics.

Juvenile Arrests:

- Probable Cause Declarations" will be completed for all juvenile arrestees booked at Juvenile Hall whether for misdemeanor or felony violations. The location of the physical arrest of the juvenile suspect shall be handwritten on the top to the Juvenile Probable Cause Declaration by the arresting officer.

327.3 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

327.4 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Division may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

Reporting Stolen and Recovered Stolen Vehicles

328.1 PURPOSE AND SCOPE

To investigate and accurately document reports of stolen motor vehicles, trailers, boats and aircraft.

To define uniform procedures for reporting stolen motor vehicles, trailers, boats, and aircraft.

328.2 DEFINITIONS

GROUP THEFT - Motorized vehicles, trailers, boats, aircraft, and associated parts stolen at the same time and reported in the same theft, entered into the Stolen Vehicle System (SVS)/ Automated Boat System (ABS) and interconnected as a group record.

FELONY VEHICLE - A vehicle an officer(s) knows has been used in a major felony, i.e., one identified by witnesses as seen near a homicide scene, a vehicle known to be used as the "get-away" car in a bank or other robbery, etc.

328.3 STOLEN VEHICLE REPORTING

Personnel receiving initial reports of possible stolen vehicles shall: (1) establish the jurisdiction of the possible theft. (2) determine if there is an immediate need for an officer to be dispatched, i.e., suspect(s) in custody or in area, vehicle taken in commission of a felony, etc.

Communications shall refer the call to the Field CSO Unit, if available, if urgency of dispatch is not indicated.

ALL personnel taking stolen vehicle reports shall:

- (a) accept a stolen vehicle report from the last person in possession of the vehicle if the registered or legal owner is not available. If the registered or legal owner is available, talk with both parties.
- (b) establish that the vehicle is actually stolen.
- (c) check the SVS to assure the vehicle is not listed as towed, removed from private property, or repossessed.
- (d) verify registration, license number, Vehicle Identification Number (VIN), owner, and address.
- (e) if there is insufficient information to complete a report, request the caller obtain additional information and call back. (6) if sufficient information exists, complete a CHP 180.

The individual entering the report shall:

- (a) on verification of a stolen vehicle and after completing the CHP 180, request a report number from dispatch.
- (b) obtain a signature on the CHP 180 from the complainant.

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- (c) provide the Records Division, or dispatch after hours, with information required for entry into SVS (vehicle license, year, make, VIN, color, model, and style). The victim's name, address and day/night phone number(s) shall be verified at that time.
- (d) relate any special circumstances concerning the theft, i.e. caution codes for armed and dangerous subjects, cargo in or on the vehicle when stolen, etc.
- (e) obtain the printout of the entry and attach it to the CHP 180.
- (f) All stolen vehicle reports should, if possible, be taken in person.

ALL personnel taking stolen vehicle reports shall advise the reporting party:

- (a) the vehicle may be towed when it is recovered and they will be responsible for the towing and storage.
- (b) the Records Division, or dispatch after hours, shall make one attempt by telephone, at the time of recovery, to notify the owner of a recovered vehicle of the storage location. the result of the notification attempt shall be noted on the watch log.
- (c) they will receive a letter by mail postmarked within 24 hours of when WPD was notified of the tow, excluding weekends and holidays.
- (d) they may call Records with the license number of the vehicle, to see if the vehicle has been recovered.

Report Guidelines

- (a) Lease/rental contract agreements for vehicles require a five (5) day waiting period beyond the last date the vehicle was to be returned (10855 CVC) prior to taking a report. The agency shall provide copies of the rental agreement, a certified letter, and a receipt along with a detailed suspect description.
- (b) Employees shall take all other stolen vehicle reports provided the reporting party gives information demonstrating that the vehicle has not been borrowed, loaned, or the subject of a civil dispute.
- (c) Stolen Motor Bikes a. Mini-bikes, mini-cycles, mopeds, motorbikes, motorcycles, ATV's and motor scooters shall be reported on a CHP 180.
- (d) The individual taking the report shall make every effort to obtain both an engine number and VIN, as both numbers will be entered into the SVS.

Criteria for the Dispatch of a Patrol Unit Circumstances necessitating the dispatch of a police unit include, but are not limited to, situations when:

- (a) A suspect is in custody or in the area (includes a vehicle "just taken").
- (b) The vehicle has been involved in a hit-and-run accident, or in any other type of crime.
- (c) The caller is evasive concerning ownership of the vehicle; caller has no local address and vehicle is registered out-of -country or out-of-state; or other questionable circumstances exist.
- (d) The Field CSO is unavailable.

STOLEN RECREATION VEHICLES Reporting

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(a) Van Camper

1. A motor home, a truck with a chassis mount camper (house car), or any type of living area mounted permanently on a motor driven vehicle, shall be considered as one (1) vehicle into the SVS.
2. Truck with Detachable Mounted Camper Trucks with a mounted detachable camper/shell shall be recorded on a CHP 180.
 - (a) The camper/shell shall be described in the narrative of the CHP 180.
 - (b) The truck shall be entered into SVS as the vehicle and the camper/shell as a vehicle part, cross-referenced to the truck.
3. Unmounted Campers/Shell
 - (a) A stolen unmounted camper/shell shall be reported on a Crime Report. The camper/shell shall be entered into SVS as a vehicle part.

STOLEN BOATS

A DBW SVR-5a (Stolen/Embezzled Vessel Report) shall be taken on all reported stolen boats, whether or not the boat is registered in the Vessel File of Department of Motor Vehicles (DMV).

Boats shall be entered into the ABS of the Department of Justice.

Required Information Needed for Entry into ABS a. Either a Vessel Registration Number (including registration state and registration year), a Boat Hull Number (BHN); or an Owner Applied Number (OAN); or any combination of the three. Examples of identifying numbers are:

- (a) DMV Vessel Registration Number- Usually contains eight (8) characters- two (2) alphas, four (4) numeric, two (2) alphas. The first two (2) alphas are always "CF", indicating the boat is registered in California. Example: CF2345BD
- (b) BHN- A unique number of the manufacturer of a boat is mandated to be permanently affixed to the outboard side of the transom or to the outermost starboard side at the end of the hull bearing the rudder or other steering device. Usually contains 12 to 15 characters with the first three (3) alphas indicating the manufacturer's Identification (ID). Example: LBC (Livingston Boat Company) 03453 10 m 76
- (c) OAN - A number permanently stamped, etched, engraved, or welded on a boat. Painted numbers, decals, or commercial signs applied to the boat by the owner are not considered a valid OAN. Example: F0123456 (California Driver's License)
- (d) The brand name of the boat, and the full name of the boat manufacturer. Both are required for entry.
- (e) Propulsion, i.e., inboard, outboard, sail with inboard/outboard auxiliary power, paddles, or oars.
- (f) Optional information to Aid in Identifying the Boat.
 1. ID number of the inboard boat engine, and the make, if applicable.
 2. Boat type, i.e., air boat, commercial, cruiser, hovercraft, houseboat, etc.
 3. Outer hull material, i.e., metal, plastic, wood, other.

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4. Boat length, and boat color(s)

STOLEN LICENSE PLATES

Reports of stolen plates shall be:

- (a) Referred to the Field CSO, if available
- (b) Dispatched to a unit when the Field CSOs are not available, or evidence is available.

Stolen license plates shall be reported on a CHP 180.

Recovered stolen license plates shall be listed on the CHP 180 and marked "plates only"

GROUP THEFTS

The Base Record of Group thefts shall be the vehicle which provides the power to move the other vehicles or boats. The other stolen items shall be entered as Associated Records. A "hit" on any of the associated records, or on the base record, will generate a computer print-out of all items interconnected in the two (2) systems.

Examples of Group Thefts include, but are not limited to: a. Stolen Pickup, Boat, Boat Trailer, and Outboard Motor

- (a) officers shall complete four (4) reports. CHP 180's shall be made on the pickup truck and boat trailer, and a DBW-SVR-5a for the boat. A Crime Report shall be made on the outboard motor.
- (b) One (1) report number shall be assigned from the CAD system. The pick up truck shall be entered into SVS as the base record, and the trailer shall be entered into SVS as the first associated record. The boat and outboard motor shall be entered into the ABS as associated records three (3) and four (4) of the truck entry. An inquiry into either SVS or ABS will generate a print-out of the four (4) stolen items.

Truck with Mounted Camper, Motorcycle on Rack, Towing Trailer and Boat.

- (a) Officers shall complete four (4) CHP 180s. Each report shall be assigned the same report number.
- (b) The truck shall be the base record in SVS, with the motorcycle and trailer as associated records one (1) and two (2). The boat is entered into ABS as associated record three (3).

ATTEMPT STOLEN VEHICLES

Officers shall complete a Crime Report when there are obvious signs of attempted theft. The vehicle shall NOT be entered into SVS.

STOLEN AIRCRAFT

Officers shall complete a CHP 180 on stolen aircraft(s)

Required information needed for entry into SVS:

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- (a) Registration number. (On civil aircraft, this number usually appears on each side of the rear section of the fuselage or vertical fin, i.e., N9201D. On U.S. military aircraft, the registration numbers usually appear on the vertical fin of the tail assembly, i.e., 39766.)
- (b) Type of aircraft (civil passenger, civil non-passenger, military).
- (c) Complete manufacturer serial number (ms#) of aircraft.
- (d) Year in which the aircraft was constructed, make and/or model.

CLASSIFYING VEHICLE THEFTS

Uniform Crime Reporting (UCR) standards for classifying stolen vehicles as either vehicle theft or larceny-theft are outlined below. These guidelines shall be used by all departmental personnel who have the responsibility of classifying reports.

- (a) Classify as 10851 CVC, with appropriate crime class code, stolen or "attempt stolen" vehicles listed:
 - 1. Automobiles
 - 2. Trucks
 - 3. Buses
 - 4. Motorcycles, Motor scooters, Trail Bikes, Mopeds, ATV's etc.
 - 5. Chassis Mount Recreation Vehicles, Motor Homes
 - 6. Dune Buggies
 - 7. Farm Equipment
 - 8. Construction Equipment
 - 9. Trailers
 - 10. Snowmobiles
 - 11. Go-carts
 - 12. Boats
 - 13. Aircraft

FELONY VEHICLE ENTRY INTO SVS

Entry of a felony vehicle shall require the same descriptive information of the vehicle as required for a stolen vehicle entry, plus a description of the suspect driving the vehicle and a felony crime code.

- (a) A felony vehicle entry shall not be used if the officer knows the vehicle was stolen during the commission of a felony. In this instance, the vehicle shall be entered as stolen with a caution code. Even though both types of entries are entered into both California and NCIC files, and both are entered with a caution code, the stolen vehicle is retained in the system four (4) plus years, whereas the felony vehicle is retained for ninety (90) days.

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- (b) Felony vehicle entries shall be cleared before the end of the ninety (90) day period if the need for retaining the record in SVS no longer exists.
- (c) The investigator assigned the case shall have the felony vehicle entry removed in a timely manner.

328.4 RECOVERED STOLEN VEHICLES

NOTIFICATION

The recovering officer will notify owners of locally recovered vehicles by telephone or in person as soon as possible after the recovery. The method of notification will be documented within the recovery report. When the owner cannot be notified, the reason will be documented within the recovery report.

When a recovered vehicle report is turned into records for processing, if the vehicle was stored Records personnel will mail to the legal owner and the registered owner of the vehicle a Notice of Stored Vehicle form (22852 VC) within 24 hours after receiving the recovery report into records.

The Woodland Police Department will be notified via CLETS when a WPD reported stolen vehicle is recovered by other agencies.

- (a) When the notification is received, Records personnel will pull the original file and notify the owner of the recovery. This notification, or attempt to notify, will be documented as a supplement to the original stolen vehicle report as outlined above.
- (b) In the event Records personnel are not on duty, the Shift Supervisor who receives the teletype notification will follow notification procedure and documentation detailed above.
- (c) If the owner cannot be contacted by telephone or in person, then the "Notice of Stored Vehicle" will suffice for notification.

RETURN OF STOLEN VEHICLE TO OWNER

Stolen vehicles are to be returned to the registered or legal owner as soon as possible.

If the vehicle is drivable, does not need to be impounded for evidentiary purposes, and the registered/legal owner can respond to its location within a reasonable period of time, the registered/legal owner should be allowed to recover the vehicle in the field.

If the vehicle is not drivable, is needed to be impounded for evidentiary purposes, or the registered owner cannot respond within a reasonable period of time, the vehicle should be towed and stored per Policy 503. (Vehicle Towing and Release).

In the event a vehicle is impounded for evidentiary reasons, Records personnel will copy the report and route the report to the Investigations Division Lieutenant for tracking and processing. The CHP 180 will be copied onto red paper as a flag for the Investigations Lieutenant.

The Investigations Lieutenant shall insure the vehicle is processed and released when appropriate.

Media Relations

329.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

329.2 RESPONSIBILITIES

The following personnel are assigned to media relations in the following areas:

- (a) The Chief of Police is responsible for the release of information to the media. In the absence of the Chief of Police, the Deputy Chief will assume this responsibility. The Chief of Police may delegate all or part of this responsibility to a Department member.
- (b) The Administrative Sergeant is designated as the Public Information Officer (PIO) and all requests for media information with the exception noted in subsection c of this section will be directed to the PIO.
- (c) The Patrol Bureau Lieutenant or designee is authorized to release information on a day to day basis involving cases under their control, but they shall confer with the PIO on all major criminal investigations in order to consolidate the information with any releases being prepared by the PIO.
- (d) All other personnel of this Department shall refer representatives of the media to the PIO for news releases that pertain to any Department information.

329.2.1 RELEASABLE INFORMATION

Personnel of the Department shall make public the following information except to the extent that disclosure of a particular item of information would endanger the safety of person involved in an investigations or would endanger the successful of the investigation or related investigation:

- (a) Suspect's name.
- (b) Suspect's date of birth.
- (c) Suspect's place of residence.
- (d) Arresting Department.
- (e) Investigative Unit or arresting officer.
- (f) The substance or text of the charge (such as complaint or indictment).
- (g) Circumstances immediately surrounding the arrest, to include the time and place of arrest, resistance, pursuit, and possession and use of weapons.

329.2.2 NON-RELEASABLE INFORMATION (PREJUDICIAL)

The right to a fair trial and "freedom of the press" are both constitutional guarantees. The resolutions of any conflict are matters for the people and the courts to decide. The police role is to recognize the validity of both principles and base police action on current statutory provisions and case law. In order to comply with these restrictions, personnel shall not discuss the following matters with members of the news media:

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- (a) Observations about the suspect's character or reputation.
- (b) Statements, admissions, confessions, or alibis attributable to a suspect, previous criminal records, or the lack of the above.
- (c) References to investigative procedures such as finger printing, polygraph examinations, Computerized Voice Stress Analysis, ballistic tests or laboratory tests or the lack of the above.
- (d) Statements concerning evidence in the case, whether or not it is anticipated that such evidence will be used at trial.
- (e) Statements concerning the identity, credibility, or testimony of a prospective witness.
- (f) Express an opinion of the suspect's guilt or innocence.

329.2.3 SUSPECT PHOTOGRAPHS OR INTERVIEWS

- (a) Suspects shall not be moved or posed solely for the purpose of allowing photographs or news film to be taken. However, news photographers shall not be prevented from taking un-posed pictures in or from public places.
- (b) Suspects shall not be submitted to an interview by representatives of the news media while in police custody.
- (c) Requests for booking photos shall be directed to the Yolo County Sheriff's Department.

329.3 RESPONSIBILITIES OF THE PUBLIC INFORMATION OFFICER

Responsibilities of the PIO include, but are not limited to the following:

- (a) Handle the day-to-day news media inquiries regarding all crimes occurring within the city limits, as well as questions relative to on-going criminal investigations.
- (b) Release news information that affects two or more Divisions within the Police Department.
- (c) Respond to the scene of a major incident, disaster, or emergency upon request.
- (d) Disseminate information affecting policy changes or administrative matters.
- (e) Upon request, assist an office, division, or section in the preparation, coordination and release of media information and programs upon request.
- (f) Ensure that media information is distributed equally and fairly among the local news media.
- (g) Ensure the timely release and coordination of all news information.
- (h) Coordinate media requests for employee interviews, interviews with the Chief of Police, media news conferences and answer media questions concerning Department policy.
- (i) Handle requests for statistical data made by news media representatives.

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NOTE: In the absence of the Community Relations Sergeant responsibilities of the PIO shall rest with the person so assigned by the Chief of Police, or in the Chief's absence a command staff officer.

329.4 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies, and other law enforcement activities as required by law.

Access by the media is subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the PIO or other designated spokesperson.
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member (Government Code § 3303(e)).
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

329.4.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

329.4.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Patrol Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

329.5 POLICE REPORTS AND PHOTOGRAPHS

- (a) Police Reports - A completed crime and arrest report shall be defined as a report which has been approved and processed by records. The news media shall routinely have

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access to the face sheet media copies of the completed crime and arrest reports for at least a 24 hour period.

(b) Release of Victim/Suspect Identification

1. Unless otherwise restricted by this order, and unless the release of the information would endanger the safety of the victim, or jeopardize the successful completion of an investigation, the name, age and current address of the victim will be released.
2. Victim information restricted under Government Code Section 6254(f) will not be disclosed in a press release.
3. Juvenile Suspects - The identity of juvenile suspects detained or arrested shall not be disclosed in a press release nor provided in response to inquiries from the news media.
4. Juvenile Victims – The identity of juvenile victims shall not be disclosed in a press release. This section does not affect the current process involving the identity of victims in crime report face sheets.

(c) Photographs (Adult) - Only authorized personnel, as defined in section 329.2, may release photographs of adults to the news media for investigative purposes. Other personnel shall not release photographs of a subject to the news media without the approval of the Chief of Police or their designee. Prior to the release of any photo, the District Attorney's office will be consulted to ensure the release does not jeopardize the prosecution of the case.

(d) Photographs (Juvenile) - The Department shall not release photographs of juvenile suspects or juveniles in custody to the news media. Photographs of juveniles listed as victims of a crime or missing persons may be released to the media only after consent has been granted by the authorizing parent or guardian and with supervisory approval.

(e) Information on Deceased Persons - No information regarding the identity of the decedent shall be released prior to the Coroner's Office making notification of death to the next of kin.

(f) Suicide Notes - The contents of suicide notes shall not be released, although it may be reported that a note was found.

329.6 CONDUCT OF DEPARTMENT PERSONNEL

(a) Personal Opinions - When questions of personal opinion arise, there is always an element of judgment. Officers are advised to adhere to the facts that are releasable. When personal opinions are given, the officer must be sure that their opinion does not include that information designated as non-releasable.

(b) Personal Interview - Personal media interviews are regarded as prepared news releases within the meaning of this policy. A prearranged appointment shall be made for the interview. The PIO shall be notified of any interview requests and the topic to be discussed prior to the interview being granted. The PIO shall inform the Chief of Police of the interview prior to the actual interview.

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- (c) In Progress Situations - Media requests made to personnel regarding an in-progress situation shall be referred to the Department personnel authorized to make media releases.
- (d) Assisting Outside Agencies - Members of the Department, when assisting outside agencies, shall refer media inquiries to the outside agency. Officers shall not release information furnished to the Department by other agencies. If the same information was obtained from our independent investigation of the incident, then the release of the information shall follow the policy as set forth in this order.

329.7 POLICY

It is the policy of the Woodland Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

329.8 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person, or is otherwise prohibited by law.

329.9 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

329.10 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel

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Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

329.10.1 EMPLOYEE INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Custodian of Records, or if unavailable, the Patrol Supervisor or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws.

329.11 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents, or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

329.11.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Patrol Supervisor.

The daily information log will generally include:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).
- (b) The date, time, location, case number, name, birth date, and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim, or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has

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been arrested for a serious felony and the release of such information has been approved by the Patrol Supervisor (Welfare and Institutions Code § 827.5).

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Patrol Supervisor. Such requests will generally be processed in accordance with the provisions of the Public Records Act (see the Records Maintenance and Release Policy).

Legal Interview Requests

330.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the processing of legal interview requests and to ensure legal interviews are coordinated and completed as required.

Legal Interview - Is defined as an interview with an attorney, private investigator, or citizen pertaining to a court case, as a witness to an action or event, or concerning departmental procedure(s).

330.2 GENERAL PROVISIONS

The provisions of this policy pertain to interviews with attorneys not employed by the City of Woodland or the Yolo County District Attorney's Office. Employees shall cooperate with the City's Attorney and any other attorney acting in their official capacity as a representative of the employee or the City of Woodland.

An officer receiving a request for an interview shall:

- (a) notify their immediate supervisor.
- (b) determine if the interview request is in regards to a civil or criminal case.
- (c) Requests for interviews in civil cases will be referred to the Records Supervisor for billing before any interview is given.
- (d) The final decision whether or not to grant an interview rests with the employee
- (e) Employees who do not consent to an interview shall return any written request with the notation "Interview refused".
- (f) The employee shall give a copy of the refused request to their immediate supervisor.

Department personnel shall not arrange, grant, or participate in legal interviews while on duty unless specifically authorized, and no overtime shall be authorized for off-duty interviews, unless the interview is the result of official duties.

330.3 CIVIL CASE INTERVIEWS

The Records Supervisor shall require the requesting party to specify in writing the nature of the interview and deposit a minimum two (2) hour fee with the City Finance Department. If an employee has been subpoenaed to testify in a civil case the process shall be that defined in Policy 331 (Court Appearance and Subpoenas).

Interviews on Civil cases involving the City must be conducted with the City Attorney present. When legal interviews are granted by employees, they shall not sign any papers or documents presented unless the City's Attorney or other attorney acting on the behalf of the employee has been previously notified.

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Legal Interview Requests

330.4 CRIMINAL CASE INTERVIEWS

Employees who consent to an interview by a Defense Attorney shall:

- (a) Notify their immediate supervisor of the request.
- (b) Notify the Deputy District Attorney (DA) assigned to the case.

If the Deputy DA is unable to attend the interview, the employee shall write a supplement to the interview.

Court Appearance And Subpoenas

331.1 PURPOSE AND SCOPE

This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

331.1.1 DEFINITIONS

Mandatory Appearance - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

331.1.2 EXCUSED ABSENCES

Excused absences may be granted at the discretion of the court to anyone disabled by illness and/or injury. Sick and/or injured employees who have been served a subpoena shall notify their immediate supervisor and the CLU of their absence and the scheduled court date(s).

331.2 COURT SUBPOENAS

Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

331.2.1 SERVICE OF SUBPOENA

Service of a subpoena requiring the appearance of any employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished by personal service to the employee or by delivery of two copies of the subpoena to the employee's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)). Subpoena service is also acceptable by courier or CLU from the court to this department.

331.2.2 VALID SUBPOENAS

No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

331.2.3 ACCEPTANCE OF SUBPOENA

Only the employee named in a subpoena, a supervisor or the Records Division shall be authorized to accept service of a subpoena. (Penal Code § 1328(c)). Any authorized employee accepting a subpoena shall immediately provide a copy of the subpoena to the Records Division. The Records Division shall maintain a chronological log of all department subpoenas and provide a copy of the subpoena to each involved employee.

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331.2.4 REFUSAL OF SUBPOENA

Except where previous arrangements with the issuing court exist, training, vacations and regularly scheduled days off are not valid reasons for refusing a subpoena or missing court. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, they shall, at least one hour before the appointed date and time, inform the subpoena clerk or the Patrol Supervisor of their absence. It shall then be the responsibility of the subpoena clerk to notify the issuing authority of the employee's unavailability to appear.

If the immediate supervisor or other authorized individual knows that they will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or other authorized individual may refuse to accept service (Penal Code § 1328(d)).

If a subpoena is presented for service to an immediate supervisor or other authorized individual less than five working days prior to the date listed for an appearance and the supervisor or other authorized individual is not reasonably certain that the service can be completed, they may refuse to accept service (Penal Code § 1328(e)).

If, after initially accepting service of a subpoena, a supervisor or other authorized individual determines that they will be unable to deliver a copy of the subpoena to the individually named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

331.2.5 COURT STANDBY

Employees may arrange with The attorney who served the subpoena to be placed on voluntary "on-call" in lieu of having to appear.

- (a) The on-call status must be agreeable to both the employee and the attorney and is not compensable.
- (b) An employee may choose to appear at the date and time on the subpoena and decline the on-call status.
- (c) Employees who choose on-call status shall provide the attorney with a phone number where they may be reached.
- (d) Employees choosing on-call status must be prepared to response to the assigned court location within one (1) hour of notification.

331.2.6 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for actions taken off-duty not related to their employment with Woodland Police Department shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

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Court Appearance And Subpoenas

331.2.7 FAILURE TO APPEAR

Subpoenas Failure To Appear Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

331.2.8 CONFLICTS WITH COURT ORDERED SUBPOENAS

- (a) Employees who have conflicts with court ordered appearances shall first attempt to resolve the conflict with the attorney issuing the subpoena. If the conflict cannot be resolved the employee shall:
 - 1. File a written memorandum to the Division Lieutenant, via the Chain of Command, requesting to be excused and enumerating the reasons.
 - 2. The Division Lieutenant may take the request to the District Attorney and attempt to resolve the conflict.
- (b) If the conflict cannot be resolved, the employee shall honor the subpoena.

331.3 CIVIL SUBPOENAS

Subpoenas Civil Subpoenas The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties as directed by the current Memorandum of Understanding. In such situations, the Department will also reimburse any officer for reasonable and necessary travel expenses.

The Department will receive reimbursement for the officer's compensation through the civil attorney of record who subpoenaed the officer.

331.3.1 PROCEDURE

To ensure that the officer is able to appear when required, that the officer is compensated for such appearance, and to protect the Department's right to reimbursement, officers shall follow the established procedures for the receipt of a civil subpoena.

331.3.2 CIVIL SUBPOENA ACCEPTANCE

Subpoenas shall not be accepted in a civil action in which the officer or Department is not a party without properly posted fees pursuant to Government Code § 68097.6.

331.3.3 PARTY MUST DEPOSIT FUNDS

The party in the civil action that seeks to subpoena an officer must deposit the statutory fee of \$275 (Government Code § 68097.2) for each appearance before such subpoena will be accepted. Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

331.4 OVERTIME APPEARANCES

If the officer appeared on their off-duty time, they will be compensated in accordance with the current employee Memorandum of Understanding.

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331.4.1 LATERAL OFFICERS AND SUBPOENAS FROM FORMER EMPLOYER/ JURISDICTION

Lateral Officers shall be given sufficient release time when subpoenaed to testify in a criminal case resulting from activity in their previous employment. The release time shall include:

- (a) sufficient travel time to and from the jurisdiction.
- (b) time to get adequate rest before their next shift.

Time cards will reflect pay at the regular salary rate. The City will not pay overtime as the subpoena did not arise in the course and scope of the officer(s) employment with the City of Woodland.

331.5 COURTROOM PROTOCOL

Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

331.5.1 PREPARATION FOR TESTIMONY

Before the date of testifying, the subpoenaed officer shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

331.5.2 COURTROOM ATTIRE

Employees shall dress in uniform (Class A, B, or F) or business attire. Suitable business attire for men would consist of a coat, tie, and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse, and skirt or slacks.

331.6 COURTHOUSE DECORUM

Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

331.7 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE

Any employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of California, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay. The supervisor will then notify the Chief of Police, District Attorney's Office in criminal cases, County Counsel or City Attorney, as may be indicated by the case.

This includes, but is not limited to the following situations:

- (a) Providing testimony or information for the defense in any criminal trial or proceeding;
- (b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees; or
- (c) Providing testimony or information on behalf of or at the request of any party other than any County, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.

Reserve Officers

332.1 PURPOSE AND SCOPE

The Woodland Police Department Reserve Unit was established to provide professional, sworn volunteer reserve officers who can augment and assist regular sworn police officers in their duties. At no time shall a Reserve supplant regular police officer shifts, assignments, or staffing.

332.2 SELECTION & APPOINTMENT OF POLICE RESERVE OFFICERS

The Woodland Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

332.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a POST approved basic academy or completion of both Module 3 and 2 of the extended basic academy.

332.2.2 APPOINTMENT

Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

After appointment, Reserve Officers may not be a Reserve Officer at another agency while simultaneously working for the Woodland Police Department.

332.3 DUTIES OF RESERVE OFFICERS

Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Patrol Bureau. Reserve officers may be assigned to other areas within the Department as needed. Reserve officers are required to work a minimum of 16 hours per month. Reserve Officers may work more than the minimum 16 hours each month if they choose to do so. Court time related to the Reserve Officer's duties will count towards the mandatory minimum service hour requirement. The shift of a Reserve Officer will be a minimum of 2 hours and a maximum of 12 hours. Reserves may only be used to augment sworn officers and shall not replace or supplant any full time positions or specialty assignments.

Upon appointment, Reserve and Retired Annuitant officers shall become associate members of the Woodland Police Officers' Association (WPOA) for the purpose of obtaining Legal Defense Fund (LDF) coverage through PORAC. The police department shall reimburse the WPOA for LDF coverage for reserves.

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Reserve Officers shall not become involved in police service matters while off duty. Reserve Officers are authorized to stand by and act as a witness to an incident if necessary.

332.3.1 POLICY COMPLIANCE

Police reserve officers shall be required to adhere to all departmental policies and procedures.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

332.3.2 RESERVE OFFICER ASSIGNMENTS

All reserve officers will be assigned to duties by the Field Training Officer Sergeant or their designee.

332.3.3 RESERVE COORDINATOR

The Field Training Officer Sergeant (FTO Sergeant) is responsible for administering the Reserve Officer Program.

The FTO Sergeant shall have the responsibility of, but not be limited to:

- (a) Assignment of reserve personnel
- (b) Conducting reserve meetings
- (c) Establishing and maintaining a reserve call-out roster
- (d) Maintaining and ensuring performance evaluations are completed
- (e) Monitoring individual reserve officer performance
- (f) Monitoring overall Reserve Program

332.4 FIELD TRAINING

Penal Code § 832.6 requires Level II reserve officers, who have not been released from the immediate supervision requirement per the Completion of the Formal Training Process subsection, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

332.4.1 ORIENTATION

Reserve Officers shall attend patrol orientation. Patrol orientation shall include 80 hours of actual patrol exposure and will be focused on the material presented during the first two weeks of the Field Training Program.

332.4.2 TRAINING OFFICERS

Field Training Officers (FTO) will train reserve officers as assigned by the FTO Sergeant.

332.4.3 PRIMARY TRAINING OFFICER

Upon completion of the Academy, reserve officers will be assigned to a primary training officer. The primary training officer will be selected from members of the Field Training Officer (FTO) Program.

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The reserve officer will be assigned to work with their primary training officer during the first phase of training. This time shall be known as the Primary Training Phase, or Phase I (160 hours).

332.4.4 FIELD TRAINING MANUAL

Each new reserve officer will be issued a Field Training Manual at the beginning of their Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Woodland Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. They shall also become proficient with those skills as set forth in the manual.

332.4.5 COMPLETION OF THE PRIMARY TRAINING PHASE

At the completion of the Primary Training Phase, (Phase I) the primary training officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, they will then proceed to Phase II of the training. If they have not progressed satisfactorily, the Reserve Coordinator and the responsible Patrol Lieutenant will determine the appropriate action to be taken.

332.4.6 SECONDARY TRAINING PHASE

The Secondary Training Phase (Phase II) shall consist of additional on-duty training. The reserve officer will now be assigned a Phase II training officer from the FTO Program (100 hours).

During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, the reserve officer will return to their primary training officer for Phase III of the training.

332.4.7 THIRD TRAINING PHASE

Phase III of training shall consist of 24 hours of additional on-duty training. For this training phase, the reserve officer will return to their original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.

At the completion of Phase III training, the primary training officer will meet with the Reserve Coordinator and the responsible Patrol Lieutenant. Based upon the reserve officer's evaluations, plus input from the primary training officer, the Reserve Coordinator and Patrol Lieutenant shall decide if the reserve officer has satisfactorily completed their formal training. If the reserve officer has progressed satisfactorily, they will then graduate from the formal training process. If their progress is not satisfactory, the Reserve Coordinator and Patrol Lieutenant will decide upon the appropriate action to be taken.

332.4.8 COMPLETION OF THE FORMAL TRAINING PROCESS

When a reserve officer has satisfactorily completed all four phases of formal training, they will have had a minimum of 284 hours of on-duty training. They will no longer be required to ride with an

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FTO. The reserve officer may now be assigned to ride with any officer for the remaining 200-hour requirement for a total of 484 hours before being considered for relief of immediate supervision.

332.5 SUPERVISION OF RESERVE OFFICERS

Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6(a)(2)).

332.5.1 LEVEL II DUTIES

Level II Reserves must work with a full-time police officer while conducting prevention and detection of crime and general law enforcement duties. A Level II Reserve can work as a solo officer while performing specific duties.

Level II officers may work the following duties:

Without immediate supervision:

- Report writing as described in policy 327
- Arrestee transportation
- Parking enforcement
- Bike Patrol
- Crime scene investigation
- Background investigations for Volunteers
- Community Oriented Policing projects
- Traffic control
- Subpoena service
- Parade/funeral escort
- Assisting at DUI checkpoints
- Assignment to investigation division
- Cover officer assignment

Level II officers may work the following duties:

With immediate supervision:

- Prevention and detection of crime and the general enforcement of laws.

"Prevention and detection of crime and the general enforcement of laws" refers to the peace officer authority of a Level I reserve officer assigned to investigate crime, or patrol a geographic area and personally handle the full range of requests for police services, and take enforcement action on the full range of law violations for which the reserve's department has enforcement responsibility.

"Immediate supervision for Level II reserves" means the reserve officer acts under the direction of a peace officer who has completed the basic training course for police officers prescribed by

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the Commission, and is routinely in the physical proximity of and available to the reserve officer; however, allowance is permitted for necessary temporary separations.

332.5.2 RESERVE OFFICER MEETINGS

All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

332.5.3 IDENTIFICATION OF RESERVE OFFICERS

All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer with the exception that the badge will be numbered "R-" followed by a numeral(s) indicating a Reserve Officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.

332.5.4 UNIFORM

Reserve officers shall conform to all uniform regulation and appearance standards of this department. All newly appointed reserve officers will be supplied with two class F uniform pants and shirts. Any alterations made to the uniforms will be at the expense of the reserve officer. All safety and duty equipment will be issued upon appointment and shall conform to Lexipol Policy Section 700 and Section 1012.

332.5.5 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a complaint made against them or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Bureau Commander.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

332.5.6 RESERVE OFFICER EVALUATIONS

While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated monthly and annually using performance dimensions applicable to the duties and authorities granted to that reserve.

332.6 FIREARMS REQUIREMENTS

Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during their assigned duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

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Reserve officers are required to maintain firearms proficiency as outlined in policy 306.

332.6.1 CARRYING WEAPON ON DUTY

Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on-duty. It is the policy of this department to allow reserves to carry firearms only while on-duty or to and from duty.

332.6.2 CONCEALED FIREARMS PROHIBITED

No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. If the reserve officer resides in the City of Woodland, the reserve officer may apply for a CCW permit with the Woodland Police Department. The Woodland Police Department does not issue CCW permits for those who do not reside within the City of Woodland. An instance may arise where a reserve officer is assigned to a plainclothes detail for their assigned duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have qualified.

When a reserve officer has satisfactorily completed all three phases of training (as outlined in Policy Manual § 331.4), they may apply to the Yolo County Sheriffs' Office for a permit to carry a concealed weapon.

Special Enforcement Operations

333.1 PURPOSE AND SCOPE

This policy is intended to insure consideration has been given to as many variables as reasonably known to any supervisor preparing and planning to undertake a special enforcement detail. The primary focus of consideration of the variables is the enhancement of the safety of all parties involved in the detail/operation.

333.2 OPERATIONAL PLANS

Prior to conducting field enforcement operations such as search warrant service, undercover operations, or surveillance, the supervisor shall, when practical, ensure that an operation plan and threat matrix is completed and distributed to all participating personnel. This procedure should be used when:

- (a) There is knowledge the suspect is a threat to officers or has committed a heinous crime.
- (b) The circumstances surrounding the area to be searched are inherently dangerous due to security doors, cameras, vicious animals, lookouts, weapons, or approach issues, etc.
- (c) Outside agency assistance is required or multiple officers are required to handle specific duties.

The operational plan will include:

- (a) Case agent and date of operation.
- (b) Type of investigation (undercover buy, surveillance, search warrant, etc.)
- (c) List of personnel involved their responsibilities, call signs, and vehicle assignments.
- (d) Suspect's name and description.
- (e) Suspect's vehicle description.
- (f) Location of the operation.
- (g) Any dangers (suspect is known to possess firearms, vicious animals etc.)
- (h) A plan to handle any vicious animals including non-lethal options.
- (i) Radio frequency for the operation.
- (j) Informant's description and vehicle description (or description of the undercover officer if used).
- (k) Arrest signal (visual and verbal).
- (l) Maps and/or sketches if available
- (m) Required equipment.

The supervisor or officer designated to plan the police action will complete an Operational Plan.

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The supervisor will review the Operational Plan for completeness and forward it to the Watch Commander. In the event the Watch Commander is not on duty, the supervisor will make phone contact with the Watch Commander to provide a briefing.

The Watch Commander will review and sign the Operational Plan when approved. No Operational Plan will be carried out until approved.

Operational Plans may be reviewed and signed by the Chief of Police or Deputy Chief in the event a Lieutenant is unavailable.

A case number will be drawn for the operation to facilitate Criminal History checks for the suspects. In the event no suspects are arrested, the event will be captured as an Incident Report.

333.3 DRESS AND IDENTIFICATION

Generally, the uniform of the day for uniformed personnel will suffice for special operations, including specialty unit uniforms, ie; SWAT, Traffic, Bicycle Unit, etc.

If plain clothes officers are to be involved in effecting arrests, serving search warrants, or making enforcement contacts (vehicle or pedestrian), the officers should, whenever possible, wear raid jackets clearly identifying them as police officers.

333.4 OUTSIDE JURISDICTION INVESTIGATIONS

Occasionally information will be developed that will lead an investigation outside Woodland's jurisdiction. In such cases, the supervisor will contact the appropriate specialty unit commander (Yolo County SIU,, Detectives, etc.) to seek assistance.

If the specialty unit commander elects to take control of the investigation, officers will assist as needed.

If the specialty unit is unable to assist with the investigation, officers will contact the appropriate Task Force working within that jurisdiction to seek assistance.

Anytime Woodland Police officers are involved in enforcement activity (service of search or arrest warrants, undercover operations, surveillance) within another jurisdiction, the supervisor shall notify the local agency prior to any planned action.

333.5 OVERLAPPING INVESTIGATIONS

If during an investigation it is learned that another law enforcement agency is working on the same case or is using the same undercover operative, the officer shall immediately report the information to the supervisor.

The supervisor will be responsible for contacting the appropriate official in charge of that law enforcement agency's investigation.

The supervisor will make whatever arrangements are necessary either to work on the case as a joint investigation, arrange for one of the two agencies to withdraw from the investigation, or any other appropriate working relationship.

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333.6 USE OF BODY TRANSMITTERS

Body transmitters shall be worn by all officers and informants who are working in an undercover capacity. Exceptions to this section require approval of the Division Commander and may include:

- (a) The subject of the investigation has been reported to search for transmitters.
- (b) The subject has been reported to operate radio counter-surveillance devices such as scanning receivers.

Every effort shall be made to record all undercover contacts where a body transmitter is utilized.

333.7 SEARCH WARRANTS

When an affidavit is prepared and the warrant signed by a magistrate, a copy of the affidavit, the search warrant, and the search warrant return shall be placed in the case file regardless of whether or not the warrant was served (unless the warrant was sealed by an order of the magistrate).

Non-law enforcement personnel will not be allowed to accompany officers during the service of a search warrant unless previously approved by the Division Commander.

333.8 REVERSE STING OPERATIONS

A reverse sting is a non-traditional investigative technique in which the undercover officer, generally, poses as a drug dealer rather than a drug buyer.

Due to the complexities of reverse sting investigations, as well as the additional inherent risks to officer safety, reverse sting investigations will not be conducted without prior approval of the Division Commander and without first consulting with the Yolo County SIU Commander. The exception to this section is outlined below:

- (a) Often during the service of search warrants at the homes of illicit drug dealers, customers of the dealer will either arrive or telephone seeking to purchase drugs.
- (b) Such circumstances present the opportunity to use reverse sting investigative methods to arrest the customer/suspect when they arrive to purchase the illicit drugs.
- (c) Because of the spontaneous and unpredictable nature of this type of investigation, consulting with the appropriate persons is not practical.

333.9 PRE-OPERATION BRIEFING

Prior to field enforcement actions, such as search warrant service, undercover operations, or surveillance, a briefing of all officers involved should be conducted by the case agent so all participating personnel have a thorough knowledge of the case.

The briefing will include a review of the operational plan, assignments, thorough identification and description of the suspects (photograph if available) and location, and identification of all officers participating in the operation.

Plain clothes personnel, including undercover personnel, shall be individually introduced/identified to all attending the briefing.

Mutual Aid and Outside Agency Assistance

334.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to officers in the request of or answering the request for assistance involving another law enforcement agency.

It is the policy of this department to provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of this department, when another law enforcement agency requests assistance with an arrest or detention of any person. This department may also request an outside agency to provide assistance.

334.2 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are routed to the Patrol Supervisor's office for approval. When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available officers shall respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer shall notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to other county facilities.

When such assistance is rendered, a case number will be issued to report action taken by Woodland Police Department Personnel.

334.3 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of their intentions. The handling officer or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting officer should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

Victim and Witness Assistance

336.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

336.1.1 DEFINITION

For the purpose of this policy the term "Rape Victim Counseling Center" refers to Empower Yolo.

336.2 POLICY

The Woodland Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Woodland Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

336.3 CRIME VICTIM LIAISON

The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Woodland Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

336.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison is specifically tasked with the following:

- (a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim's or derivative victim's designation as a gang member, associate, or affiliate, or on the person's documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).
- (b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).
- (c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.
- (d) Annually providing CalVCB with the crime victim liaison's contact information (Government Code § 13962).
- (e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).
 1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical

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examinations arising out of sexual assault in the Woodland Police Department jurisdiction (Penal Code § 680.2).

- (f) Providing information required by Penal Code § 679.09 of a deceased minor to a parent or guardian of the minor whose death is being investigated.
 - 1. In cases where the parent or guardian of the deceased minor cannot be located, information required by Penal Code § 679.09 shall be provided to the victim's immediate family, upon their request.

336.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct them to the proper written department material or available victim resources.

336.4.1 VICTIMS OF HUMAN TRAFFICKING

Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim's parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and their immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

336.5 VICTIM INFORMATION

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
- (d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (f) A clear explanation of relevant court orders and how they can be obtained.
- (g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).

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- (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (i) Notice regarding U visa and T visa application processes.
- (j) Resources available for victims of identity theft.
- (k) A place for the officer's name, badge number, and any applicable case or incident number.
- (l) The "Victims of Domestic Violence" card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).
- (m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.
- (n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

336.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Registration of Gang Members

335.1 PURPOSE AND SCOPE

It is the policy of the Woodland Police Department to register gang members required to register pursuant to penal code section 186.30 and to maintain records of said registrants.

Pursuant to Penal Code Section 186.32(d):

The statements, photographs and fingerprints required under this section shall not be open to inspection by any person other than a regularly employed peace or other law enforcement officer.

335.2 REGISTRATION REQUIREMENTS - GENERAL

Any person convicted in a criminal court or who has had a petition sustained in a juvenile court in this state for any of the following offenses:

- (a) Subdivision (a) of section 186.22;
- (b) Any crime where the enhancement specified in subdivision (b) of section 186.22 is found to be true; or
- (c) Any crime that the court finds is gang related at the time of sentencing or disposition.

If any of these conditions are present, the court shall inform the person subject to the registration requirement of his or her duty to register. The advisement will be noted in the court minute order. A copy of the minute order will be mailed to the local law enforcement agency having jurisdiction over the person's last known address.

335.3 REGISTRATION REQUIREMENTS - JUVENILES

Penal Code Section 186.32(a) requires:

The Juvenile must appear at the Woodland Police Department with a parent or guardian. The law enforcement agency shall serve the juvenile and the parent with a California Street Terrorism enforcement and Prevention Act notification.

A written statement signed by the juvenile, giving information that may be required by the law enforcement agency, shall be submitted to the law enforcement agency.

The fingerprints and current photograph of the juvenile shall be submitted to the law enforcement agency.

335.4 REGISTRATION REQUIREMENTS - ADULTS

Penal Code Section 186.32(a) requires:

The adult shall appear at the law enforcement agency.

The law enforcement agency shall serve the adult with a California Street Terrorism Enforcement and Prevention Act notification.

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A written statement signed by the adult, giving information that may be required by the law enforcement agency, shall be submitted to the law enforcement agency.

The fingerprints and current photograph of the adult shall be submitted to the law enforcement agency.

335.5 CHANGE OF ADDRESS REQUIREMENTS

Penal Code Section 186.32(b) requires:

Within 10 days of changing his or her residence address, any person subject to the registration requirements shall inform, in writing, the law enforcement agency with which he or she last registered of his or her new address.

If his or her new residence is located within the jurisdiction of a law enforcement agency other than the agency he or she last registered with, he or she shall register with the new law enforcement agency, in writing, within 10 days of the change of residence.

335.6 TERMINATION OF REGISTRATION REQUIREMENTS

Penal Code Section 186.32(c) requires:

All registration requirements set forth in this article shall terminate five years after the last imposition of a registration requirement pursuant to Section 186.30.

335.7 RESPONSIBILITY

Responsibility for gang registrants will be with the Investigations Division.

All records kept pursuant to the registrations will be kept on file in the Crime Analysis Unit.

- (a) All records will be maintained in a gang registration file.
- (b) The file will consist of an active section and an inactive section.
- (c) The active section will be comprised of all registrant records who have been ordered to register within the preceding five years.
- (d) The inactive file will be comprised of all registration files that are five years and older where the registrant has not been ordered to register on any offense during the preceding five years. This file shall be kept for archiving purposes only and cannot be used for confirmation that a person is a gang member.
- (e) It shall be the responsibility of the supervising crime analyst to ensure the registration records are regularly reviewed and filed in the correct location based on the time frame established in c. and d. above.

Registered Offender Information

336.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Woodland Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

336.2 REGISTRATION

The Detective Bureau supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

336.3 MONITORING OF REGISTERED OFFENDERS

The Detective Bureau Lieutenant should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with their registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the California DOJ website for sex offenders.
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the California DOJ.

The Detective Bureau Lieutenant should also establish a procedure to routinely disseminate information regarding registered offenders to Woodland Police Department personnel, including timely updates regarding new or relocated registrants.

336.4 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor

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should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Woodland Police Department's website. Information on sex registrants placed on the Woodland Police Department's website shall comply with the requirements of Penal Code § 290.46.

The Records Supervisor may release local registered offender information to residents only in accordance with applicable law and in compliance with a California Public Records Act request (Government Code § 7920.000 et seq.; Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1).

336.4.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY

California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the internet website, to be released to a campus community (Penal Code § 290.01(d)):

- (a) The offender's full name
- (b) The offender's known aliases
- (c) The offender's sex
- (d) The offender's race
- (e) The offender's physical description
- (f) The offender's photograph
- (g) The offender's date of birth
- (h) Crimes resulting in the registration of the offender under Penal Code § 290
- (i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).

336.4.2 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.

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- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.
- (f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).

Major Incident Notification

337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to employees in determining when, how and to whom notification of major incidents should be made.

337.2 POLICY

The Woodland Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

337.3 MINIMUM CRITERIA FOR NOTIFICATION

The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides.
- Traffic accidents with fatalities.
- Officer-involved shooting on or off duty (See Policy Manual § 305.4.2 for special notifications).
- Significant injury or death to an employee on or off duty.
- Death of a prominent City of Woodland Official.
- Arrest of Department employee or prominent City of Woodland Official.
- Arrest of a prominent City of Woodland Official or other city employee.
- Aircraft crash with major damage and/or injury or death.
- In-custody deaths.
- Significant crimes of violence.
- Major Disaster.

337.4 SHIFT SERGEANT RESPONSIBILITY

The Patrol Supervisor is responsible for making the appropriate notifications. The Patrol Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Patrol Supervisor shall attempt to make the notifications as soon as practicable. Notification should be made by calling the home telephone number first and then by any other available contact numbers.

337.4.1 STAFF NOTIFICATION

In the event an incident occurs described in Policy Manual § 337.3, the Chief of Police shall be notified via the Chain of Command.

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337.4.2 DETECTIVE/CSI NOTIFICATION

If the incident requires that a detective or CSI respond, the Detective Sergeant will contact the appropriate personnel.

337.4.3 TRAFFIC DIVISION NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator. The Traffic Sergeant will notify the Traffic Lieutenant.

337.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

337.4.5 GENERAL CALL OUT

A call out of general personnel will be at the discretion of the Watch Commander.

Major Incident Critique

338.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for Major Incident Critiques to accurately review all major operations and/or incidents of an unusual nature.

338.2 DEFINITIONS

Major Incidents includes but is not limited to situations in which:

- (a) A command post is made operational for critical incidents.
- (b) A Special Weapons and Tactics Team (SWAT) is deployed.
- (c) An officer involved shooting or violent event where any injury occurs.
- (d) Mutual aid is involved.

Major Operations are defined as any operation in which an operational outline was prepared, excluding narcotic search warrants and game plans.

338.3 GENERAL GUIDELINES

Upon the conclusion of any major operation/incident, the affected Supervisor shall consider conducting an impartial debriefing to determine training issues and positive or negative aspects of the operation/ incident. During the debriefing, the supervisor should avoid making commendations or discipline for actions taken or omitted during the incident.

In making the decision to conduct a debriefing, the Supervisor shall consider requests from:

- (a) the Incident Commander (IC) in charge of the operation/incident.
- (b) another supervising officer or another involved law enforcement agency.

The final decision to conduct a debriefing shall rest with the respective Division Commander.

Debriefings shall be held within 20 working days of the end of the operation/incident.

338.4 DEBRIEFING OFFICER

This "critique" program, or detailed analysis, will be the responsibility of the supervisor in charge of the operation at the time the incident occurred and shall be aimed at accomplishing the following objectives:

- (a) Inquire into the manner in which the incident was handled to determine if proper techniques and procedures were employed and to determine areas requiring change, modification or upgrading.
- (b) Evaluate manpower, training, material and equipment employed to determine if resources, supplies and facilities are adequate and properly utilized.
- (c) Analyze the practicality and legality of the action taken.

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- (d) Evaluate the results of the action to determine if the aims, objectives and best interests of the department were met.

The Debriefing supervisor will make recommendations on identified areas for improvement to the Chief via the chain of command.

338.5 PERSONS ATTENDING THE DEBRIEFING

The debriefing officer, upon review of available reports, shall request the attendance of all department personnel having a major role in the operation. Personnel considered should include, but not be limited to:

- (a) Deputy Chief.
- (b) Affected Lieutenants.
- (c) Affected supervisors.
- (d) Affected officers and dispatchers.
- (e) Communications/Dispatch representative.

With the debriefing officer's approval, other interested parties may voluntarily attend. However, no overtime shall be allowed unless specifically approved in advance by their division lieutenant or a higher authority.

The debriefing officer should notify representatives from affected outside agencies of the debriefing. Representatives may include affected supervisory personnel, communications personnel, and Fire and AMR personnel dependent on the situation.

Death Investigation

339.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide.

339.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed). A supervisor shall be notified in all death investigations.

339.2.1 CORONER REQUEST

Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

- (a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities).
- (b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746 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 deaths 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.

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- (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 patients admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

339.2.2 SEARCHING DEAD BODIES

The Coroner or Deputy Coroner 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 Coroner 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 Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner 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 Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

339.2.3 DEATH NOTIFICATION

When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the assigned officer or chaplain. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

339.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a "John Doe" or "Jane Doe" number for the report.

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339.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

339.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Bureau shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

339.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES

Any employee 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 as soon as practicable by telephone with all pertinent information (8 CCR 342(b)).

Identity Theft

340.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for the reporting and investigation of such crimes.

340.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.
- (f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

Private Persons Arrests

341.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

341.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

341.3 ARRESTS BY PRIVATE PERSONS

Penal Code § 837 provides that a private person may arrest another:

- (a) For a public offense committed or attempted in their presence;
- (b) When the person arrested has committed a felony, although not in their presence;
- (c) When a felony has been in fact committed, and they have reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

341.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
 - 1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.

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2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking.
 2. Release the individual pursuant to a Notice to Appear.
 3. Release the individual pursuant to Penal Code § 849.

341.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, officers shall complete a narrative report regarding the circumstances and disposition of the incident, and any other related documents such as citations, arrest forms, etc.

Mandatory Employer Notification

343.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

343.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any offense enumerated below, the Chief of Police or their designee is required to report the arrest as follows.

343.2.1 ARREST OF PUBLIC SCHOOL TEACHER

In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

343.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE

In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

343.2.3 ARREST OF PRIVATE SCHOOL TEACHER

In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher and to immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

343.2.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR

In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591.5 or Health

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and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Chief of Police or the authorized designee is mandated to immediately notify by telephone the superintendent of the community college district employing the person, and shall immediately give written notice of the arrest to the California Community Colleges Chancellor's Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

343.3 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES

In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential treatment center or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the officer shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).

Biological Samples

344.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples from those required to register, for example, sex offenders.

344.2 POLICY

The Woodland Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

344.3 PERSONS SUBJECT TO DNA COLLECTION

Those who must submit a biological sample include (Penal Code § 296):

- (a) A person, including a juvenile, upon conviction or other adjudication of any felony offense.
- (b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record.
- (c) An adult arrested or charged with any felony.

344.4 PROCEDURE

When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

344.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the individual's criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
- (c) Use a DNA buccal swab collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

344.5 USE OF FORCE TO OBTAIN SAMPLES

If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only

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with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

- (a) The person's parole or probation officer when applicable.
- (b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
- (c) The judge at the person's next court appearance.
- (d) The person's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
- (g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

344.5.1 VIDEO RECORDING

A video recording should be made anytime force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department's records retention schedule (15 CCR 1059).

344.5.2 CELL EXTRACTIONS

If the use of force includes a cell extraction, the extraction shall be video recorded, including audio. Video shall be directed at the cell extraction event. The video recording shall be retained by the Department for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively (15 CCR 1059).

344.6 LEGAL MANDATES AND RELEVANT LAWS

California law provides for the following:

344.6.1 DOCUMENTATION RELATED TO FORCE

The Patrol Supervisor or the on-duty authorized designee shall prepare prior written authorization for the use of any force (15 CCR 1059). The written authorization shall include information that the subject was asked to provide the requisite specimen, sample, or impression and refused, as well as the related court order authorizing the force.

344.6.2 BLOOD SAMPLES

A blood sample should only be obtained under this policy when:

- (a) The California DOJ requests a blood sample and the subject consents, or
- (b) A court orders a blood sample following a refusal.

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The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

344.6.3 LITIGATION

The Chief of Police or authorized designee should notify the California DOJ's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state's DNA Data Bank Program.

Chaplains

345.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Woodland Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

345.2 POLICY

The Woodland Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

345.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

345.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Woodland Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment. All applicants must complete and meet the Chaplain on-boarding requirements and process.

345.4.1 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Initial interview with Senior Chaplain.
- (b) Complete a LiveScan fingerprint check (must be cleared).
- (c) Ride along with a patrol officer. The ride along will be set up by Senior Chaplain.
- (d) Shadow the on-call Chaplain for two (2) call outs.
- (e) Complete the Woodland Police Department Volunteer background check.

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- (f) Interview with the Chief of Police
- (g) Attend and successfully complete the Sacramento Chaplain Academy
- (h) Complete a four (4) month Chaplain FTO program

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear their name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

345.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Woodland Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Woodland Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

345.6 SENIOR CHAPLAIN

The Chief of Police shall delegate certain responsibilities to a Senior Chaplain.

The Senior Chaplain shall serve as the liaison between the chaplains and the Chief of Police. The function of the Senior Chaplain is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the Senior Chaplain and/or Patrol Supervisor.

The responsibilities of the Senior Chaplain or the authorized designee include, but are not limited to:

- (a) Recruiting, selecting and training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.

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- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the Senior Chaplain .

345.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Bureau . Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the Senior Chaplain or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Woodland Police Department.

345.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

345.7.2 OPERATIONAL GUIDELINES

- (a) Chaplains will be scheduled to be on-call for a period of seven consecutive days during each month, beginning on Friday and ending on the following Friday.
- (b) Generally, each chaplain will serve with Woodland Police Department personnel a minimum of eight hours per month.
- (c) At the end of each month, the Senior Chaplain will complete a monthly chaplain shift report and submit it to the Chief's Executive Assistant.
- (d) Chaplains shall be permitted to ride with officers during any shift and observe Woodland Police Department operations, provided the Patrol Supervisor has been notified and has approved the activity.
- (e) Chaplains shall not be evaluators of members of the Department.
- (f) In responding to incidents, a chaplain shall never function as an officer.
- (g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

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- (h) Chaplains shall serve only within the jurisdiction of the Woodland Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (i) The Senior Chaplain may obtain the current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in their duties. These items can be obtained from the Executive Assistant to the Chief. Such information will be considered confidential and the Senior Chaplain will exercise appropriate security measures to prevent distribution of the data.

345.7.3 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Patrol Supervisor or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

345.7.4 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

345.7.5 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Senior Chaplain.

345.7.6 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

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- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

345.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Woodland Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Woodland Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

345.9 TRAINING

Prior to deployment as a solo chaplain all new Chaplains must complete the Sacramento Law Enforcement Chaplaincy course. The training, as approved by the Training Manager, includes:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death

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- Sensitivity and diversity

345.9.1 CHAPLAIN VEHICLE

The Chaplain Vehicle is assigned to the designated on call chaplain. The on call chaplain is expected to carry all required equipment and appropriate attire in the vehicle to facilitate an immediate response to a priority police request for service. The on call chaplain is expected to operate the chaplain vehicle in a safe manner at all times in compliance with the Vehicle Code and this policy manual.

The chaplain vehicle may be used for a number of reasons such as, but not limited to the following:

- (a) emergency call outs
- (b) transporting victims or witnesses under the direction of the police department
- (c) procuring and transporting supplies for emergency personnel at emergency scenes
- (d) providing chaplaincy service mutual aid to other police agencies and chaplain programs, attending meetings, and attending training.
- (e) During an assigned tour of duty the on call chaplain may use the vehicle to go to and from work and to attend work related meetings.

The chaplain vehicle shall not be used for general transportation of family or guests, or any other personal business not considered a chaplain function, unless on call. The on call chaplain should avoid using the chaplain vehicle when ministering at funerals, weddings, or other similar functions while representing their church or denomination and not the Chaplaincy Program.

Should a chaplain be involved in an accident with the chaplain vehicle, they are to immediately radio the dispatcher and report the accident and they are to notify the Woodland Police Department shift supervisor before moving the vehicle.

The chaplain vehicle will be locked at all times when unattended. Police issued equipment such as; chargeable flashlights, portable radios, protective vests, etc.; should not be left inside the passenger compartment area in open view. This equipment should be secured in the trunk when not in use.

All mechanical defects should be reported to the City of Woodland Maintenance Shop upon discovery of the defect. The on-call chaplain will make arrangements with the Maintenance Shop to have the chaplain vehicle taken in for repair. Any alterations to the chaplain vehicle's mechanical, electrical accessories, or other equipment, must be approved by the Woodland Police Department Patrol Commander and performed by Maintenance Shop personnel.

The on-call chaplain will be responsible for ensuring the chaplain vehicle is always maintained in a clean condition, inside and out. Chaplains should not leave loose writing materials, papers, empty containers, and trash in the passenger compartment area or in the trunk. When the chaplain vehicle gets dirty, the on-call chaplain is responsible for taking the vehicle to the Police Department car wash vendor.

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345.10 CHAPLAIN FIELD TRAINING PROGRAM

After successful completion of the Sacramento Chaplain Academy, the Chaplain is able to be sworn in. After being sworn in, the Chaplain shall participate in a four (4) month field training program. After each phase, the Chaplain will meet with the Senior Chaplain to discuss each phase. It is expected that during the training program, the new Chaplain will attend Department events and ceremonies.

Phase One (Month 1):The Chaplain will be given a chance to shadow on any active incidents. During this phase, the new chaplain will not be expected to be available for all call-outs, however, they are expected to shadow a minimum of five (5) incidents, specifically:

- (a) Death Notification
- (b) Call out for a deceased person(s)
- (c) Call out for a suicide event

Additionally, the new Chaplain will be expected to complete a four (4) hour sit along with a Dispatcher at Yolo911 during Phase One.

Phase Two (Month 2 & 3):The Chaplain will be assigned on primary rotation for two (2) of eight (8) weeks. The new Chaplain will be shadowed by another on-call Chaplain.

Phase Three (Month 4):The new Chaplain will transition to a solo primary Chaplain. For the first whole week rotation, the Senior Chaplain will follow up with officers on incidents to get feedback on performance and any areas of improvement regarding the new Chaplain.

Public Safety Video Surveillance System

346.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department. This policy does not include security cameras used to protect other City owned buildings and areas.

346.2 POLICY

The Woodland Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

346.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

346.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police or authorized designee should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

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- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Any employee may request the Patrol Lieutenant to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

346.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner. The cameras shall be marked with police markings and a blue flashing light to inform the public that the area is under police surveillance. Cameras should be well lit, placed appropriately and without obstruction to ensure visibility.

346.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

346.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

346.4.1 ACCOUNTIBILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Woodland Police Department will observe the following safeguards regarding access to and use of stored data:

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- (a) All data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (b) Employees approved to access data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department-related civil or administrative action.
- (c) Video system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

346.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

346.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored for a minimum of 14 days. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

346.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

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346.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Woodland Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Patrol Supervisor for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

346.7 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

346.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras and a review regarding relevant policies and procedures, including this policy. Training should address any state and federal law related to the use of video surveillance equipment and privacy.

Child and Dependent Adult Safety

347.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Senior and Disability Victimization policies.

347.2 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. The following steps should be taken (Penal Code § 13517.7(b)(1)):

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of their child or dependent adult.

347.2.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

347.3 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car, or taken into formal protective custody.

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Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

347.4 TRAINING

The Training Manager is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).

Service Animals

348.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

348.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

348.2 POLICY

It is the policy of the Woodland Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

348.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with

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schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

348.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Woodland Police Department affords to all members of the public (28 CFR 35.136).

Volunteer Program

349.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

349.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

349.2 VOLUNTEER MANAGEMENT

349.2.1 VOLUNTEER COORDINATOR

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with other Department staff on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or their designee, shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions.
- (b) Facilitating the implementation of new volunteer activities and assignments.
- (c) Maintaining records for each volunteer.
- (d) Tracking and evaluating the contribution of volunteers.
- (e) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completion and dissemination as appropriate of all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Administering discipline when warranted.

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- (j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

349.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. A complete position description and a requested time-frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

349.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check.
- (b) Fingerprints shall be obtained from all applicants and processed through the California Criminal Information Index.
- (c) Employment
- (d) References

349.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

The City of Woodland does not offer Police Department volunteers Workers Compensation or Medical Insurance coverage. Each volunteer is required to complete a form accepting these limitations.

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Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

349.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

349.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when their judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

349.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while they are off duty.

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Volunteers shall be required to return any issued uniform or department property at the termination of service.

349.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

349.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

349.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

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Volunteer Program

349.5.1 VEHICLE USE

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

- (a) Verification that the volunteer possesses a valid California Driver License.
- (b) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service and are not authorized to operate a Department vehicle Code-3.

349.5.2 RADIO AND MDC USAGE

Volunteers shall successfully complete CLETS and radio procedures training prior to using the police radio or MDC and comply with all related provisions. The Volunteer Coordinator should ensure that radio and CLETS training is provided for volunteers whenever necessary.

349.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear their name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

349.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

349.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

Off-Duty Law Enforcement Actions

350.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Woodland Police Department with respect to taking law enforcement action while off-duty.

350.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that they reasonably believe poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

350.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

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Off-Duty Law Enforcement Actions

350.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify themselves as an Woodland Police Department officer until acknowledged. Official identification should also be displayed.

350.3.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

350.3.3 CIVILIAN RESPONSIBILITIES

Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

350.3.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case they need to maintain an undercover capability.

350.4 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Patrol Supervisor as soon as practicable. The Patrol Supervisor shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Illness and Injury Prevention

351.1 PURPOSE AND SCOPE

The health and safety of the employees of the Woodland Police Department is important to executive and management staff, and critical to the operation of this department and the delivery of services to the community.

The purpose of this policy is to establish an ongoing and effective Injury and Illness Prevention Program (IIPP) for the Woodland Police Department, in accordance with the requirements of 8 CCR 3203. This policy specifically applies to illnesses and injuries that result in lost time beyond the date of the incident or that require medical treatment beyond first aid. Though this policy provides the essential framework required for an IIPP, it may be supplemented by procedures outside the Policy Manual.

The IIPP guidelines are to be followed and adopted by all personnel. Supervisory and management personnel are charged with ensuring that these guidelines and directives are implemented.

351.2 RESPONSIBILITY

The Community Relations Sergeant, acting as the Department's IIPP administrator, has the authority and responsibility for implementing the provisions of this policy and the IIPP. Supervisors are responsible for implementing and maintaining the IIPP in their work areas and for answering questions from employees about the IIPP.

351.3 COMPLIANCE

The Community Relations Sergeant is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. The Community Relations Sergeant should take reasonable steps to ensure that all workers comply with safety rules and maintain a safe work environment, including, but not limited to:

- (a) Informing workers of the provisions of the IIPP.
- (b) Recognizing employees who perform safe work practices.
- (c) Ensuring that the employee evaluation process includes the employee's safety performance.
- (d) Ensuring the Department's compliance with mandates regarding:
 - 1. Bloodborne pathogens (8 CCR 5193).
 - 2. Airborne transmissible diseases (8 CCR 5199).
 - 3. Heat illness (8 CCR 3395).
 - 4. Respiratory protection (8 CCR 5144).

Supervisors are responsible for training, counseling, instructing or making informal verbal admonishments anytime safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Personnel Complaints Policy.

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All employees should use safe work practices, follow all directives and policies and assist in maintaining a safe work environment.

351.4 COMMUNICATION

Supervisors shall establish and maintain communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.

- (a) The Community Relations Sergeant will ensure that a system of communication is in place which facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:
 - 1. New worker orientation, including a discussion of safety and health policies and procedures.
 - 2. Regular employee review of the IIPP.
 - 3. Workplace safety and health training programs.
 - 4. Regularly scheduled safety meetings.
 - 5. Posted or distributed safety information.
 - 6. A system for workers to anonymously inform management about workplace hazards.
 - 7. Establishment of a labor/management safety and health committee, which will:
 - (a) Meet regularly.
 - (b) Prepare a written record of the safety and health committee meeting.
 - (c) Review the results of periodic scheduled inspections.
 - (d) Review investigations of accidents and exposures.
 - (e) Make suggestions to management for the prevention of future incidents.
 - (f) Review investigations of alleged hazardous conditions.
 - (g) Submit recommendations to assist in the evaluation of employee safety suggestions.
 - (h) Assess the effectiveness of the Department's efforts to meet the following mandates:
 - 1. Bloodborne pathogens (8 CCR 5193)
 - 2. Airborne transmissible diseases (8 CCR 5199)
 - 3. Heat illness prevention (8 CCR 3395).

351.5 HAZARD ASSESSMENT

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards utilizing the applicable sections of the Hazard Assessment Checklist to ensure

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a thorough inspection. These checklists can be found at on the California Department of Industrial Relations website.

351.5.1 COMMUNITY RELATIONS SERGEANT INSPECTION DUTIES

The Community Relations Sergeant shall ensure an Identified Hazard and Correction Record (located on the California Department of Industrial Relations website) is completed for each inspection.

351.5.2 PATROL OFFICERS INSPECTION DUTIES

Officers are charged with daily vehicle inspection of an assigned vehicle and of personal protective equipment prior to working in the field. Officers shall report any unsafe condition that cannot be immediately corrected to their supervisor.

351.5.3 SUPERVISOR ASSESSMENT DUTIES

Supervisors should inform the Community Relations Sergeant when the following occurs:

- New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
- New, previously unidentified hazards are recognized.
- Occupational injuries and illnesses occur.
- New and/or permanent or intermittent workers are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
- Whenever workplace conditions warrant an inspection.

The Community Relations Sergeant will take appropriate action to ensure the IIPP addresses potential hazards upon such notification.

351.6 ACCIDENT/EXPOSURE INVESTIGATIONS

Employees must report all injuries that are a result of a workplace accident and any hazardous substance exposure to a supervisor. A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- A visit to the accident scene as soon as possible.
- An interview of the injured worker and witnesses.
- An examination of the workplace for factors associated with the accident/exposure.
- Determination of the cause of the accident/exposure.
- Corrective action to prevent the accident/exposure from reoccurring.
- A record of the findings and corrective actions taken, using the Investigation/Corrective Action Report form located on the Department of Labor Relations website.

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351.7 HAZARD CORRECTION

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisor).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner based on the severity of the hazards. Hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed workers from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on an Identified Hazard and Correction Form. This should be forwarded to the Administration Supervisor via the chain of command.

351.8 TRAINING AND INSTRUCTION

The Community Relations Sergeant shall work to ensure that all workers, including supervisors, are trained on general and job-specific, workplace safety and health practices. Training shall be provided as follows:

- To all new employees for those tasks that were not sufficiently covered by previous training from an academy or another training provider.
- To all workers given new job assignments for which training has not previously been provided.
- Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- Whenever the department is made aware of a new or previously unrecognized hazard.
- To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed.
- To all workers with respect to hazards that are specific to each employee's job assignment.
- An explanation of the department's IIPP, emergency action plan and fire prevention plan; measures for reporting any unsafe conditions, work practices and injuries; and informing a supervisor when additional instruction is needed.
- The use of appropriate clothing, including gloves, footwear and personal protective equipment.
- Information about chemical hazards to which employees could be exposed.
- The availability of toilet, hand-washing and drinking-water facilities.
- Provisions for medical services and first aid, including emergency procedures.

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- Steps to prevent heat illness (8 CCR 3395).

351.9 RECORDKEEPING

The Community Relations Sergeant will do the following to implement and maintain IIPP records:

- (a) Make available the Identified Hazards and Correction Record Form to document inspections, any unsafe condition or work practice, and actions taken to correct unsafe conditions and work practices.
- (b) Make available the Investigation/Corrective Action Report (<http://www.dir.ca.gov/DOSH/etools/09-031/InvestigationReport.pdf>) to document individual incidents or accidents.
- (c) Develop a Worker Training and Instruction Form to document the safety and health training of each employee. This form will include the employee's name or other identifier, training dates, type of training, and training providers.
- (d) Retain inspection records and training documentation for a minimum of one year.

351.10 TRAINING SUBJECTS

The Training Manager should ensure training is provided on the following topics:

- Driver safety
- Safe procedures for handling, cleaning and/or storing weapons
- Good housekeeping and fire prevention
- Back exercises/stretching and proper lifting techniques
- Lock-out/tag-out procedures
- Hazardous materials
- Building searches
- Slips and falls
- Ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods
- Personal protective equipment
- Respiratory equipment
- Hazardous chemical exposures
- Hazard communication
- Physical hazards, such as heat/cold stress, noise, and ionizing and non-ionizing radiation
- Bloodborne pathogens and other biological hazards

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- Other job-specific hazards

351.11 GENERAL TRAINING SAFETY GUIDELINES

To safeguard employees during training exercises, all persons involved in the training process shall have certain responsibilities.

The Training Officer shall ensure:

- (a) advance notice is provided to employees regarding anticipated physical demands.
- (b) Instructors are provided with a written copy of the general safety policy and the specific policies which pertain to their course of instructions.
- (c) Coordination and notification is made with outside agencies or facilities impacted by specific training sessions.
- (d) Staff to student ratios for each psychomotor skill are established and maintained. Reassessment of the staff to student ratios shall be initiated when curriculums are modified, or bi-annually, whichever occurs first.

Each instructor shall:

- (a) conduct safety inspections to ensure equipment and facilities used for training are in good repair.
- (b) ensure emergency communications are available at all training sites.
- (c) ensure a person certified in First Aid and CPR is present.
- (d) be aware of environmental factors, such as weather or air quality, and adjust instruction and physical effort as necessary.
- (e) incorporate safety policies into their lesson plans and verbally review the policy with the class. The written safety policy shall be incorporated into a course handout if handouts are provided.
- (f) follow the course outline as submitted and approved by the Training Officer.
- (g) advise all students of their responsibility to report any unsafe actions or conditions during training.
- (h) notify the Training Officer of any potential impact of their training on outside agencies, facilities, or the public.
- (i) adhere to all policies, rules, regulations, ordinances, and laws concerning their conduct while interacting with students.
- (j) present themselves in a professional manner in both appearance and actions at all times.

Each student shall:

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- (a) a. immediately notify the course instructor of any preexisting medical condition which may be aggravated by or effect performance during training.
- (b) b. be prepared to provide evidence of medical or physical fitness for training if the instructor questions their ability to perform safely.
- (c) immediately notify the course instructor of any injuries sustained or property damaged during training.
- (d) adhere to all safety requirements while attending training courses.

351.11.1 COURSE OUTLINES AND COURSE SPECIFIC SAFETY POLICIES

Each course outline approved by the Training Officer shall include a recommended instructor to student ratio based on:

- (a) intensity or pace of instruction.
- (b) student familiarity with equipment/procedure.
- (c) site characteristics.
- (d) injury potential.
- (e) "active" vs. "passive" student participation.

The outline shall also include:

- (a) the location of emergency Communication equipment.
- (b) "Stop Action" procedures:
 - 1. When any activity appears to be unsafe or may become unsafe a "Stop Action" shall be initiated. The "Stop Action" signal shall be identified in the course outline and discussed so that each student and instructor is familiar with the protocol (i.e. whistle, etc.).
- (c) specific site procedures, such as:
 - 1. perimeter containment.
 - 2. designated "Safe" area.
 - 3. hazards peculiar to the site.
- (d) specific task rules, such as:
 - 1. instructor, safety officer, and student safety equipment, and clothing and footwear requirements.
 - 2. behavior expectations.
 - 3. specific prohibitions.
 - 4. procedures for handling unusual occurrences (i.e. duds, misfires, etc.).

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5. distance limitations or standards.
6. student conditioning guidelines and performance expectations.

Course Specific Safety Policies

Specific safety policies for individual subject areas shall be addressed in the following separate areas of training:

- (a) firearms/range
- (b) weaponless defense tactics
- (c) pursuit/defensive driving
- (d) Wellness physical conditioning/qualification testing
- (e) scenario reenactments and event simulations
- (f) tactical operations
- (g) forensic science and crime scene investigations
- (h) chemical agents
- (i) crowd and riot control
- (j) motorcycle
- (k) canine
- (l) EOD/Arson
- (m) bicycle enforcement
- (n) other psychomotor skills training determined as necessary.

351.11.2 REPORT OF TRAINING INJURIES

All injuries shall be given immediate first-aid attention.

Injured students who require immediate or emergency treatment shall be transported to the nearest emergency facility in accordance with Policy 388.

The instructor shall ensure there is at least one Department issue FIRST-AID kit immediately available for every twenty (20) students.

All injuries shall be confirmed in writing on an "Employee's Claim for Workers' Compensation Benefits" form and a City of Woodland "Employee Injury Report."

Department Use of Social Media

352.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

352.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - 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

352.2 POLICY

The Woodland 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.

352.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee 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 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 should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

352.4 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:

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- (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.

352.4.1 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), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

352.5 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 Woodland 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 or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

352.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

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352.6 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, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

352.7 RETENTION OF RECORDS

The Deputy Chief should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

352.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Gun Violence Restraining Orders

353.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

353.1.1 DEFINITIONS

Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

353.2 POLICY

It is the policy of the Woodland Police Department to petition for and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

353.3 GUN VIOLENCE RESTRAINING ORDERS

An officer who reasonably believes a person is a present danger to self or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from the officer's supervisor to petition the court for a gun violence restraining order.

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may submit the petition electronically or orally request a temporary order (Penal Code § 18122; Penal Code § 18140).

353.3.1 ADDITIONAL CONSIDERATIONS

Officers should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

- (a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.
- (b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.

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- (c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Officers should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

353.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

An officer serving any gun violence restraining order shall:

- (a) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).
- (b) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).
- (c) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).
- (d) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day (Penal Code § 18115).
- (e) As soon as practicable, but by the end of his/her shift, submit proof of service to the Records Supervisor for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

353.4.1 TEMPORARY EMERGENCY GUN VIOLENCE RESTRAINING ORDERS

An officer requesting a temporary emergency gun violence restraining order shall (Penal Code § 18140):

- (a) For oral requests, sign a declaration under penalty of perjury reciting the oral statements provided to the judicial officer and memorialize the order of the court on the form approved by the Judicial Council.
- (b) Serve the order on the restrained person if the person can be reasonably located.
- (c) Forward a copy of the order to the Records Supervisor for filing with the court and appropriate databases.

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353.5 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. Additionally, (Penal Code § 1542.5):

- (a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.
- (b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:
 - 1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
 - 2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.
- (c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner's presence.

353.6 RECORDS SUPERVISOR RESPONSIBILITIES

The Records Supervisor is responsible for ensuring:

- (a) Proof of service of any gun violence restraining order served by an officer or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by an officer, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).
- (b) Temporary orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).
- (c) Copies of temporary orders are filed with the court as soon as practicable, but no later than three court days, after issuance (Penal Code § 18140).
- (d) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).
- (e) Any relinquishment of firearm rights form received from the court is entered into the California Restraining and Protective Order System within one business day of receipt (Penal Code § 18115).

353.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS

Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:

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- (a) Record the individual's name, address and telephone number.
- (b) Record the serial number of the firearm.
- (c) Prepare an incident report and property report.
- (d) Provide a property receipt to the individual who surrendered the firearms and ammunition.
- (e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

353.8 RELEASE OF FIREARMS AND AMMUNITION

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.

353.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

The Investigations Lieutenant or designee will be the gun violence restraining order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):
 - 1. A temporary emergency gun violence restraining order.
 - 2. An ex parte gun violence restraining order.
 - 3. A gun violence restraining order issued after notice and hearing.
- (b) Developing and maintaining factors to consider when assessing the need to seek an order, including:
 - 1. Whether threats have been made, and if so, whether the threats are credible and specific.
 - 2. Whether the potential victim is within close proximity.
 - 3. Whether the person has expressed suicidal tendencies.
 - 4. Whether the person has access to firearms.
 - 5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
 - 6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.
 - 7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
 - 8. Whether the person has any history of drug or alcohol abuse.

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- (c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:
 - 1. Evaluation of an order to determine appropriate service and necessary precautions.
 - 2. Forwarding orders to the Records Supervisor for recording in appropriate databases and required notice to the court, as applicable.
 - 3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).
 - 4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.
 - 5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order.
- (d) Coordinating with the Training Manager to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.
- (e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.
- (f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.
 - 1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.
- (g) Coordinating review of notices of court hearings and providing notice to the appropriate officer of the hearing date and the responsibility to appear (Penal Code § 18108).

353.10 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS

The Detective Bureau supervisor is responsible for the review of a gun violence restraining order obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

353.11 POLICY AVAILABILITY

The Chief of Police or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

353.12 TRAINING

The Training Manager should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).

Community Relations

354.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

354.2 POLICY

It is the policy of the Woodland Police Department to promote positive relationships between members of the department and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

354.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Detentions and Photographing Detainees Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations sergeant to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify Dispatch of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol.

354.4 COMMUNITY RELATIONS SERGEANT

The Community Relations Sergeant is responsible for:

- (a) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.

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- (b) Organizing surveys to measure the condition of the department's relationship with the community.
- (c) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.
 - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (d) Working with the Patrol Bureau Commander to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (e) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (f) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

354.5 SURVEYS

The Community Relations Sergeant should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members as a whole
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

354.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The Community Relations Sergeant working with the Traffic Sergeant and the Crime Prevention Specialist should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer/Gang Resistance Education And Training (G.R.E.A.T.) programs.

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- (e) Neighborhood Watch and crime prevention programs.
- (f) Volunteers In Policing (ViP).

354.7 INFORMATION SHARING

The Community Relations Sergeant and the Crime Prevention Specialist should develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously.

354.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The Community Relations Sergeant should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Along Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make a complaint to the department regarding alleged misconduct or inappropriate job performance by department members.

354.9 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or

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guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

354.10 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers.

354.11 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

Remote Restraint Device

355.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of BolaWrap™ devices in order to minimize injury to suspects, subjects, and officers.

355.2 POLICY

The BolaWrap™ device is intended to immobilize and control active resistant people. The BolaWrap™ is also intended to control assaultive or potentially assaultive individuals. The BolaWrap™ is a hand-held remote restraint device that discharges a seven-foot six-inch bola style Kevlar tether to entangle an individual at an optimal range of 10-25 feet.

355.3 DEFINITIONS

- (a) BolaWrap™ is a hand-held, remote restraint device that discharges a seven-foot six-inch bola style Kevlar cord to entangle an individual at a range of 10-25 feet. The BolaWrap is equipped with entangling barbs at each end of the Kevlar cord.
- (b) PASSIVE NON-COMPLIANCE – A subject does not respond to verbal commands but also offers no physical form of resistance.
- (c) ACTIVE RESISTANCE – A subject uses physically evasive movements to defeat an officer's attempt at control, including: bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.
- (d) ASSAULTIVE – A subject who is aggressive or combative; attempting to assault the officer or another person, verbally or physically displays an intention to assault the officer or another person.

355.4 ISSUANCE AND CARRYING BOLAWRAP DEVICES

The following guidelines shall be adhered to:

- (a) Only a department-approved BolaWrap™ device that has been issued by the Department shall be utilized by personnel.
- (b) Only members who have successfully completed department-approved training may be authorized to carry and deploy the BolaWrap™ device.
- (c) All BolaWrap™ devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (d) Uniformed and non-uniformed sworn staff who have been authorized to carry the BolaWrap™ device shall wear the device in an approved holster on their person or keep the device safely, properly stored and have it readily accessible, if needed during course of duty.
- (e) Carry of the device will be for an off-hand draw, or carried on a department approved load bearing vest (LBV).

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- (f) Officers shall be responsible for ensuring that their BolaWrap™ device is properly maintained and in good working order.
- (g) Officers should not hold both a firearm and the BolaWrap™ device at the same time.

355.5 VERBAL AND VISUAL WARNINGS

The use of de-escalation techniques and a verbal warning of the intended use of the BolaWrap™ 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 BolaWrap™ device may be deployed.

The laser should never be intentionally directed into a person's eyes as it may permanently impair their 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 BolaWrap™ device in the related report.

355.6 USE OF THE BOLAWRAP DEVICE

The BolaWrap™ device has limitations and restrictions requiring consideration before its use. The device should only be used when its operator can safely approach the subject within the ideal operational range of 10 to 25 feet. The minimum recommended standoff distance is 10 feet. Officers should be aware that the device may not achieve the intended results and be prepared to transition to other force options.

355.6.1 APPLICATION OF THE BOLAWRAP DEVICE

The BolaWrap™ device may be used in any of the following circumstances when the circumstances perceived by the officers at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is assaultive or actively resisting.
- (b) The subject has demonstrated, by words or action, an intention to be assaultive or to actively resist, and reasonably appears to present the potential to harm officers, him/herself, or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the BolaWrap™ device to apprehend an individual.

355.6.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the BolaWrap™ device on certain individuals 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, or believed, to be pregnant.

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- (b) Elderly individuals or obvious juveniles.
- (c) Individuals who are handcuffed or otherwise restrained.
- (d) Individuals detained in a police vehicle.
- (e) Individuals in confined spaces that may prohibit the Kevlar tether expansion.
- (f) Individuals in danger of becoming entangled in machinery or heavy equipment, which could result in death or serious bodily injury.
- (g) Individuals near any body of water that may present a drowning risk.
- (h) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles)

The BolaWrap™ device shall not be used to psychologically torment, elicit statements or to punish an individual.

355.6.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target appropriate target areas and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the BolaWrap™ device to a precise target area, officers should monitor the condition of the subject if it strikes the head, neck, chest or groin until the subject is examined by medical personnel.

355.6.4 ACTIONS FOLLOWING DEPLOYMENTS

Following the use of the BolaWrap™ device:

- (a) Personnel should request a supervisor to the scene.
- (b) Officers and/or supervisors should transport the person to a medical facility to remove the anchors/barbs.
- (c) If the officer and/or supervisor determines that removal of non-penetrating Kevlar tether, anchors and barbs from subjects is appropriate at the scene, the supervisor or officer shall remove the tether using medical scissors.
- (d) In most circumstances, consideration should be given to transport the subject to a medical facility to be medically cleared prior to being transported to a correctional facility.
- (e) The expended cartridge, anchors, barbs and cord shall be collected and submitted into evidence.

355.6.5 DANGEROUS ANIMALS

The BolaWrap™ device should not be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, etc. This device is not intended for use against animals. However, 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, the BolaWrap™ may be deployed to protect against harm to suspects, witnesses and officers.

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355.6.6 REPORTING THE USE OF THE BOLAWRAP

- (a) Officers shall notify a supervisor as soon as practical when the BolaWrap™ is deployed.
- (b) The supervisor shall determine whether further documentation of the incident is necessary, in accordance with department policy.
- (c) The supervisor shall confirm that the cartridge, anchors, barbs and cord should be collected as evidence, in accordance with department policy.

355.6.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department BolaWrap™ devices while off-duty

Officers shall ensure that BolaWrap™ 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.

355.7 DOCUMENTATION

All BolaWrap™ device discharges shall be documented in the appropriate report by the user. The supervisor handling any use of force review shall also include circumstances surrounding the deployment in the appropriate Blue Team report. Unintentional discharges will also require appropriate report documentation.

355.7.1 REPORTS

The officer should include the following in the appropriate police report:

- (a) Justification for use of the BolaWrap™ device.
- (b) Identification of all personnel firing BolaWrap™ devices.
- (c) Identification of all witnesses.
- (d) Whether or not injuries were sustained by involved parties.
- (e) Any medical care provided to any affected subjects.
- (f) Observations of the subject's physical and physiological actions.
- (g) Any known or suspected drug use, intoxication or other medical problems.
- (h) The BolaWrap™ device & cartridge serial numbers.
- (i) Date, time and location of the incident.
- (j) Whether any display or laser deterred a subject and gained compliance.
- (k) The number of BolaWrap™ device activations and the duration between activations (as best as can be determined).
- (l) The range at which the BolaWrap™ device was used.
- (m) Location of any deployments impact.
- (n) Whether the subject sustained any injuries.
- (o) Whether any officers sustained any injuries.

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355.8 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove BolaWrap™ device anchors when the barbs penetrate a person's body.

All persons who have been struck by BolaWrap™ device shall be medically assessed as soon as practical and prior to booking. Additionally, any individual who falls under any of the following categories should, 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 or states they are pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The BolaWrap™ device anchors are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio or BWC recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the BolaWrap™ device.

355.9 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is likelihood the BolaWrap™ device may be used. A supervisor should respond to all incidents where the BolaWrap™ device was deployed.

A supervisor should review each incident where a person has been exposed to a deployment of the BolaWrap™ device. A supervisor should conduct an appropriate use of force review and ensure a proper investigation is conducted, in Blue Team.

355.10 TRAINING

Personnel who are authorized to carry the BolaWrap™ device shall be permitted to do so only after successfully completing the initial department-approved training.

Proficiency training for personnel who have been authorized to carry BolaWrap™ devices should occur every two years. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by members of the department training unit. All training and proficiency for BolaWrap™ devices will be documented in the officer's training file.

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The Training Manager is responsible for ensuring that all members who carry BolaWrap™ devices have received initial and annual proficiency training.

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

The BolaWrap™ instructors should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Device nomenclature, function, manipulation, deployment, storage and maintenance.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of anchors near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the BolaWrap™ device and transitioning to other force options.
- (f) De-escalation techniques.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all bureaus and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily briefings and to attend briefings of other bureaus or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and bureaus.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

400.4 POLICY

The Woodland Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.5 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of the City of Woodland. The function of patrol is to

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respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- (e) Responding to reports of criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Carrying out crime prevention activities such as residential inspections, business inspections and community presentations.
- (h) Carrying out community oriented policing, Intelligence Led Policing tasks and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
- (i) Directing and controlling traffic.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Woodland Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

401.2 POLICY

The Woodland Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited. The practice of "bias-based profiling" is illegal, unethical and will not be tolerated by the Department. Bias-based profiling violates the Fourteenth Amendment's equal protection clause of the United States Constitution and California law and will not be tolerated in traffic contacts, field contacts and in asset seizure and forfeiture efforts.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

- (a) In compiling personal information about a person's religious belief, practice, affiliation, national origin or ethnicity.

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- (b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member of the Department.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Digital Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

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401.6 ADMINISTRATION

Each year, the Community Relations Lieutenant should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police.

The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve services.

401.7 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Community Relations Lieutenant.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST) approved training on the subject of bias-based policing.
- (b) Pending participation in such POST approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).
- (d) The refresher training on bias-based policing shall include a review of legal considerations for both California and Federal laws.

401.8 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Community Relations Sergeant and the Records Supervisor or the authorized designee shall ensure that all data required by the Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).

Parental Notification of Gang Activity

402.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the notification of parents of possible gang or gang-related involvement of their children.

402.1.1 PROCEDURE

The Department shall, when possible:

- (a) Identify the persons present when gang activity or gang-related violence has occurred.
- (b) Notify the parent(s) or legal guardian(s) of any juvenile who is:
 - 1. identified as a gang member.
 - 2. involved in gang activity.
 - 3. associating with known gang members.
 - 4. present at a function or location where gang activity or gang-related violence has occurred.
- (c) Inform parents when their child may be involved in gang-related activity or associating with known gang members so they will have the opportunity to take corrective action.

RESPONSIBILITIES

When contacting gang members or associates who are present, whether at a private function, such as a party, or dance, or in a public place, officers shall, when possible complete a Field Interview Card or an Incident Report.

Briefing Training

403.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations
- (b) Notifying officers of changes in schedules and assignments
- (c) Notifying officers of new Departmental Directives or changes in Departmental Directives
- (d) Reviewing recent incidents for training purposes
- (e) Providing training on a variety of subjects

403.1.1 DURATION OF BRIEFING TRAINING

As a general rule patrol briefing should last no more than 30 minutes.

Exceptions to the 30 minute rule would include a training topic or approved presentation which lasts longer than 30 minutes (examples: Periodic shotgun and patrol rifle inspection training, or a presentation from the DA on a specific topic/legal update.

403.2 PREPARATION OF MATERIALS

The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.

Crime Scene Investigation Team

404.1 PURPOSE AND SCOPE

To establish a cadre of personnel qualified to investigate various crime scenes. Eligible personnel include sworn and non-sworn personnel.

404.2 GENERAL

The CSI Team shall consist of a maximum of (8) members and a Team Leader.

Personnel assigned to the CSI Team should be sent to a POST approved Basic Evidence Collection course prior to team activation.

Personnel assigned to the CSI Team will be subject to call out and/or placed on an on-call rotation when deemed necessary.

The CSI Team is part of the Investigations Division under the supervision of the Investigations Sergeant or designated Supervisor/Team Leader.

404.3 PERSONNEL

Non-Sworn Personnel may include anyone assigned full or part time to the Police Department. Part-time employees selected for the team will receive fewer responsibilities on scenes and with evidence processing than full-time employees. Training needs and responsibilities for part-time employees will be determined by the the CSI Team Leader.

Sworn Personnel are limited to the rank of Police Officer and Corporal. Sergeants are not eligible for CSI assignments with the exception of the Team Leader who could be an Officer, Corporal, or Sergeant depending upon the needs of the department.

The CSI Team Leader may assist with seeking employee interest for openings, organizing a selection process, and assisting in filling vacancies on the CSI Team. The Team Leader will assist in coordinating training for team members within the Department and from outside sources. The Team Leader may be requested to supervise complex scenes in support of Investigations/CSI. The Team Leader may prioritize and assign individual team members evidence processing of items booked into evidence. These cases will be assigned based on availability and experience levels of team members.

Sworn personnel assigned to the Investigations Bureau or Street Response Team are eligible for CSI assignments depending on their current workload and will only be utilized if competing responsibilities during investigations are not present. An investigator who is on call for Investigations or Street Response Team assignment will not be called out to a scene for CSI assignment as it would interfere with their availability for their primary duty.

Sworn personnel subject to call-out shall be available for response when call-out does not conflict with normal shift deployment.

CSI shall require a minimum commitment period of 2 years with no maximum assignment period for all assigned personnel.

Crime and Disaster Scene Integrity

405.1 CRIME SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for taking reasonable efforts to preserve the scene. Officers shall also consider officer safety and public safety, including reasonable efforts to render medical aid to any obviously injured parties. Once an officer has assumed or been assigned to maintain the integrity of the crime/disaster scene, the officer shall continue to do so until they are relieved by a supervisor.

405.1.1 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the functions which the first responder should reasonably attempt to take at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation, the availability of resources, capacity of personnel and totality of each circumstance:

- (a) Ensure no suspects are still in the area.
- (b) Broadcast emergency information, including all requests for additional assistance.
- (c) Provide first aid to injured parties if it can be done safely.
- (d) Evacuate the location as required.
- (e) Secure the inner and outer perimeter if needed.
- (f) Protect items of apparent evidentiary value.
- (g) Identify potential witnesses.
- (h) Start a chronological log noting critical times and personnel allowed access.

405.1.2 EXECUTION OF HEALTH ORDERS

Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

405.2 SEARCHES AT CRIME OR DISASTER SCENES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims and determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until proper authority for the search is obtained.

Field Community Services Officers

406.1 PURPOSE AND SCOPE

To clarify the responsibilities and expectations of Field Community Service Officers (CSOs), to ensure they are properly and effectively being utilized.

Field CSOs shall be assigned to assist Patrol Officers by taking cold reports, non-injury traffic collisions, and complete other duties as assigned.

Field CSO's shall be members of the Crime Scene Team and shall be responsible for the processing of various types of crime/accident scenes, at the discretion of the patrol supervisor or patrol lieutenant, the Investigations Sergeant or Lieutenant, or any other member of the supervisory chain of command.

406.2 FIELD CSO RESPONSIBILITIES

Field CSOs may be assigned cold property crime calls.

Patrol officers should be dispatched when Field CSOs are already assigned a call, and when further delays may require the call to be held beyond the allowable time dictated by policy.

Patrol officers will remain the primary units for crimes against persons and cases with known suspects.

Field CSO's, if available, may be dispatched to handle burglary, auto theft, grand theft, forgery, or other felony property crime report calls as long as there are no named suspects and the call is not in progress.

If, during the course of the investigation, a suspect is developed, the shift supervisor will be notified. Cold Forgery cases, check cases, and identity theft cases may be taken by Field CSOs even when a suspect is known. In known suspect cases, the follow-up will be done by the Detective Bureau or reassigned to a Patrol Officer (via a shift supervisor) after the initial report has been completed.

Field CSOs will not be dispatched to forgery, check, or identity theft cases if the suspect is present at the scene.

- Dispatchers and Complaint Takers need to carefully screen these calls to make sure no suspects are on the scene or will likely return to the scene.
- Complaint takers should gather all of the necessary information to prevent Field CSOs from being sent to a call such as a burglary report ("My boyfriend broke into my house...") when the call was actually a disturbance call. Suspects are frequently on scene or are nearby.

Field CSO's may be assigned misdemeanor crime report calls such as Petty theft or vandalism, or other misdemeanor reports.

Child abuse, sexual assault, assault calls and other crimes against persons calls will not be dispatched to Field CSOs.

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Field Community Services Officers

Field CSO's may be dispatched to non-injury traffic collisions, private property (non-citable or non-arrestable offenses) traffic collision reports,, found property, incident reports, etc., if available.

The Patrol Supervisor has full authority to reassign calls, reassign cases, or have Field CSOs handle calls not normally assigned to a Field CSO, depending upon the current workload and personnel available. The Patrol Supervisor is the final authority for assigning all calls for service or assigning report calls in keeping with the intent of this order.

If possible, reports are to be dictated and/or written in the field and not at the police station. Reports may only be completed in the station with the prior approval of the Patrol Supervisor.

406.3 OTHER GUIDELINES

Patrol Supervisors should monitor dispatched report calls to ensure they are not being held for Field CSOs when beat units are available.

Tagging and storing of abandoned vehicles are a primary responsibility of the Field CSO. Field CSOs will store abandoned vehicles.

Overtime usage is discouraged. Reports should be written as soon as possible. In cases where a report may be held, supervisors will approve the holding of the report. The report then should be completed in accordance with policy. Patrol Supervisors should guard against assigning late calls with lengthy investigations that will require overtime for the Field CSO to complete.

Field CSOs may be scheduled to meet special Departmental needs.

Field CSOs will not be included in normal Patrol deployment.

Tactical Operations Unit (SWAT/CNT)

407.1 PURPOSE AND SCOPE

The Tactical Operations Unit is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics Team (SWAT). The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary.

407.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

This Policy Manual sections pertaining to the Tactical Operations Unit are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in the Woodland Police Department SWAT Procedural Manual serves as a guideline to department personnel allowing for appropriate on scene decision making as required. This department shall develop a separate written set of organizational procedures. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

407.2 LEVELS OF CAPABILITY/TRAINING

The National Tactical Officers Association (NTOA) recognizes that there are many types of specialized tactical teams utilized in law enforcement and they are identified by a number of commonly accepted names. The NTOA offers team titles and corresponding metrics as guidance for its members. The Woodland Police Department will use these standards when determining levels of capabilities and training. See NTOA Tactical Response and Operations Standard for Law Enforcement Agencies Manual:

See attachment: [swatstandards.pdf](#)

407.3 POLICY

It shall be the policy of this department to maintain a SWAT and CNT team and to provide the equipment, manpower, and training necessary to maintain a SWAT and CNT team. The SWAT and CNT team should develop sufficient resources to perform three basic operational functions:

- (a) Command and Control
- (b) Containment
- (c) Entry/Apprehension/Rescue

It is understood it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

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Tactical Operations Unit (SWAT/CNT)

407.3.1 ORGANIZATIONAL AND OPERATIONAL PROCEDURES

This department shall develop a separate written set of organizational and operational procedures (Woodland Police Department SWAT Procedural Manual) which should address, at minimum, the following:

- (a) Locally identified specific missions the team is capable of performing.
- (b) Team organization and function.
- (c) Personnel selection and retention criteria.
- (d) Training and required competencies.
- (e) Procedures for activation and deployment.
- (f) Command and control issues, including a clearly defined command structure.
- (g) Multi-agency response.
- (h) Out-of-jurisdiction response.
- (i) Specialized functions and supporting resources.

407.4 MANAGEMENT/SUPERVISION OF TACTICAL OPERATIONS UNIT

The Commander of the Tactical Operations Unit shall be selected by the Chief of Police upon recommendation of staff.

407.4.1 PRIMARY UNIT MANAGER

Under the direction of the Chief of Police, through the Patrol Bureau Commander, the Tactical Operations Unit shall be managed by the Tactical Operations Commander, a Lieutenant.

407.4.2 TEAM SUPERVISORS

The Negotiation Team and Special Weapons and Tactics Team leaders shall be selected by the Chief of Police upon specific recommendation by staff and the Tactical Operations Commander.

The following represent the supervisor responsibilities for the Tactical Operations Unit.

- (a) The Negotiation Team supervisor's primary responsibility is to supervise the operations of the Negotiation Team which will include deployment, training, first line participation, and other duties as directed by the Tactical Operations Commander.
- (b) The Special Weapons and Tactics Team supervisor's primary responsibility is to supervise the operations of the SWAT Team, which will include deployment, training, first line participation, and other duties as directed by the Tactical Operations Commander.

407.5 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES

The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to attempt to de-escalate and effect surrender of the suspect(s) in critical incidents involving threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.

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The following procedures serve as directives for the administrative operation of the Crisis Negotiation Team.

407.5.1 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit an interest memo to the Tactical Operations Commander and the Crisis Negotiation Team Supervisor. Qualified applicants will then be invited to an oral interview. The oral board may consist of the the Crisis Negotiation Team Supervisor, and two persons to be selected by the Tactical Operations Commander and Crisis Negotiation Team Supervisor. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Demonstrated good judgment and understanding of critical role of negotiator and negotiation process.
- (c) Effective communication skills to ensure success as a negotiator.
- (d) Special skills, training, or appropriate education as it pertains to the assignment.
- (e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions, and training obligations.

The oral board shall submit a list of successful applicants to staff for final selection.

407.5.2 TRAINING OF NEGOTIATORS

Those officers selected as members of the Negotiation Team should attend the Basic Negotiators Course as approved by the Commission on Peace Officer Standards and Training (POST) prior to primary use in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per month will be required to provide the opportunity for role playing and situational training necessary to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels, established by the team supervisor, will be met and maintained by all team members. Any member of the Negotiation Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

407.6 SWAT TEAM ADMINISTRATIVE PROCEDURES

The Special Weapons and Tactics (SWAT) Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.

The following procedures serve as directives for the administrative operation of the Special Weapons and Tactics Team.

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See attachment: SWAT Manual 2017.pdf

See attachment: POSTswatmanual.pdf

407.6.1 SELECTION OF PERSONNEL

Interested sworn personnel shall submit an interest memo to the Tactical Operations Commander and SWAT supervisor. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the Tactical Operations Commander. The testing process will consist of an oral board, physical fitness test, swim test, obstacle course, SWAT basic handgun qualification, and team evaluation.

- (a) Oral board: The oral board will consist of personnel selected by the Tactical Operations Commander or designee. Applicants will be evaluated by the following criteria:
 - 1. Recognized competence and ability as evidenced by performance;
 - 2. Demonstrated good judgment and understanding of critical role of SWAT member;
 - 3. Special skills, training, or appropriate education as it pertains to this assignment; and,
 - 4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions, and training obligations.
- (b) Physical agility: The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SWAT-related duties. The test and scoring procedure will be established by the Tactical Operations Commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (c) Swim Qualification: A swimming test designed to determine the capabilities of the applicant as it related to performance of SWAT-related duties. The test and scoring procedure will be established by the Tactical Operations Commander. A minimum qualifying score shall be attained by the applicant to be considered for the position.
- (d) SWAT basic handgun: Candidates will be invited to shoot the SWAT Basic Drill for the handgun. A minimum qualifying score of 90% out of a possible score of 100% must be attained to qualify.
- (e) Obstacle and team movement course: Allows the team to observe the field tactical skills, teamwork, ability to work under stress, communication skills, and judgment of the each candidate.
- (f) Team evaluation: Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment, and any special skills that could benefit the team.
- (g) A list of successful applicants shall be submitted to staff, by the Tactical Operations Commander, for final selection.

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- (h) If candidates who are still on department probation will train and will function as a perimeter member only until completion of probation and completion of the 80 hour basic SWAT course.

See the Woodland Police Department SWAT Manual for a detailed description of the selection process.

See attachment: SWAT Manual 2017.pdf

407.6.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the Tactical Operations Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

407.7 OPERATION GUIDELINES FOR TACTICAL OPERATIONS UNIT

The following procedures serve as guidelines for the operational deployment of the Tactical Operations Unit. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the Crisis Negotiation Team such as warrant service operations. This shall be at the discretion of the Tactical Operations Commander.

407.7.1 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether the Tactical Operations Unit is to respond to the scene. Upon final determination by the Patrol Supervisor, they will notify the Tactical Operations Commander.

407.7.2 APPROPRIATE SITUATIONS FOR USE OF TACTICAL OPERATIONS UNIT

The following are examples of incidents which may result in the activation of the Tactical Operations Unit:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Cases of suicide threats.
- (d) Arrests of dangerous persons.
- (e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.
- (f) Any critical incident involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.

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Tactical Operations Unit (SWAT/CNT)

407.7.3 OUTSIDE AGENCY REQUESTS

Requests by field personnel for assistance from outside agency crisis units must be approved by the Tactical Operations Commander. Deployment of the Woodland Police Department Tactical Operations Unit in response to requests by other agencies must be authorized by the Deputy Chief.

407.7.4 MULTI-JURISDICTIONAL SWAT OPERATIONS

The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, MOU's, or working relationships to support multi-jurisdictional or regional responses.

- (a) If it is anticipated that multi-jurisdictional SWAT operations will regularly be conducted; SWAT multi-agency and multi-disciplinary joint training exercises are encouraged.
- (b) Members of the Woodland Police Department SWAT team shall operate under the policies, procedures and command of the Woodland Police Department when working in a multi-agency situation.

407.7.5 MOBILIZATION OF TACTICAL OPERATIONS UNIT

The On-Scene supervisor shall make a request to the Tactical Operations Commander for the Tactical Operations Unit. If the Tactical Operations Commander is unavailable, a team supervisor shall be notified. The Patrol Supervisor will then notify the Deputy Chief as soon as practical.

The On-scene supervisor should advise the Tactical Operations Commander with as much of the following information which is available at the time:

- (a) The number of suspects, known weapons and resources.
- (b) If the suspect is in control of hostages.
- (c) If the suspect is barricaded.
- (d) The type of crime involved.
- (e) If the suspect has threatened or attempted suicide.
- (f) The location of the command post and a safe approach to it.
- (g) The extent of any perimeter and the number of officers involved.
- (h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The Tactical Operations Commander or supervisor shall then call selected officers to respond.

407.7.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Tactical Operations Unit, field personnel should, if safe, practical and sufficient resources exist:

- (a) Establish an inner and outer perimeter.
- (b) Establish a command post outside of the inner perimeter.

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- (c) Establish an arrest/response team. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a deadly threat or behavior.
- (d) Evacuate any injured persons or citizens in the zone of danger.
- (e) Attempt to establish preliminary communication with the suspect. Once the Tactical Operations Unit has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.
- (f) Be prepared to brief the Tactical Operations Commander on the situation.
- (g) Plan for, and stage, anticipated resources.

407.7.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Tactical Operations Unit at the scene, the Incident Commander shall brief the Tactical Operations Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the Tactical Operations Commander, whether to deploy the Tactical Operations Unit. Once the Incident Commander authorizes deployment, the Tactical Operations Commander will be responsible for developing the tactical plan for the operation. The Incident Commander shall continue overall command of the incident. The Incident Commander and the Tactical Operations Commander (or his or her designee) shall maintain communications at all times.

407.7.8 COMMUNICATION WITH CRISIS NEGOTIATIONS TEAM PERSONNEL

All of those persons who are non-Crisis Negotiation Team personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Crisis Negotiations Team personnel directly. All non-emergency communications shall be channeled through the Crisis Negotiation Team Supervisor or his or her designee.

Securing Open/Damaged Structures

408.1 PURPOSE AND SCOPE

To secure private businesses or other property that presents a safety hazard or is damaged and cannot be secured as a result of accident, criminal offense (i.e., burglary, malicious mischief, etc.), or action of officers in the course of their official duties when the owner or responsible person cannot be notified.

408.2 NOTIFICATIONS

Officers discovering serious safety hazards or property which they cannot reasonably secure, shall make reasonable efforts to contact an owner or responsible person and suggest a proper course of action.

When contact cannot be made with an owner or responsible person, officers shall notify their immediate supervisor.

If the supervisor concurs with the officer, the supervisor shall have Dispatch contact the appropriate entity to respond and secure the building or eliminate the hazard.

Officers shall make reasonable efforts to learn the identity of owners or responsible parties of property that is secured by the City.

408.3 SECURING DAMAGED PROPERTY

Police officers may secure private property through the use of a private contractor or public works when the owner or responsible person cannot be notified anytime:

- (a) damage was caused by a criminal action, traffic accident, or forces of nature;
- (b) a serious safety hazard is discovered by an officer or a complaint is received regarding one;
- (c) an officer causes the damage while performing their official duties.

If City or County property needs to be secured, the appropriate public works department should be contacted.

Individuals seeking information for reimbursement for damaged property, caused by City employees, shall be directed to contact the Finance Department, Monday-Friday 0800-1700 hrs., no earlier than the next working day and request a claim for damages form. Officers should avoid the inference or suggestion that filing a claim will result in reimbursement.

Ride-Along Policy

409.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

409.1.1 ELIGIBILITY

The Woodland Police Department Ride-Along Program is offered to City of Woodland residents, city employees and their families, ViPs, Chaplains, Reserves, Police Applicants, college students regardless of residency and anyone specifically authorized by the Chief of Police. Every attempt will be made to accommodate interested persons however any applicant may be denied without cause.

The following factors may be considered in denying an applicant and are not limited to:

- (a) Being under 15 years of age
- (b) Prior criminal history
- (c) Pending criminal action
- (d) Pending lawsuit against the Department
- (e) Denial by any supervisor

409.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 8:00 a.m. to 10:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Deputy Chief, Lieutenant or Patrol Supervisor.

409.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Records personnel. The participant will complete a ride-along application form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Records personneldesks personnel will schedule a date, based on availability, at least two weeks after the date of application. If approved, the date and time will be entered into the Ride Along Calendar with a copy to the respective Patrol Supervisor, ViP Coordinator and Records personnel as soon as possible for their scheduling considerations.

Applicants at the time of the scheduled ride along must fill out a waiver and present it to the assigned officer to sign. The Officer will return the signed waiver to Records.

If the ride-along is denied after the request has been made, Records personnel will send out the denial letter to the applicant and advise them of the denial.

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Ride-Along Policy

The shift supervisor has the authority to cancel any scheduled ride along due to unusual circumstances in field activity or unsafe conditions. With that authority comes the obligation to notify the scheduled ride along applicant and schedule another agreeable date and time.

409.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: ViPs, Chaplains, Reserves, police applicants, and all others with approval of the Patrol Supervisor.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

409.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Patrol Supervisor or field supervisor may refuse a ride along to anyone not properly dressed.

409.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Patrol Supervisor. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

409.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Woodland Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.). In addition, the applicant's information will be forwarded to the Investigative and SRT Sergeants to be reviewed by School Resource Officers, SRT Officers, and the Crime Analysis Unit.

409.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Officers shall identify the ride-along as a witness in police reports, when appropriate.

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Ride-Along Policy

Upon completion of the ride-along, the identification badge shall be returned to the Department with any comments which may be offered by the officer.

409.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct them in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment
- (c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen
- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person

Armored Rescue Vehicle

410.1 PURPOSE AND SCOPE

The Woodland Police Department utilizes a Special Weapons and Tactics team (SWAT) and a Crisis Negotiation Team (CNT) to complement and supplement patrol personnel to deal with high risk incidents. The Woodland Police Department SWAT/CNT team utilizes specialized equipment to achieve its objective of ensuring the safety of citizens and employees of the City of Woodland. One such piece of specialized equipment is the Armored Rescue Vehicle (ARV). This Departmental Directive will provide direction as to the appropriate use and deployment of the ARV.

410.2 RESPONSIBILITIES

The ARV is a specialized vehicle assigned directly to the Woodland Police Departments SWAT team. As such the use of this vehicle is regulated and controlled by the Woodland Police Department SWAT Commander or in his absence the Team Leader of the SWAT Team. Absent exigent circumstances, the use of the ARV shall require approval of the Chief of Police or his designee.

410.3 OPERATIONS GUIDELINES

The ARV is an armored vehicle rated to stop high caliber rounds and explosive devices. As such its primary use is to provide protection to SWAT and EOD personnel, medical personnel and hostage negotiators conducting missions with subjects armed with firearms or explosives. Circumstances in which the use of the ARV would be authorized include, but are not limited to:

- Active shooters incidents
- Armed* hostage takers
- Armed* barricaded suspects
- High risk search warrant service (armed* suspects)
- Incidents involving explosive or flammable weapons
- Civilian or officer rescues (to include natural disasters/catastrophes)

*"Armed" is intended to mean there is intelligence which indicates the subject is known to possess/carry firearms, or the subject has a prior criminal history for firearm related offenses.

410.4 MARKINGS AND SAFETY EQUIPMENT

The Woodland Police Department ARV will be distinctively marked with black with white painted doors and shall have a departmental logo on each front side door, as well as Police markings on the front, sides and rear. The vehicle shall be equipped with emergency lights and a siren consistent with California Vehicle Code requirements.

410.5 SECURITY AND STORAGE

The ARV shall be stored in the Woodland Police Department's secure parking area. The vehicle shall be locked with a limited number of SWAT personnel having assigned keys.

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410.6 TRAINING AND MAINTENANCE

The ARV requires operators to possess a valid Class B driver's license. Anyone operating this vehicle must be in possession of a valid Class B license and must undergo continuous specialized training to operate the vehicle. The ARV will be serviced and maintained by qualified mechanics to ensure proper functioning.

Hazardous Material Response

411.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

411.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

411.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from the person transporting).
- Notify the Fire Department. The WFD has responsibility for the identification, handling, and mitigation of all hazardous materials, except items seized as evidence, pyrotechnics, and explosives. WPD is only responsible if a clandestine laboratory is found. Upon confirmation of a hazardous material incident, this Department shall place its field resources at the command of the WFD Incident Commander.
- Provide first-aid for injured parties if it can be done safely and without contamination.
- Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.
- Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).
- Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety § 25354.5).

411.3 CLANDESTINE LABORATORY

Once a scene has been determined to be a probable clandestine laboratory, officers shall:

- (a) immediately notify their supervisor;

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- (b) not touch or examine the chemicals;
- (c) notify the Fire Department; and
- (d) isolate and contain the area as required.

411.3.1 SUPERVISOR RESPONSIBILITY

Supervisors shall:

- (a) request a trained Yolo County SIU Agent respond to assist in the evaluation.
- (b) if an officer, firefighter or citizen appears to have been injured, contaminated, or made ill due to exposure to chemicals:
 - 1. ensure prompt emergency transportation to a medical facility.
 - (a) if the Woodland Fire Department Hazardous Material Unit "HAZMAT" is on the scene, request they decontaminate individuals first before transporting to a medical facility.
 - (b) if the Fire Department is not immediately available, have individuals remove contaminated clothing as soon as possible and avoid further exposure to chemicals.
 - 2. arrange to provide the treating physician with any available information pertaining to the chemicals present.
- (c) evaluate whether the circumstances present a prosecutable case based on the presence of chemicals and/or equipment required to manufacture controlled substances.
- (d) if a prosecutable case appears to exist, request the Yolo County SIU Agents to respond. If in doubt, request a Yolo County SIU Agent to respond. Determination may be based on:
- (e) finding of chemicals, glassware, and equipment required to manufacture drugs.
- (f) an assembled or disassembled laboratory.
- (g) if a prosecutable case does not exist, surrender responsibility to the Fire Department.

Personal Protective Equipment

412.1 PURPOSE AND SCOPE

PPE's shall be worn when officers may be exposed to the release of hazardous Chemical or Biological agents in the performance of their official police duties. PPE's shall be part of an officer's initial response equipment and available for immediate use.

412.2 DEFINITIONS

- **Air-Purifying Respirator (APR):** A respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element. (OSHA Definition)
- **Canister or Cartridge:** A container with a filter, sorbent, or catalyst, or combination of these items, which removes specific contaminants from the air passed through the container. (OSHA Definition)
- **Chemical Warfare Agents:** Include Tabun, Saren, Soman, Sulfur Mustard, Lewisite, VX Nerve Agent
- **Immediately Dangerous to Life or Health (IDLH):** An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere. (OSHA Definition)
- **Liquid Splash-Protective Suits:** Non-gas tight encapsulating suits made of essentially impermeable materials that offer protection against liquid chemicals in the form of splashes, but not against continuous liquid contact or chemical vapors. The wearer risks potential exposure to chemical vapors or gases because this clothing does not offer gas-tight performance. At best these suits provide Level B/C protection.
- **Personal Protective Equipment (PPE):** designed to shield or isolate individuals from chemical, physical, and biological hazards

412.3 PERSONAL PROTECTIVE EQUIPMENT COMPLEMENT

Personal Protective Equipment complement shall include;

- (a) Air purifying respirator (APR) 1. Approved APR filters are marked to identify the toxic substance categories. 2. No filter should be used that is not approved by the department or approved for replacement by on scene Hazmat personnel during an emergency
- (b) Liquid Splash-Protective Suit
- (c) Gloves, outer chemical resistant
- (d) Gloves, inner chemical resistant
- (e) Chemical resistant rubber Boots
- (f) Chemical resistant tape (Chem-Tape/ Duct Tape)
- (g) PPE Storage Bag

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This equipment shall be issued to each officer, and when damaged the equipment shall be replaced by department designated equipment personnel. PPE training shall be completed by all sworn personnel and instructed by certified personnel. APR recertification shall follow OSHA guidelines. Equipment and training records shall be maintained by the designated personnel.

A complete description of First Responder Protective Equipment and use is detailed in the National Institute of Justice NIJ Guide 102-00.

412.4 PERSONAL PROTECTIVE EQUIPMENT USE

Personal Protective Equipment shall be used when;

- (a) Haz-Mat personnel alert responding personnel that entry into a specific enforcement area contains toxic substances.
- (b) Subjects within a response area are reportedly exhibiting signs of exposure prior to arrival.
- (c) Exposed officers alert responding personnel of a toxic exposure or symptoms consistent with an exposure.
- (d) Officers are alerted by emergency personnel that a toxic exposure is eminent due to weather conditions or location.

412.4.1 DONNING THE PPE

The following procedures should be followed:

- (a) The gas mask should be donned and pressure checked. Corrective lenses may be worn as long as they do not interfere with the APR.
- (b) The PPE shall be worn under the gun belt and over the police uniform.
- (c) The police badge shall remain on the uniform and not affixed to the PPE to avoid puncturing the PPE.
- (d) Rubber boots shall be worn instead of duty boots.
- (e) The PPE pant shall be worn over the top of the boots and tape should be affixed around the boot to create a seal between the boot and PPE pant leg.
- (f) The inner chemical resistant gloves should be put on then the outer rubber gloves should be donned and tucked under the sleeve of the PPE and Chem-Tape affixed to create a seal between the glove and suit sleeve.
- (g) The neck area should be closed and secured to limit exposure to skin.
- (h) Chem-Tape should be placed around the edge of the gas mask sealing the PPE suit to the mask. (This should be done by an assistant)
- (i) Chem-Tape should be placed over the suit zipper seam.

412.4.2 DOFFING THE PPE

The following procedures should be followed:

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- (a) In the event of an exposure to any agent considered hazardous or where an agent has been released and the officer is in an area considered contaminated, removal of the PPE shall be at the direction of authorized Decontamination Personnel at a designated decontamination site.
- (b) Personnel decontamination procedures shall be completed as outlined in Haz-mat protocol at the direction of Fire Department personnel.
- (c) No officer or employee shall remove any contaminated articles of gear or clothing without authorization.
- (d) In the event an employee wearing a PPE is in imminent danger of heat stroke or a debilitating condition, the employee should retreat to a safe location and immediately call for decontamination or medical assistance.
- (e) Avoid calling for assistance from unprotected personnel resulting in a secondary exposure.
- (f) Officers wearing a PPE they believe no longer provides complete protection shall immediately retreat from the area and follow decontamination protocol.

412.4.3 PPE CARE

PPE's shall be inspected periodically by the member for damage. Damaged PPE's shall be reported to the on duty supervisor. Lost or stolen PPE's shall be reported to the on duty supervisor. Replacement PPE's shall be issued as soon as practical by designated personnel.

PPE equipment shall not be worn for other than their intended use as protective equipment. PPE equipment shall not be modified, laundered, or punctured without approval of designated personnel. PPE's shall be stored in the storage bag provided. Members should be aware that severe temperature changes can cause accelerated deterioration of the PPE equipment, the PPE's should be stored out of direct sunlight and extreme heat.

APR's should be cleaned according to manufacturer directions at the direction of decontamination personnel.

412.5 CAUTIONS

PPE's will not provide adequate protection against nuclear blasts, explosive exposures, ballistic capabilities or fire protection.

The correct filter must be affixed to the APR to provide maximum protection.

APR filters provide varied safe exposure times based on the toxicity and type of hazardous substance.

Officers wearing a splash protective suit (Level B/C) shall not enter an identified Immediately Dangerous to Life or Health (IDLH) area. IDLH entries shall be made with a Gas-Tight Encapsulating Suit (Level A) and Self-Contained Breathing Apparatus (SCBA).

All equipment exposed to contamination shall be certified as decontaminated before being returned to an employee.

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412.6 EXPOSURES

Officers exposed to toxic substances shall immediately alert (notify) dispatch of an exposure, retreat to a safe area if possible and request decontamination assistance.

Exposed personnel should avoid cross contamination with unprotected personnel or equipment.

Exposed personnel should not don a PPE after exposure unless continued exposure will exacerbate the threat to health and/or retreat to a safe location or Decon site is not possible

Personnel shall not leave the response area without approval from Haz-Mat Decon personnel. All personnel within an exposure area whether protected by PPE clothing or not shall report to the Decon location prior to clearing the scene.

Hostage and Barricade Incidents

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

413.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is:

- (a) Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- (b) Unlawfully held against his/her will under threat or actual use of force.

413.2 POLICY

It is the policy of the Woodland Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

413.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

413.3.1 EMERGENCY COMMUNICATIONS

Only an officer who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record,

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413.4.2 HOSTAGE SITUATION

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413.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Tactical Operations Unit (Tactical Operations Unit) response if appropriate and apprising the Tactical Operations Unit Commander of the circumstances. In addition, the following options should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
 - (b) Ensure the completion of necessary first responder responsibilities or assignments.
 - (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
 - (d) Establish a command post location as resources and circumstances permit.
 - (e) Designate assistants who can help with intelligence information and documentation of the incident.
 - (f) If it is practicable to do so, arrange for video documentation of the operation.
 - (g) Consider contacting utility and communication providers to restrict such services (e.g., restricting electric power, gas, telephone service).
1. When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety (Penal Code § 11471). The supervisor must ensure the Department obtains a court order, in accordance with Penal Code § 11472, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption. If six hours is not possible, then the application

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for the court order shall be made at the first reasonably available opportunity, but no later than 24 hours in accordance with Penal Code § 11475.

- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

413.6 TACTICAL OPERATIONS UNIT RESPONSIBILITIES

The Incident Commander will decide, with input from the SWAT Commander, whether to deploy SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SWAT team. The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

413.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Arson Investigations

414.1 PURPOSE AND SCOPE

The purpose of this policy is to establish responsibilities and facilitate cooperation between the Police and Fire Departments.

414.2 POLICE RESPONSIBILITY

The Police Department has the responsibility to investigate any criminal acts associated with a fire.

Officers will respond to the fire scene when dispatched or when requested to do so by the Fire Department. Officers will be expected to conduct a thorough preliminary investigation and complete an incident or crime report if it is a suspicious origin.

Officers will place evidence into the appropriate evidence areas.

415.1 PURPOSE AND SCOPE

415.2 FOUND EXPLOSIVES/SUSPECT DEVICES

[illegible]

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic incidents, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds, or additional damage by

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resulting fires or unstable structures. Whether the explosion was the result of an accident or a criminal act, the responding officers should consider the following actions:

- Assess the scope of the incident, including the number of victims and extent of injuries.
- Assist with first aid (Fire Department has primary responsibility).
- Assist with evacuation of victims (Fire Department has primary responsibility).
- Identify and take appropriate precautions to mitigate scene hazards such as collapsed structures, bloodborne pathogens, hazardous materials and secondary explosive devices.
- Request additional resources as needed.
- Identify witnesses.
- Preserve evidence.

415.3.1 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as soon as practicable if their assistance is needed:

- (a) Fire Department/Emergency Medical Services
- (b) Bomb Squad
- (c) Additional officers
- (d) Field supervisor
- (e) Patrol and Investigations Lieutenants
- (f) Detectives

415.3.2 CROWD CONTROL

Only authorized personnel with a legitimate need shall be permitted access to the scene. Spectators and other unauthorized individuals shall be excluded to a safe distance as is reasonably practicable given the available resources and personnel.

415.3.3 SCENE OF INCIDENT

As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could extend over a long distance. Evidence may be imbedded in nearby structures or hanging in trees and bushes.

415.4 BOMB THREATS RECEIVED AT POLICE FACILITY

This procedure shall be followed should a bomb threat call be received at the police facility.

415.4.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions should be asked if a call of a bomb threat is received at the Police Department:

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- When is the bomb going to explode?
- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Who are you? (to avoid possible termination of the call this should be the last question asked)

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions.

During this time, document the following:

- Time of the call.
- Exact words of the person as accurately as possible.
- Estimated age and gender of the caller.
- Speech patterns and/or accents.
- Background noises.

If the incoming call is received at the police facility on a recorded line, steps shall be taken to ensure that the recording is preserved in accordance with current department evidence procedures.

415.4.2 RESPONSIBILITIES

The employee handling the call shall ensure that the Patrol Supervisor is immediately advised and fully informed of the details. The Patrol Supervisor will then direct and assign officers as required for coordinating a general building search or evacuation as they deem appropriate.

415.4.3 WRITTEN BOMB THREATS

If a bomb threat is received in writing, all materials must be saved, including any envelope or container.

Once a message is recognized as a bomb threat, further unnecessary handling should be avoided. Every possible effort must be made to retain evidence such as fingerprints, handwriting or typewriting, paper and postal marks.

415.5 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

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- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Patrol Supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

Response to Bank Robberies

416.1 PURPOSE AND SCOPE

To define responsibilities for responding to or investigating bank robberies and to ensure our members conduct a complete initial investigation at the scene of all reported robberies, including those federally insured, to facilitate the prosecution of defendants arrested for bank robbery.

A bank is defined as any financial institution receiving deposits including savings and loan institutions and credit unions.

416.2 JURISDICTION

The Federal Bureau of Investigation (FBI) shares jurisdiction for investigating robberies of federally insured institutions but may not exercise its jurisdiction when the offense fails to meet its minimum investigative requirements.

The Department shall investigate the robbery of all banks.

416.3 RESPONSE

Primary responding officers shall conduct a preliminary investigation and complete a full Crime Report, including victim and witness statements, and documentation of all observations.

Other responding officers shall check the area and conduct any immediate follow-up that may be required.

Dispatch or the on duty supervisor shall notify the Detective Division of all bank robberies occurring between 0800-1700, Monday-Friday. The Detective shall serve as the Department's liaison with the FBI and shall have primary responsibility to follow-up any immediate suspect leads developed at the scene. The primary responding Detective shall be responsible for the collection and booking of all physical evidence from the scene.

Mental Illness Commitments

417.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

417.2 POLICY

It is the policy of the Woodland Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

417.3 AUTHORITY

An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

- (a) An individual who is providing or has provided mental health treatment or related support services to the person
- (b) A family member
- (c) The person subject to the determination or anyone designated by the person

417.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
- (b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

417.3.2 RESTRAINTS

If the patient is violent or potentially violent, the officer will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints

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are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

417.3.3 MENTAL HEALTH DOCUMENTATION

The officer will complete an Application For 72-Hour Detention for Evaluation and Treatment form (MH-302) and provide it to the staff member assigned to that patient. The officer will retain a copy of the 72-hour evaluation for inclusion in the case report. The officer shall also provide a verbal summary to an emergency department staff member regarding the circumstances leading to the involuntary detention.

417.3.4 SECURING OF WEAPONS

If a receiving and secured facility prohibits weapons or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.

417.4 MENTALLY ILL PERSON CHARGED WITH A CRIME

When practical, any person charged with a crime of violence (Ex: Resisting Arrest, Assault, Battery, Aggravated Assault, Robbery, etc) who also appears to be mentally ill shall be booked at the Yolo County Jail. If the person has injuries or some other medical condition, they may be taken directly to the hospital for a medical clearance.

Any officer handling a call involving an individual who may qualify for a 5150 commitment and the crime alleged is a minor crime, should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

417.4.1 SECURING OF PROPERTY

When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person's personal property, the officer shall take reasonable precautions to safeguard the individual's personal property in their possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

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The officer taking the person into custody shall provide a report to the court that describes the person's property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the officer shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150(e)).

417.5 TRANSPORTATION

When transporting any individual for a 5150 commitment, the transporting officer should have Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport.

417.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a 5150 commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

417.7 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institutions Code § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A search warrant may also be needed before searching for or seizing weapons

The handling officers shall issue a receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).

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417.7.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Detective Bureau, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

417.8 TRAINING

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, 5150 commitments and crisis intervention.

417.9 DOCUMENTATION

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

417.9.1 ADVISEMENT

The officer taking a person into custody for evaluation shall advise the person of:

- (a) The officer's name and agency.
- (b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals.
- (c) The name of the facility to which the person is being taken.
- (d) If the person is being taken into custody at their residence, they should also be advised that they may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where they are being taken.

The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150(f)(1)).

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417.10 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

Cite and Release Policy

418.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

418.2 POLICY

It is the policy of the Woodland Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

418.2.1 DISCRETION TO ARREST

While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot and/or fresh pursuit, while following up on crimes committed within the City, or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations the involved officer shall clearly identify themselves as a police officer.

Officers are authorized to use verbal warnings to resolve minor traffic and criminal violations when appropriate.

418.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private person's arrest, shall be released from custody on a citation (Penal Code § 853.6).

The citing officer shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps they deem necessary to ensure that the defendant understands their written promise to appear.

418.3.1 FIELD CITATIONS

In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present

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(Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

418.3.2 DISQUALIFYING CIRCUMSTANCES

A person arrested for a misdemeanor shall be released on a notice to appear by the officer unless one of the following situations is present (Penal Code § 853.6(i)):

- (a) The person arrested is so intoxicated that they could be a danger to themselves or to others. Release may occur as soon as this condition no longer exists.
- (b) The person arrested requires medical examination or medical care or is otherwise unable to care for their own safety
 - 1. The Woodland Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).
- (c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302, 40303 and 40305.
 - 1. Any person arrested for any offense listed in Vehicle Code § 40303(b) shall, in the judgment of the arresting officer, either be given a 10 day notice to appear or be taken without delay before a magistrate in the county of arrest.
 - 2. If a person under Vehicle Code §§ 40303 or 40305 does not have satisfactory identification, the officer may require the individual to provide a right thumbprint (or other finger). However such print may not be used for other than law enforcement purposes.
 - 3. Should any person arrested on a notice to appear claim under penalty of perjury not to be the person listed in the notice, such person may request that their thumbprint be taken for comparison at a fee not to exceed the actual cost of such service.
- (d) There are one or more outstanding arrest warrants for the person.
- (e) The person could not provide satisfactory evidence of personal identification.
- (f) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

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- (g) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.
- (h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.
- (i) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented.

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be included with the case file in the Records Bureau.

418.3.3 OTHER REASONS FOR NON-RELEASE

If the person arrested is not released for one or more of the reasons specified in Policy Manual § 418.3.2, the officer shall state specifically on the booking form the reason for non-release. Such reasons for non-release may include:

- (a) Previous failure to appear is on record
- (b) The person lacks ties to the area, such as a residence, job, or family
- (c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

418.4 CITATION RELEASE ON MISDEMEANOR WARRANTS

Penal Code § 827.1 allows the release by citation of a person designated in any warrant of arrest unless one of the following conditions exist:

- (a) The misdemeanor cited in the warrant involves violence.
- (b) The misdemeanor cited in the warrant involves a firearm.
- (c) The misdemeanor cited in the warrant involves resisting arrest.
- (d) The misdemeanor cited in the warrant involves giving false information to a peace officer
- (e) The person arrested is a danger to themselves or others due to intoxication or being under the influence of drugs or narcotics.
- (f) The person requires medical examination or medical care or was otherwise unable to care for his or her own safety.
- (g) The person has other ineligible charges pending against them.
- (h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.

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- (i) The person refuses to sign the notice to appear.
- (j) The person cannot provide satisfactory evidence of personal identification.
- (k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.

Release under this section shall be done in accordance with the provisions of this section.

418.5 REQUESTING CASE NUMBERS

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if they feel the situation should be documented more thoroughly in a case report.

Release Under Section 849(B) P.C.

419.1 PURPOSE AND SCOPE

To establish documentation requirements for release of a person detained involuntarily or arrested when, after further investigation, the person is determined to be releasable under California Penal Code 849(b).

For the procedure to release an arrestee from a medical facility, see Policy 903.

419.2 DOCUMENTATION REQUIREMENTS

An arrest report or incident report and a Certificate of Release shall be completed when:

- (a) An officer is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested.
- (b) The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility or hospital for treatment and no further proceedings are desirable.

419.2.1 EXCEPTIONS

Documentation requirements of this Order do not apply to releases made per:

- (a) 853.6 PC.
- (b) 40302 CVC.

419.3 OFFICER INITIATED ARRESTS

Whenever a person is determined to be releasable under PC §849(b), that person should be released as soon as possible.

Documentation for an officer-initiated arrest shall be recorded in the applicable police report. Documentation shall include:

- (a) Circumstances which led to the arrest
- (b) The manner in which the arrest was effected
- (c) Necessity for any:
 - 1. use of physical restraint.
 - 2. use of handcuffs.
 - 3. involuntary placement in any location restricting movement.
- (d) Reasons(s) the person was determined to be releasable per PC§849(b).
- (e) Exception: When meeting the documentation requirements will jeopardize a covert investigation, and/or place a confidential operative or an officer at risk.
 - 1. Officers may document the above in reports or memorandums not intended for discovery. Such documentation shall be approved by a lieutenant or above.

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Release Under Section 849(B) P.C.

2. Lieutenants or above shall ensure such documentation meets established requirements.

419.4 PRIVATE PERSON'S ARREST

Documentation for a "Citizen's Arrest" shall be recorded in the applicable police report and include:

- (a) an Incident Report if no crime was committed.
- (b) an Offense Report if a crime was committed.

419.5 FORMERLY BOOKED AND STILL IN CUSTODY

When suspect has been formally booked and is still in custody, the arresting officer(s) shall:

- (a) Ensure the arrest number is on the release form.
- (b) Obtain signed approval of a sworn supervisor.
- (c) Route the original to the Records Division.
- (d) Contact the Main Jail Booking Supervisor for assistance in locating the prisoner.
- (e) Provide an original signed copy of the Certificate of Release to the Main Jail staff who shall:
 1. provide the original signed copy to Detainee.
 2. release the Detainee.

419.6 FORMERLY BOOKED AND NO LONGER IN CUSTODY

If the arrested person was formally booked, but is no longer in custody, and the Police Report "Arrest Package":

- (a) has not been sent to the District Attorney, the arresting officers shall:
 1. alert their immediate supervisor.
 2. immediately write a supplementary explanation to be included with the Police Report, detailing the reason(s) for the release.
 3. not complete a Certificate of Release.
 4. expedite transmittal of such reports to the Records Division to ensure delivery to the District Attorney with the Police Report and "Arrest Package."
- (b) has been sent to the District Attorney, Investigations shall:
 1. complete items a(1) through (4) above.
 2. make personal or telephone contact with the Intake District Attorney at the earliest available time and request a 849(b) Certificate of Release be initiated.

419.7 RELEASE FROM A MEDICAL FACILITY

If the arrested person, prior to booking at the county jail, requires medical treatment necessitating an extended hospital stay the arrested person may be released per PC §849(b).

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Release Under Section 849(B) P.C.

The arresting officer shall notify their Supervisor of the required medical stay. The Sergeant shall determine if the arrestee shall be released based on the nature of the crime charged, the actions of the arrestee, and any danger the arrestee may pose to the public and hospital staff. If the Sergeant determines the arrestee shall be released, the Sergeant shall notify the hospital, "Nursing House Supervisor" (Hospital Nursing Supervisor) of the pending release, the nursing house supervisor shall facilitate contact between the Chief Nurse Executive, or other designated hospital administrator and the Sergeant.

The Sergeant shall advise the Chief Nurse Executive, or other designated hospital administrator, prior to release, of our intent to release the arrestee and the circumstances of the arrest including but not limited to the following:

- (a) Suspects actions during the arrest.
- (b) Force required to effect the arrest.
- (c) Objective symptoms of intoxicants the suspect may be under the influence of at the time of arrest.
- (d) Any safety concerns.

Other designated hospital administrators are the Director of Critical Care Services, the Supervisor of Critical Care Services, and the Director of Quality/Risk and Medical Staff.

Once the supervisor has determined that the arrestee is to be released per PC§ 849(b) Officers shall not return to the hospital to arrest the suspect upon their release from medical care.

In any case where an officer of the Woodland Police Department has arrested a criminal suspect and that suspect is subsequently transported to the hospital while in our custody and is released per 849(b), a Crime/Incident Report and Arrest Report shall be completed and submitted to the Yolo County District Attorney's office for review and charging. These reports shall be completed within the established report completion guidelines as determined by/policy.

If it is necessary for updates on the medical status of the suspect, after release per 849(b), a Lieutenant shall contact a designated hospital administrator directly.

Foreign Diplomatic and Consular Representatives

420.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that employees of the Woodland Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

420.2 POLICY

The Woodland Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

420.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that their claim will be investigated and they may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

420.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, employees shall be aware of the following:

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- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers
 - 5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that they are entitled to have their government notified of the arrest or detention (Penal Code § 834c). If the individual wants their government notified, the officer shall begin the notification process.

420.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

420.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

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Foreign Diplomatic and Consular Representatives

Category Arrested or Detained Enter Residence Subject to Ordinary
Procedures Issued Traffic Citation Subpoenaed as Witness Prosecuted Recognized Family
Members Diplomatic Agent

No (note (b))

No Yes No No Same as sponsor (full immunity & inviolability) Member of Admin and Tech
Staff

No (note (b))

No Yes No No Same as sponsor (full immunity & inviolability) Service Staff

Yes (note (a))

Yes Yes Yes

No for official acts. Yes otherwise (note (a))

No immunity or inviolability (note (a))

Career Consul Officer

Yes if for a felony and pursuant to a warrant (note (a))

Yes (note (d))

Yes

No for official acts Testimony may not be compelled in any case

No for official acts. Yes otherwise (note (a))

No immunity or inviolability

Honorable Consul Officer

Yes Yes Yes

No for official acts Yes otherwise.

No for official acts Yes otherwise

No immunity or inviolability Consulate Employees

Yes (note (a))

Yes Yes

No for official acts Yes otherwise.

No for official acts. Yes otherwise (note (a))

No immunity or inviolability (note (a))

Int'l Org Staff (note (b))

Yes (note (c))

Yes (note (c))

Yes

Yes (note (c))

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No for official acts.Yes otherwise(note (c))

No immunity or inviolabilityDiplomatic-Level Staff of Missions to Int'l Org

No(note (b))

NoYesNoNoSame as sponsor (full immunity & inviolability)Support Staff of Missions to Int'l OrgsYesYesYesYes

No for official actsYes otherwise

No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Category	Arrested or Detained	Enter Residence	Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members	Diplomatic Agent	No(note (b))	NoYesNoNoSame as sponsor (full immunity & inviolability)	Member of Admin and Tech Staff	No(note (b))	NoYesNoNoSame as sponsor (full immunity & inviolability)	Service Staff	Yes(note (a))	YesYesYesNo for official acts.Yes otherwise(note (a))	No immunity or inviolability(note (a))	Career Consul	Officer	Yes if for a felony and pursuant to a warrant(note (a))	Yes(note (d))	YesNo for official acts	Testimony may not be compelled in any case	No for official acts	Yes otherwise(note (a))	No immunity or inviolability	Honorable Consul	Officer	YesYesYesNo for official acts	Yes otherwise.No for official acts	Yes otherwise	No immunity or inviolability	Consulate Employees	Yes(note (a))	YesYesNo-for official acts	Yes otherwise	No for official acts	Yes otherwise(note (a))	No immunity or inviolability(note (a))	Int'l Org Staff	(note (b))	Yes(note (c))	Yes(note (c))	YesYes(note (c))	No for official acts	Yes otherwise

Rapid Response and Deployment

421.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

421.2 POLICY

The Woodland Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

421.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.

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- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

421.3.1 RESPONSE TO SCHOOL THREATS

Upon receiving a threat or perceived threat from a school official that involves grades 6 to 12, officers shall immediately investigate and conduct a threat assessment. The investigation shall include a review of the firearm registry of the California Department of Justice. A reasonable search of the school at issue shall be conducted when the search is justified by reasonable suspicion that it would produce evidence related to the threat or perceived threat (Education Code § 49394).

For purposes of this subsection a "threat" or "perceived threat" means any writing or action of a pupil that creates a reasonable suspicion that the pupil is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the pupil. It may also include a warning by a parent, pupil, or other individual (Education Code § 49390).

421.4 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

421.5 PLANNING

The Patrol Bureau Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.

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- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

421.6 TRAINING

The Training Manager should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
 - 1. This should include the POST terrorism incident training required for officers assigned to field duties (Penal Code § 13519.12).
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

422.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to employees of the Woodland Police Department regarding immigration laws.

422.1.1 DEFINITIONS

The following definitions apply to this policy (Government Code § 7284.4):

Criminal immigration violation - Any federal criminal immigration violation that penalizes a person's presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

Immigration enforcement - Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

Judicial warrant - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

422.2 POLICY

It is the policy of the Woodland Police Department that all employees 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 immigration status.

422.3 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 not in any way that would violate the United States or California constitutions.

422.4 ENFORCEMENT

Enforcement of the nation's immigration laws is the responsibility of the federal government, particularly the United States Bureau of Immigrations and Customs Enforcement (ICE). Accordingly, the Woodland Police Department shall not unilaterally undertake immigration-related investigations and should not routinely inquire into the immigration status of persons encountered during police operations. This prohibition does not preclude the Department from cooperating with federal immigration officials when requested, or from notifying those officials in serious situations where a potential threat to the public is perceived. Officers shall not initiate police action where the

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objective is to discover the immigration status of a person. Officers shall neither arrest nor book persons for violation of Title 8, Section 1325 of the United States Immigration Code (Illegal Entry).

422.4.1 IDENTIFICATION CHECKS

Department employees shall not request passports, visas, "green cards," or other documents relating to one's immigration status in lieu of, or in addition to, standard forms of identification such as a driver's license, state identification card, etc. Officers shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code 7284.6).

422.4.2 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).

Members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual's record (Government Code § 15160).

422.4.3 CALIFORNIA DEPARTMENT OF MOTOR VEHICLES

Members shall not obtain, access, use, or otherwise disclose noncriminal history information maintained by the DMV for immigration enforcement (Vehicle Code § 1808.48).

422.5 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a Bureau Commander. The Bureau Commander is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.). In the event any department personnel assist ICE, or any other federal agency, notification shall be made to the Office of the Chief, via the chain of command, as soon as reasonably possible.

422.6 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)). A law enforcement certification for a U visa may be completed by The Investigations Division Lieutenant, or designee, in order for a U visa to be issued.

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T visa may be completed by The Investigations Division Lieutenant, or designee, in order for a T visa to be issued.

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Bureau supervisor assigned to oversee the handling of any related case. The Detective Bureau Lieutenant should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

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- (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.
- (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.

422.6.1 TIME FRAMES 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 30 days of a request from the victim, victim's family, or authorized representative (as defined in Penal Code § 679.10 and Penal Code § 679.11) related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within seven days of the first business day following the day the request was received.

422.6.2 POLICE REPORTS

Upon request, an officer or supervisor should provide a victim or authorized representative with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

422.7 TRAINING

The Training Manager should ensure that all appropriate members receive training on immigration issues.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration violation has been committed.
- (c) Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).

422.8 TRUTH ACT

Individuals who are arrested on criminal charges will be timely released on a Notice-to Appear or taken to the Yolo County Jail as required by state law and department policy. Because individuals are not held at the Woodland Police Department for more than a very limited period of time, the TRUTH Act has little to no application to Woodland Police Department operations.

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In the event that ICE does make a direct request to hold or contact an individual who is in-custody at the Woodland Police Department, the officer receiving the request shall contact the Police Chief or Deputy Chief for further direction. The policy of the Woodland Police Department is to allow ICE interviews to occur only after the individual is out of the custody of the Woodland Police Department.

Pursuant to Government Code § 7283.1, in all cases where an individual who is in the custody of Woodland PD is interviewed by ICE;

- (a) Individuals shall be given a copy of documentation received from ICE regarding a hold, notification or transfer request along with information as to whether the Police Department intends to comply with the request. Members will not hold a person on an I-247 detainer. See attachment: truth_act_form_1.rtf
- (b) If ICE is notified 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 their attorney or to one additional person who the individual may designate.
- (c) The Police Department will notify the City Council of the requirement to hold a community forum annually if the Police Department allows ICE access to any individual.
- (d) Before any interview between ICE personnel and an individual in custody for civil immigration violations, the Woodland 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 they may decline to be interviewed or may choose to be interviewed only with their attorney present. The consent form must be available in the languages specified in government Code 7283.1.

Individuals being held on criminal charges should be taken to the Yolo County Jail, or released on a Notice to Appear, as required by California state law. It is a violation of the 4th Amendment to detain a person for ICE based solely on a civil federal offense regarding immigration so they can be interviewed.

See attachment: truth_act_form_1_-_spanish.pdf

See attachment: truth_act_form_1_-_korean.pdf

See attachment: truth_act_form_1_-_tagalog.pdf

See attachment: truth_act_form_1_chinese.pdf

See attachment: truth_act_form_1_vietnamese.pdf

422.9 CRIMINAL OFFENSES VS. CIVIL OFFENSES

- (a) Members will enforce valid arrest warrants issued by California and Federal Courts. Members will also enforce local, state and federal criminal laws under applicable Constitutional constraints and without regard to legal immigration status.

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- (b) Members may not detain a person solely to investigate immigration status or detain or arrest a person based on a DHS Form I-247 Immigration Detainer – Notice of Action (I-247 detainer).
- (c) Criminal Entry and Federal Offenses
 1. An individual who enters into the United States illegally has committed a misdemeanor for their first offense and a felony for any subsequent offenses. (8 USC § 1325(a)). The Department of Homeland Security (DHS) through Immigrations and Customs Enforcement (ICE) and Customs & Border Protection (CBP) enforce federal criminal entry laws.
 2. I-247 Civil Detainers – Generally, a person without citizenship who initially made a legal entry into the United States, but has remained beyond what is a legal period of time, has committed a federal civil offense. ICE may issue I-247 detainers to determine whether to initiate deportation proceedings. I-247 detainers are not criminal arrest warrants, they are not court orders, and they are not issued or approved by judges.
 3. Individuals will not be held in Woodland PD custody solely on an I-247 detainer issued pursuant to 8 CFR § 287.7.
 4. An officer cannot detain or arrest any individual, for any length of time, for a civil violation of federal immigration laws or related civil warrants. Detentions and warrantless arrests must be made in accordance with 4th Amendment requirements requiring reasonable suspicion and probable cause and in accordance with California law.

Aircraft Accidents

423.1 PURPOSE AND SCOPE

This policy describes situations involving aircraft accidents including responsibilities of personnel, making proper notification, and documentation.

423.2 RESPONSIBILITIES

In the event of an aircraft crash the employee responsibilities are as follows:

423.2.1 OFFICER RESPONSIBILITY

Officers should treat an aircraft crash site as a crime scene until it is determined that such is not the case. If a military aircraft is involved, additional dangers, such as live ordnance or hazardous materials, may be present. The scene may require additional security due to the potential presence of confidential equipment or information.

The duties of the field officer at the scene of an aircraft accident include the following:

- (a) Determine the nature and extent of the accident.
- (b) Request additional personnel and other resources to respond as needed.
- (c) Provide assistance for the injured parties until the arrival of Fire Department personnel and/or other emergency personnel.
- (d) Cordon off and contain the area to exclude unauthorized individuals as soon as practicable.
- (e) Provide crowd control and other assistance until directed otherwise by a supervisor.
- (f) Ensure the Coroner's office is notified if a death occurs.

Entering an aircraft or tampering with parts or debris is only permissible for the purpose of removing injured or trapped occupants, protecting the wreckage from further damage or protecting the public from danger. If possible, the investigating authority should first be consulted before entering or moving any aircraft or any crash debris. Photographs or sketches of the original positions should be made whenever feasible.

The Fire Department will be responsible for control of the accident scene until the injured parties are cared for and the accident scene has been rendered safe for containment. Thereafter, police personnel will be responsible for preserving the scene until relieved by the investigating authority.

Once the scene is relinquished to the investigating authority, personnel from this agency may assist in containment of the scene until the investigation is completed or assistance is no longer needed.

An airport service worker or the airport manager may respond to the scene to assist the on-scene commander with technical expertise, should it be needed during the operation.

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423.2.2 NATIONAL TRANSPORTATION SAFETY BOARD

The National Transportation Safety Board (NTSB) has the primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft incident, the appropriate branch of the military will be involved in the investigation. The NTSB is concerned with several aspects of a crash as described in this section.

Every effort should be made to preserve the scene to the extent possible in the condition in which it was found until such time as NTSB or other authorized personnel arrive to take charge of the scene.

Military personnel will respond to take charge of any military aircraft involved, whether or not injuries or deaths have occurred.

If the accident did not result in a death or injury and the NTSB elects not to respond, the pilot or owner may assume control of the aircraft.

Removal of the wreckage shall be done under the guidance of the NTSB or military authorities or, if the NTSB is not responding for an on-site investigation, at the discretion of the pilot or the owner.

423.2.3 DISPATCH RESPONSIBILITIES

Dispatchers are responsible to make notifications as directed once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. Generally, the dispatcher will need to notify the following agencies or individuals when an aircraft accident has occurred.

- (a) Fire Department
- (b) The affected airport tower
- (c) Closest military base if a military aircraft is involved
- (d) Ambulances or other assistance as required

When an aircraft accident is reported to the Police Department by the airport tower personnel the dispatcher receiving such information should verify that the tower personnel will contact the Federal Aviation Administration (FAA) Flight Standards District Office and the National Transportation Safety Board (NTSB). In the event that airport personnel are not involved, the dispatcher should notify the FAA and the NTSB.

423.2.4 RECORDS SUPERVISOR RESPONSIBILITIES

The Records Supervisor is responsible for the following:

- (a) Forward and maintain an approved copy of the accident report to the California Department of Aeronautics.
- (b) Forward a copy of the report to the Deputy Chief and the manager of the affected airport.

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423.2.5 PUBLIC INFORMATION OFFICER RESPONSIBILITIES

The Department Public Information Officer is responsible for the following:

- (a) Obtain information for a press release from the on-scene commander or his or her designee
- (b) When practical, the Department Public Information Officer should coordinate with the FAA Press Information Officer to prepare a press release for distribution to the Media

Information released to the press regarding any aircraft accident should be handled by the Department Public Information Officer or in accordance with existing policy.

423.3 DOCUMENTATION

Any aircraft accident (crash) within the City, regardless of whether injuries or deaths occur, shall be documented.

Field Training Officer Program

424.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Woodland Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive, and professional manner.

424.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training, and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

424.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of three years of patrol experience.
- (c) Off probation.
- (d) Demonstrated ability as a positive role model.
- (e) Participate and pass an internal oral interview selection process.
- (f) Evaluation by supervisors.

424.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer's Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

424.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor should be selected from the rank of sergeant and should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conduct FTO meetings.

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- (c) Maintain and ensure FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor overall FTO Program.
- (g) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete a POST approved Field Training Administrator's Course within one year of appointment to this position (11 CCR § 1004(c)).

424.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Woodland Police Department who has successfully completed a POST approved Basic Academy.

424.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks (11 CCR 1004; 11 CCR 1005).

The training period for a lateral officer may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of ten weeks.

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

424.5.1 FIELD TRAINING MANUAL

Each new officer will be able to access the Field Training Manual at the beginning of his/her Primary Training Phase through the Field Training Program software. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Woodland Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules, and regulations adopted by the Woodland Police Department.

424.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

424.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO Coordinator on a daily basis.
- (b) Review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.

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- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

424.6.2 FIELD TRAINING LIEUTENANT

The Field Training Lieutenant will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through the FTO Sergeant.

The Field Training Lieutenant will then forward the Daily Trainee Performance Evaluations to the Deputy Chief for review.

424.6.3 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

424.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's electronic FTO training file and will consist of the following:

- (a) Daily Trainee Performance Evaluations
- (b) End of phase evaluations
- (c) A Memorandum to the Chief of Police certifying that the trainee has successfully completed the required number of hours of field training

Obtaining Air Support

425.1 PURPOSE AND SCOPE

The use of police air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

425.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain helicopter assistance may be made.

425.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, the field supervisor will authorize YECA dispatch personnel to call the closest agency having support available. The dispatch personnel will apprise that agency of the specific details of the incident prompting the request.

425.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Air support may be requested under any of the following conditions:

- (a) When air support is activated under existing mutual aid agreements
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of air support may reduce such hazard
- (c) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community
- (d) When air support is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard
- (e) Vehicle pursuits

While it is recognized that the availability of air support support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.

Contacts and Temporary Detentions

426.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

426.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

426.2 POLICY

The Woodland Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field interview (FI), pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

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426.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Woodland Police Department to strengthen community involvement, community awareness, and problem identification.

426.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act
- (b) Actions suggesting that he/she is engaged in a criminal activity
- (c) Presence in an area at an inappropriate hour of the day or night
- (d) Presence in a particular area is suspicious
- (e) Carrying of suspicious objects or items
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon
- (g) Location in proximate time and place to an alleged crime
- (h) Physical description or clothing worn that matches a suspect in a recent crime
- (i) Prior criminal record or involvement in criminal activity as known by the officer

426.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or neighborhood where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

426.5 FIELD PHOTOGRAPHS

Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

426.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should note the consent on the FI card.

426.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. Mere knowledge or suspicion of gang membership or affiliation is not a sufficient justification for taking a photograph without consent. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

426.6 SUPERVISOR RESPONSIBILITY

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph. Access to field photographs shall be strictly limited to law enforcement purposes.

Criminal Organizations

427.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Woodland Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

427.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

427.2 POLICY

The Woodland Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

427.3 IDENTIFICATION OF CRIMINAL STREET GANGS / PARTICIPANTS

The Gang Task Force (GTF) shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

- (a) A group of three or more individuals shall be designated a criminal street gang when:
 - 1. They have a common name or common identifying sign or symbol.
 - 2. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal acts enumerated in 186.22 of the California Penal Code.
 - 3. One or more members individually or collectively have engaged in a pattern of criminal gang activity as defined in 186.22 of the California Penal Code.
 - 4. A designated representative of the District Attorney's Office reviews the available evidence and concurs with a Department finding that the group meets the criteria for being a criminal street gang.
- (b) An individual shall be designated as a participant in a criminal street gang and included in a gang file, when three or more of the following elements have been verified by a GTF member and a reasonable basis for believing such affiliation has been established and approved by a supervisor:
 - 1. An individual admits membership in a criminal street gang.

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2. Correspondence wherein the individual identifies him/herself as a gang member.
 3. The individual is identified by a gang member as a member of a gang.
 4. The individual is tattooed with gang specific tattoos.
 5. The individual wears gang clothing/colors.
 6. The individual is in the company of other identified gang members.
 7. The individual is in a photograph that indicates gang affiliation.
 8. The individual is contacted in the field by police for participating in gang related activities.
 9. The individual is seen displaying gang signs.
 10. The individual displays gang graffiti on personal belongings.
 11. The individual is involved in gang related crimes.
- (c) An individual may be designated as a gang affiliate only when the individual is known to affiliate with active criminal gang members and an officer has established that there is reasonable suspicion that the individual is involved in criminal activity. An officer's belief must be premised upon reasoning and logic coupled with sound judgment based upon law enforcement experience, rather than a mere hunch or whim.
- (d) The process for validating/classifying an individual as a gang member is outlined in the following attachment: See attachment: GANG VALIDATION PROCESS.pdf

427.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Crime Analysis Unit (CAU). Any supporting documentation for an entry shall be retained by the CAU in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the CAU are appropriately marked as intelligence information. The Crime Analyst may not purge such documents without the approval of the designated supervisor.

427.3.2 GANG DATABASES

The Chief of Police may approve participation by the gang unit and/or the Crime Analysis Unit in a shared criminal gang intelligence database, such as CALGANG®. Members must obtain the requisite training before accessing any such database (11 CCR 751.6).

It is the Gang Task Force supervisor's, or Crime Analyst's responsibility to determine whether any report or FI contains information that would qualify for entry into the database. Prior to designating any person as a suspected gang member, associate, or affiliate in a shared gang database; or submitting a document to the Attorney General's office for the purpose of designating a person in

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a shared gang database; or otherwise identifying the person in a shared gang database, the GTF supervisor shall provide written notice to the person and, if the person is under the age of 18, to his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor. Notice shall also describe the process to contest the designation (Penal Code §186.34). The GTF supervisor should forward reports or field interviews (FIs) to the Crime Analysis Unit.

The person, an attorney working on his/her behalf, or his/her parent or guardian (if the person is under 18 years of age) may request, in writing, information as to whether the person is designated as a suspected gang member, associate, or affiliate in a shared gang database accessible by the Department, the basis for that designation, and the name of the agency that made the designation. The Department shall respond to a valid request in writing within 30 days, and shall provide the information requested unless doing so would compromise an active investigation or compromise the health and safety of the person if he/she is under 18 years of age (Penal Code § 186.34).

The person, or his/her parent or guardian if the person is under 18 years of age, may contest the designation by submitting written documentation, which shall be reviewed by the GTF supervisor. If it is determined that the person is not a suspected gang member, associate, or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the department's decision within 30 days of receipt of the written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The GTF supervisor should forward reports or FIs to the Crime Analyst after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Crime Analyst to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

Records contained in a shared gang database shall not be disclosed for employment or military screening purposes, and shall not be disclosed for the purpose of enforcing federal immigration law unless required by state or federal statute or regulation (Penal Code § 186.36).

427.4 CRIMINAL STREET GANG TEMPORARY FILE

The GTF Supervisor and Crime Analyst may maintain a temporary file of reports and FIs that is separate from any criminal gang intelligence database when an individual or group has been identified as a suspected criminal street gang participant or a suspected criminal street gang but does not meet the criteria necessary for entry into a criminal gang intelligence database.

Inclusion in a temporary file may be done only if there is a reasonable likelihood that, within one year of the contact, the individual or group will meet the criteria for entry into a department approved criminal gang intelligence database. Reports and FIs will only be included in a temporary

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gang file with the written authorization of the GTF Supervisor. A temporary file of criminal street gang participants or criminal street gangs shall include:

- (a) Names, aliases, monikers, addresses, and other relevant identifying information.
- (b) Gang name.
- (c) Justification used to identify an individual as a criminal street gang participant.
- (d) Vehicle(s) known to be used.
- (e) Cross references to other identified gangs or gang members.

427.4.1 REVIEW AND PURGING OF GANG PARTICIPANT FILE

Temporary files shall not be retained longer than one year. At the end of one year, temporary files must be purged if the information does not qualify for entry into a department approved criminal gang intelligence database.

The GTF Supervisor or Crime Analyst shall periodically review temporary files to verify that the information was properly obtained and meets the criteria for retention. Validation and purging of temporary criminal street gang files is the responsibility of the GTF Supervisor and the Crime Analyst.

427.4.2 CRIMINAL GANG INTELLIGENCE DATABASES

While this policy does not establish a criminal gang intelligence database, the Chief of Police may approve one or more criminal gang intelligence databases, such as CALGANG, for use by members of the GTF. Any such database should be compliant with 28 C.F.R. § 23.20 regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the GTF Supervisor's responsibility to determine whether any report or FI contains information that would qualify for entry into a department approved criminal gang intelligence database. The GTF Supervisor should forward any such reports or FIs to the Crime Analysis Unit after appropriate database entries are made. The submitting GTF Supervisor should clearly mark the report/FI as Gang Intelligence Information.

It is the responsibility of the Crime Analyst to retain reports and FIs in compliance with the procedures of the department approved criminal gang intelligence database and 28 C.F.R. § 23.20. The Crime Analyst may not purge these reports or FIs without the approval of the GTF Supervisor.

427.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.

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- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Manager to train members to identify information that may be particularly relevant for inclusion.

427.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

427.7 CRIMINAL STREET GANGS

The GTF supervisor should ensure that there are an appropriate number of employees who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:
 - 1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
 - 2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
 - 3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

427.8 REPORTING CRITERIA, ROUTING, AND TRAINING

Incidents that appear to be criminal street gang related shall be documented on a report form and shall at minimum include the following:

- (a) A description of any document, statements, actions, dress or other information that would tend to support the officer's belief that the incident may be related to the activities of a criminal street gang.
- (b) Whether any photographs were taken and a brief description of what they depict.

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- (c) What physical evidence, if any, was observed, collected or booked.
- (d) A specific request to Records that a copy of the report be routed to the GTF.

Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.

427.8.1 SHARED GANG DATABASE TRAINING

The Training Manager should ensure that members who are authorized users of a shared gang database receive the required training from the California Department of Justice (DOJ) or an instructor certified by the DOJ that includes comprehensive and standardized training on the use of shared gang databases, and any other associated training required by the Department (Penal Code § 186.36; 11 CCR 751.6).

427.8.2 TRAINING

The Training Manager should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

Shift Sergeants

428.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each shift.

428.2 DESIGNATION AS ACTING SHIFT SERGEANT

When a Sergeant is unavailable for duty as Patrol Supervisor, in most instances another Sergeant or Corporal shall be assigned to be the Patrol Supervisor.

If the assigned Patrol Supervisor is to be unavailable for an extended period of time, a Corporal may be designated as the Acting Patrol Supervisor upon approval of the Chief of Police.

Intersection Observation Plan - Code 666

429.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for implementing an intersection observation plan to facilitate apprehension of crime suspects who are fleeing by vehicle. Code 666 is a procedure used by Sacramento, Placer, Solano and Napa Counties to facilitate the apprehension of felony crime suspects. This plan requires participating agencies to dispatch officers to pre-designated locations that are in the geographical area, and/or possible direction of travel/escape route a suspect may take. This plan will generally last for 30 minutes unless 15 minute extensions are requested by the authorizing agency.

429.2 CRITERIA FOR IMPLEMENTING A CODE 666

- (a) The Code 666 may be implemented when the following conditions exist:
 - 1. When the agency having jurisdiction over the area where the offense occurs requests it.
 - 2. A felony crime has been committed.
 - 3. Less than 20 minutes has elapsed since commission of the crime.
 - 4. A description of the suspect vehicle is known (to include the license plate number or if the vehicle has a distinctive description)
- (b) Necessary and/or Useful Information Needed For Implementation
 - 1. Offense committed (187, 211, 459 PC, ect.)
 - 2. Location of offense
 - 3. Date and time of offense
 - 4. Suspect vehicle description (color, year, make, body style, other ID, license)
 - 5. Direction of travel
 - 6. Suspect's description (race, sex, age, height, weight, hair, eyes, clothing, other)
 - 7. Weapons involved
 - 8. Hostages
 - 9. Stolen property

429.3 IMPLEMENTATION PROCEDURES - CODE 666

- (a) Who May Implement: The first person having sufficient information for implementation should make the request; time is critical.
- (b) How To Implement Plan
 - 1. Yolo Emergency Communications Agency (YECA), once furnished the necessary information, may request a Code 666
 - 2. The dispatcher will:

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- (a) Immediately notify the on duty supervisor
 - (b) Request a Code 666
 - (c) Furnish the agency with the available information
- (c) Coordination
 - 1. Field operation coordination shall be the responsibility of the field supervisor.
- (d) Duration of Plan
 - 1. The plan shall remain in effect on a specific incident until canceled by the implementing agency.
 - 2. The plan should be updated or downgraded to an alert status after 30 minutes, if the suspect is not in custody. This will allow units to leave their pre-assigned location unless they choose to remain. In either case, they should become available for regular calls for service.
- (e) Cancellation
 - 1. The Watch Commander or field supervisor shall determine when to cancel a Code 666 initiated by this department.
 - 2. The need for the plan no longer exists or no useful purpose can be served by maintaining it.
- (f) Suspect apprehension: if the suspect(s) are apprehended as a result of this plan, personnel from the agency with jurisdiction over the crime prompting the Code 666 will respond to take custody of the suspects.

429.4 PROCEDURE WHEN ANOTHER AGENCY INITIATES A CODE 666

The Department will be notified by radio and/or telephone by YECA

- (a) The Dispatcher will immediately broadcast the information on this department's radio frequency.
- (b) Patrol and detective units, if available, will be assigned by the Dispatch Center to a location number.
- (c) Units will advise the dispatcher when they arrive at their assigned location.
- (d) When all units are at their assigned location, the dispatcher will notify the outside agency of the locations covered.
- (e) Radio transmissions on the outside agencies frequency should be limited to emergency nature to prevent the interference with the emergency information broadcasts.
- (f) If the location assigned to WPD cannot be covered or it becomes necessary to take the unit off an assigned location, the Sheriff's Department or California Highway Patrol can assign personnel to cover the location.

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Intersection Observation Plan - Code 666

429.5 WOODLAND LOCATIONS

Once a CODE 666 has been established, units will be dispatched to pre-assigned locations. YECA should not broadcast these locations over the radio. The locations are:

- (a) Interstate 5 and County Road 102
- (b) State Route 113 and Gibson Road

429.6 PROCEDURE WHEN A SUSPECT VEHICLE IS SPOTTED

- (a) The Police unit spotting or locating the suspect vehicle will immediately take up rolling surveillance and report its location and direction of travel to YECA. Officers shall consider officer safety paramount and must follow department policy regarding Vehicle Pursuits and the apprehension of felony suspects.
- (b) Code 666 locations can be found in the Countywide 666 Protocol.

Mobile Audio Video

430.1 PURPOSE AND SCOPE

The Woodland Police Department has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

430.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Audio Video (MAV) system- Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV technician -Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

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

430.2 POLICY

It is the policy of the Woodland Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

430.3 OFFICER RESPONSIBILITIES

Officers should test the MAV system's operation in accordance with department operating procedures and training each shift.

If the system is malfunctioning, the officer shall not take the vehicle out of service unless a supervisor requests the vehicle be removed from service.

Classify and label each recording appropriately.

430.3.1 START OF SHIFT

At the start of each shift, officers will log into the MAV system.

Officers will take the following actions to make sure the MAV system is operating correctly:

- a. Confirm that the system will turn on manually and when emergency lights are activated.
- b. Confirm that the system's audio function is working properly.

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430.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit's emergency lights are activated or when a speed of 55 MPH is reached. The system remains on until it is turned off manually. The audio portion should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

430.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range.
- (b) Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect.
- (c) During the transportation of any arrestee or detainee.
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.
- (e) Any other circumstance where the officer believes that a recording of an incident would be appropriate.

430.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

430.4.3 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

Employees of this department may not surreptitiously record a conversation of any other employee of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

430.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made.

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At reasonable intervals, supervisors should validate that beginning and end-of-shift recording procedures are followed.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Supervisors may activate the MAV system remotely to monitor a developing situation, such as a chase, riot or an event that may threaten public safety, officer safety or both, when the purpose is to obtain tactical information to assist in managing the event. Supervisors shall not remotely activate the MAV system for the purpose of monitoring the conversations or actions of an officer.

430.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MAV technician or forensic media staff. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations:

- (a) For use when preparing reports or statements
- (b) By a supervisor or manager reviewing a critical incident or pursuit
- (c) To assess proper functioning of MAV systems
- (d) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (e) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to their employment
- (f) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (g) By the media through proper process or with permission of the Chief of Police or the authorized designee
- (h) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, their objection will be submitted to the Chief of Police to determine if the training value outweighs the officer's objection

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Employees desiring to view any previously uploaded or archived MAV recording should contact the Property and Evidence Technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

430.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation, indicating that the incident was recorded.

430.6.1 CLASSIFYING VIDEOS

Upon completion of an incident, officers should classify each video prior to going in service. The classification categories are:

- a. Arrest (retained until the Yolo County District Attorney gives an order allowing purge)
- b. Evidence (retained until the Yolo County District Attorney gives an order allowing purge or the case is no longer viable)
- c. Citation (retained for one year)
- d. Other (retained for one year)

The *Other* category should be used any time the video does not fall in one of the prior categories. This may include, but is not limited to, system checks, accidental activations, citizen contacts, or contacts resulting in no enforcement.

When classifying videos as *Arrest* or *Evidence*, officers will include the case number. Officers are encouraged to, but not required to, include a citation number when classifying a video as *Citation*.

430.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for one year after which time it will be erased, destroyed or recycled in accordance with the established records retention schedule (Government Code § 34090.6).

430.7.1 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

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430.7.2 MAV RECORDINGS AS EVIDENCE

Any MAV recording resulting from a criminal investigation or citation or potential claim against the officer or against the Woodland Police Department should be indicated in an appropriate report. Officers shall ensure relevant recordings are preserved and properly booked into the Evidence system.

Mobile Digital Computer Use

431.1 PURPOSE AND SCOPE

The Mobile Digital Computer (MDC) accesses confidential records from the State of California, Department of Justice and Department of Motor Vehicles databases. Employees using the MDC shall comply with all appropriate federal and state rules and regulations.

431.2 MDC USE

The MDC shall be used for official police communications only. Messages that are of a sexual, racist, or offensive nature, or otherwise critical of any member of the Department are strictly forbidden. MDC use is also subject to the Department Technology Use Policy.

Messages may be reviewed by supervisors at anytime without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

All calls dispatched to patrol units should be communicated by voice and MDC unless otherwise authorized by the Patrol Supervisor.

431.2.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

431.2.2 DOCUMENTATION OF ACTIVITY

MDC's and voice transmissions are used to record the officer's daily activity. To ensure the most accurate recording of these activities all contacts or activity should be transmitted verbally over the police radio.

431.2.3 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted verbally over the police radio.

Officers responding to in-progress calls shall advise changes in status verbally over the radio to assist other officers responding to the same incident.

431.3 MDC CONSIDERATIONS

431.3.1 NON-FUNCTIONING MDC

Whenever possible, officers will not use units with malfunctioning MDC's. Whenever officers must drive a unit in which the MDC is not working, they shall notify Dispatch. It shall be responsibility of Dispatch to record all information that will then be transmitted verbally over the police radio.

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431.3.2 BOMB CALLS

When investigating reports of possible bombs, officers will turn off their MDC's. Operating the MDC may cause some devices to detonate.

Use of Audio/Video Recorders

432.1 PURPOSE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to lawful surreptitious audio/video recording, interception of communications for authorized investigative purposes or to mobile audio/video recordings (see the Investigation and Prosecution and Mobile Audio/Video policies).

432.2 POLICY

The Woodland Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

432.3 MEMBER PRIVACY EXPECTATION

All recordings made by members acting in their official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

432.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a Department issued cell phone for digital recording capabilities and that the recorder is in good working order. If the Department issued cell phone is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever possible.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

When using a portable recorder, the assigned member shall record his/her name, WPD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

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Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

432.5 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder may be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as practicable.

432.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

432.5.2 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

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432.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

432.7 RETENTION OF RECORDINGS

Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report. Transfers should occur at the end of the member's shift, or any time the storage capacity is nearing its limit.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

432.7.1 RETENTION REQUIREMENTS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

432.8 RELEASE OF RECORDINGS

Recordings made using portable recording devices pursuant to this policy are department records and may only be released as provided in the Release of Records and Information Policy or for other authorized legitimate department business purposes.

432.9 REVIEW OF RECORDINGS

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

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Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Release and Security Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Release and Security Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

Body Worn Cameras

433.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of Body Worn Cameras (BWC) by authorized employees while in the performance of their duties.

This policy does not apply to lawful surreptitious audio/video recording or interception of communications for authorized investigative purposes.

433.2 POLICY

The Woodland Police Department may provide employees with access to body worn cameras for use during the performance of their duties. The goal of this program is to provide documentary evidence for criminal investigations, internal or administrative investigations, foster transparency and accountability while protecting civil liberties, and privacy interests. Employees using body worn cameras shall use them as a tool for capturing evidence, accurately capturing contacts between the employees of the department and the public and to help ensure public safety.

Employees who have not been trained in the proper use of the body worn camera and the policy governing these devices shall not be allowed to use the device.

433.3 OFFICER PRIVACY EXPECTATION

Recordings made by employees acting in their official capacity shall remain the property of the department and employees shall have no expectation of privacy or ownership interest in the content of these recordings.

433.4 EMPLOYEE RESPONSIBILITIES

Before going into service officers assigned a body worn camera will be responsible for making sure the body worn camera is in good working order. If the body worn camera is not in working order or malfunctions at any time, the officer shall report the failure to their supervisor and obtain a functioning device as soon as practicable. No officer should use the body worn camera issued to another officer without permission from the system administrator. Officers should wear the body worn camera conspicuously on the front of the uniform, where it is conducive to recording both audio and video.

Employees shall document the existence of a recording in any report, citation or other official record of the contact, including any instance where the body worn camera malfunctioned or the officer deactivated the recording as referenced in section 433.6. Officers should include the reason for deactivation.

By the conclusion of the officer's shift, or any time the storage capacity is nearing its limit, the camera's contents should be uploaded to the video management system.

Employees are expected to use the phone application or the video management system to add data (e.g., call types, case numbers etc.) to all recordings with evidentiary value or potential future significance.

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Body Worn Cameras

433.5 ACTIVATION OF THE BODY WORN CAMERA

At no time is an officer expected to jeopardize their safety to activate a body worn camera.

Uniformed Officers

Officers shall activate the body worn camera during all enforcement and investigative stops, calls for service, while transporting arrestees or detainees, or any other time they believe a recording of an on-duty contact may be useful.

Officers should make every attempt to activate their body worn camera while en route to calls for service.

Officers shall classify recordings each time the camera is activated.

Officers shall activate their recorder when directed to do so by a supervisor.

Officers are encouraged to advise private persons that they are recording if the advisement may gain compliance, assist in the investigation, and does not interfere with the investigation or officer safety.

Non-Uniformed Officers

Non-uniformed officers who have been issued a body worn camera are not required to wear the recorder at all times; however, non-uniformed officers shall maintain and have them available while on duty. Non-uniformed officers should wear the approved body worn camera at any time the employee is engaged in enforcement or investigative activities, particularly while outside the department.

Non-uniformed officers shall utilize the body worn camera during all pre-planned enforcement activity (e.g. search warrant service, suspect apprehensions, and warrant service). This section does not apply to officers work in an under cover capacity or while conducting surveillance.

Task Force Officers

Officers assigned to a Federal Task Force are exempt from the local mandatory requirements in this policy. They will use body-worn cameras in accordance with the Federal policy as outlined in the Memorandum of Understanding agreed upon by participating agencies.

433.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Officers may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording is lawful and beneficial to the investigation or when apprehending a violator of the law. (Penal Code § 630, 633)

Officers shall not intentionally surreptitiously record another department employee without a court order.

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433.5.2 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

433.6 CESSATION OF RECORDING

Once activated, the portable recorder shall remain on continuously unless one of the below listed exceptions apply. The reason for the deactivation should be recorded verbally prior to deactivation. This does not include when the employee comes to a conclusion of an incident.

Cessation of recording may occur if:

- (a) It reasonably appears to the officer that the dignity and privacy of individuals being recorded may outweigh any legitimate law enforcement interest in recording (e.g., citizens who are concerned about retaliation or citizens that are unclothed). Requests by members of the public to stop recording should be considered using this criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.
- (b) The officer's direct participation in the incident is complete, or the situation no longer fits the criteria for activation.
- (c) The officer believes the recording at a hospital or health care facility may compromise patient confidentiality. (Penal Code § 636)
- (d) When the use of the portable recorder causes emotional distress to the victim of a crime (e.g., a sexual assault victim)
- (e) Interviewing an informant for the purpose of gathering intelligence. At the conclusion of the interview, the officer shall re-activate until no longer required by policy.
- (f) The officer is exchanging or discussing administrative, tactical or law enforcement sensitive information away from the citizen. For purposes of this section, an "administrative reason" refers to:
 - 1. Personal conversations unrelated to the incident being recorded,
 - 2. Employee to Employee training (e.g., when a Field Training Officer wishes to speak to a Probationary Officer about a training issue.)
- (g) During significant periods of inactivity such as report writing, perimeter duty where the officer is unlikely to have interaction or a chance encounter with the suspect, or other breaks from direct participation in the incident.
- (h) During breaks, meetings, trainings, inside of the locker room or any bathroom.
- (i) Upon the direction of a supervisor/manager. The identity of the supervisor granting the authorization shall also be stated prior to the video deactivation.

Employees shall not knowingly or intentionally cease recordings during critical incidents such as officer involved shootings, use of force situations, riots and pursuits.

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It is strongly recommended that officers place their camera in "sleep" mode upon entering the police department, outside of actively responding to a call or working a case, to avoid accidental activations from Taser "spark" tests or handgun "press" checks.

433.7 PROHIBITED USE OF BODY WORN CAMERAS

All employees are prohibited from using department-issued body worn cameras and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty and/or while acting in their official capacity. Employees may retain copies for official purposes, however, shall not retain copies of recordings for personal use.

Employees are prohibited from using personally owned video recording devices while on-duty.

Recordings shall not be used by any employee for the purpose of embarrassment, intimidation or ridicule of fellow employees or volunteers.

433.8 RETENTION OF RECORDINGS

Any time an employee records any portion of a contact that the employee reasonably believes constitutes evidence in a criminal case, the employee shall record the related case number and transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report.

In the event of an accidental activation of the portable audio/video recorder and the resulting recording is of no investigative or evidentiary value, the affected employee may request that the file be deleted by submitting a written request to the system administrator with sufficient information to locate the file. The system administrator will locate the video and delete the file. Employees shall be notified once the file has been deleted, all requests for deletion shall be retained by the department.

433.8.1 RETENTION REQUIREMENTS

Recordings of the following should be retained for a minimum of two years (Penal Code § 832.18):

- (a) Incidents involving use of force by an officer
- (b) Officer-involved shootings
- (c) Incidents that lead to the detention or arrest of an individual
- (d) Recordings relevant to a formal or informal complaint against an officer or the Woodland Police Department

Recordings containing evidence that may be relevant to a criminal prosecution should be retained for any additional period required by law for other evidence relevant to a criminal prosecution (Penal Code § 832.18).

All other recordings should be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

Records or logs of access and deletion of recordings should be retained permanently (Penal Code § 832.18).

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433.9 REVIEW OF RECORDINGS

All access to the video management system is logged and subject to audit at any time. Access to data from the system is permitted on a right to know, need to know basis. Employees authorized under this policy may review video according to the provisions of this policy.

If ordered, officers who are involved in a critical incident shall provide a public safety statement prior to reviewing video.

Employees shall have access to review all audio/video data for any incident or case they were a party to. Prior to providing a verbal or written administrative statement, employees shall have the right to view all audio and/or video recordings in the Department's possession. When preparing reports, employees may review all recordings as a resource, however, employees should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct. Recordings shall not be intentionally reviewed solely for the purpose of seeking discipline.

Recorded files may also be reviewed:

- (a) By any employee of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation, upon approval of a supervisor.
- (b) Pursuant to lawful process, by those who are authorized to review evidence in a related case.
- (c) Recordings may be shown for the purposes of training. If the involved employee objects to the showing of a recording, their objection shall be submitted to the Chief of Police to determine if the training value outweighs the employee's objection for not showing the recording. In no event shall any recording be used for the purpose of ridicule or embarrassing an employee.
- (d) By Field Training personnel for the purpose of reviewing a probationary officer's performance.
- (e) By media personnel with permission of the Chief of Police or designee. Recordings that are released to the media will then become available for public release. Portable recording device video released to the public shall be accompanied by a fact sheet whose purpose is to educate the viewer on the limitations of portable recording device video. Items contained within the fact sheet shall be mutually agreed upon by the Woodland Police Officers Association, the Woodland Police Association, and the Department.

433.9.1 VIDEO RECALL

Axon provides the ability to recover video from the body worn cameras up to 18 hours prior to the incident even if the camera was not activated. Retrieving this video requires the authorization of the Chief of Police and direct contact with Axon to recover any video. This procedure would only be used in critical incidents where the recovered video would explicitly aid in resolving the investigation.

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433.10 USE OF LIVE STREAM FUNCTION

The Axon Body Camera has the capability of live streaming videos that are in progress or a camera can be activated for live streaming remotely. This capability will be restricted to Command Staff and currently assigned Detectives. This capability will be used in two instances:

- 1) Detectives are permitted to use the function during normal investigative interviews. The common practice is to have one detective interviewing and one detective viewing remotely to assist the primary interviewer in conducting a more successful interview.
- 2) Critical incidents or incidents of such a serious nature that live viewing would be beneficial to the command structure. Examples would be hostage situations, pursuits of violent felons, or tactical operations. Regardless, these live streaming events will require the approval of the Chief of Police or his designee.

433.11 MEDIA/PUBLIC RECORDS ACT REQUESTS

Body worn camera video recordings are the property of the Woodland Police Department. To protect the privacy of citizens and with regard to the confidential and sensitive nature of police work, the Woodland Police Department considers all department audio and video images as evidence and therefore exempt from public records act requests. The Chief of Police shall have the final approval regarding the release of any recordings. The Department shall release recordings as required for criminal or civil court proceedings or in compliance with a court order.

All recordings shall be reviewed by the Records Supervisor or designee prior to public release (see the Records Release and Security Policy). In the event of a critical incident recordings may be released after consultation with the District Attorney's Office, any criminal investigating agency, City Attorney and the involved officer and their attorney. Before releasing any recordings, the Records Supervisor shall ensure that all personnel recorded are notified in advance of the release. The Records Supervisor or designee, shall ensure that all name badges and other identifiers are removed from recordings before release. Before release of any recordings, the involved officer's Association representative shall review the recording to ensure that personal identifiers have been removed. Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

433.12 SWAT OPERATIONS - BODY WORN CAMERAS **EMPLOYEE RESPONSIBILITIES**

Before deploying on a SWAT operation, officers assigned a BWC will be responsible for making sure the BWC is in good working order. If the BWC is not in working order or malfunctions at any time, the officer shall report the failure to the SWAT Team Leader and obtain a functioning device as soon as practicable. No officer should use the body worn camera issued to another officer without permission from the system administrator.

SWAT Operators should wear the BWC conspicuously on the front of the ballistic vest, where it is conducive to recording both audio and video. The position of the BWC should not interfere with any mission essential or lifesaving gear. By the conclusion of the operation, or any time the storage

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capacity is nearing its limit, the body worn camera should be docked and its contents downloaded to the video management system. Officers are expected to use the video management system to add metadata (e.g., SWAT, case numbers etc.) to all recordings with evidentiary value or potential future significance.

ACTIVATION OF THE BODY WORN CAMERA

At no time is an officer expected to jeopardize their safety to activate a body worn camera. SWAT Operators shall activate the body worn camera when reaching phase line yellow on pre-planned operations or when actively deploying on reactive operations (I.e. Hostage Rescue, Barricaded Subject, Active Shooter).

Officers shall classify recordings each time the camera is activated. Officers shall activate their recorder when directed to do so by a supervisor. Officers are encouraged to advise private persons that they are recording if the advisement may gain compliance, assist in the investigation, and does not interfere with the investigation or officer safety.

CESSATION OF RECORDING

Once activated, the portable recorder shall remain on continuously unless one of the below listed exceptions apply. The reason for the deactivation should be recorded verbally prior to deactivation. This does not include when the employee comes to a conclusion of an incident. Cessation of recording may occur if:

(a) It reasonably appears to the officer that the dignity and privacy of individuals being recorded may outweigh any legitimate law enforcement interest in recording (e.g., citizens who are concerned about retaliation or citizens that are unclothed). Requests by members of the public to stop recording should be considered using this criteria. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

(b) The Officer's direct participation in the incident is complete, or the situation no longer fits the criteria for activation. For the purposes of this section, conclusion of an incident has occurred when:

1. All arrests have been made and arrestees have been handed over to uniformed Officers or detectives.
2. All witnesses and victims have been interviewed.
3. All SWAT functions have ceased and the scene has been turned over to detectives or patrol personnel.

(c) Interviewing an informant for the purpose of gathering intelligence. At the conclusion of the interview, the officer shall re-activate until no longer required by policy.

(d) The Officer is exchanging, or discussing administrative, tactical, or law enforcement sensitive information away from a citizen. (I.e. personal conversation, or with undercover investigators whose identity may be compromised and pose a safety risk).

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(e) During periods of inactivity such as serving on perimeter duty where the Officers is unlikely to have interaction or a chance encounter with a suspect, or other breaks from direct participation in the incident.

Employees shall not knowingly or intentionally cease recordings during critical incidents such as Officer involved shootings, use of force situations, or the carrying out SWAT operations.

Medical Marijuana

434.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under California's medical marijuana laws.

434.1.1 DEFINITIONS

Definitions related to this policy include:

Cardholder - A person issued a current identification card.

Compassionate Use Act (CUA) (Health and Safety Code § 11362.5) - California law intended to provide protection from prosecution to those who are seriously ill and whose health would benefit from the use of marijuana in the treatment of illness for which marijuana provides relief. The CUA does not grant immunity from arrest but rather provides an affirmative defense from prosecution for possession of medical marijuana.

Identification card - A valid document issued by the California Department of Public Health to both persons authorized to engage in the medical use of marijuana and also to designated primary caregivers.

Medical marijuana - Marijuana possessed by a patient or primary caregiver for legitimate medical purposes.

Medical Marijuana Program (MMP) (Health and Safety Code § 11362.7 et seq.) - California laws passed following the CUA to facilitate the prompt identification of patients and their designated primary caregivers in order to avoid unnecessary arrests and provide needed guidance to law enforcement officers. MMP prohibits arrest for possession of medical marijuana in certain circumstances and provides a defense in others.

Patient - A person who is entitled to the protections of the CUA because he/she has received a written or oral recommendation or approval from a physician to use marijuana for medical purposes or any person issued a valid identification card.

Primary caregiver - A person designated by the patient, who has consistently assumed responsibility for the patient's housing, health or safety, who may assist the patient with the medical use of marijuana under the CUA or the MMP (Health and Safety Code § 11362.5; Health and Safety Code § 11362.7).

Statutory amount - No more than 8 ounces of dried, mature, processed female marijuana flowers ("bud") or the plant conversion (e.g., kief, hash, hash oil), and no more than six mature or 12 immature marijuana plants (roots, stems and stem fibers should not be considered) (Health and Safety Code § 11362.77).

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Medical Marijuana

434.2 POLICY

It is the policy of the Woodland Police Department to prioritize resources to forgo making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

California's medical marijuana laws are intended to provide protection to those who are seriously ill and whose health would benefit from the use of medical marijuana.

However, California medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Woodland Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

434.3 INVESTIGATION

Investigations involving the possession, delivery, production or use of marijuana generally fall into one of several categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a cardholder.
- (c) Investigations when a medicinal claim is made by a non-cardholder.

434.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1; Health and Safety Code § 11362.2). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

434.3.2 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A CARDHOLDER

A cardholder or designated primary caregiver in possession of an identification card shall not be arrested for possession, transportation, delivery or cultivation of medical marijuana at or below the statutory amount unless there is probable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

- (a) The information contained in the card is false or falsified.
- (b) The card has been obtained or used by means of fraud.
- (c) The person is otherwise in violation of the provisions of the MMP.
- (d) The person possesses marijuana but not for personal medical purposes.

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Officers who reasonably believe that a person who does not have an identification card in his/her possession has been issued an identification card may treat the investigation as if the person had the card in his/her possession.

Cardholders may possess, transport, deliver or cultivate medical marijuana in amounts above the statutory amount if their doctor has concluded that the statutory amount does not meet the patient's medical needs (Health and Safety Code § 11362.71; Health and Safety Code § 11362.77). Investigations involving cardholders with more than the statutory amount of marijuana should be addressed as provided in this policy for a case involving a medicinal claim made by a non-cardholder.

434.3.3 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A NON-CARDHOLDER

No patient or primary caregiver should be arrested for possession or cultivation of an amount of medical marijuana if the officer reasonably believes that marijuana is in a form and amount reasonably related to the qualified patient's current medical needs (Health and Safety Code § 11362.5). This arrest guidance also applies to sales, transportation or delivery of medical marijuana, or maintaining/renting a drug house or building that may be a nuisance if otherwise in compliance with MMP (Health and Safety Code § 11362.765).

Officers are not obligated to accept a person's claim of having a physician's recommendation when the claim cannot be readily verified with the physician but are expected to use their judgment to assess the validity of the person's medical-use claim.

Officers should review any available written documentation for validity and whether it contains the recommending physician's name, telephone number, address and medical license number for verification.

Officers should generally accept verified recommendations by a physician that statutory amounts do not meet the patient's needs (Health and Safety Code § 11362.77).

434.3.4 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:

- (a) Because enforcement of medical marijuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
 - 1. The suspect has been identified and can be easily located at a later time.
 - 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
 - 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.

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4. Other relevant factors, such as available department resources and time constraints prohibit making an immediate arrest.
- (b) Whenever the initial investigation reveals an amount of marijuana greater than the statutory amount, officers should consider the following when determining whether the form and amount is reasonably related to the patient's needs:
 1. The amount of marijuana recommended by a medical professional to be ingested.
 2. The quality of the marijuana.
 3. The method of ingestion (e.g., smoking, eating, nebulizer).
 4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
 5. Whether the marijuana is being cultivated indoors or outdoors.
- (c) Before proceeding with enforcement related to collective gardens or dispensaries, officers should consider conferring with a supervisor, an applicable state regulatory agency or other member with special knowledge in this area, and/or appropriate legal counsel (Business and Professions Code § 26010; Business and Professions Code § 26060). Licensing, zoning, and other related issues can be complex. Patients, primary caregivers, and cardholders who collectively or cooperatively cultivate marijuana for medical purposes may be licensed or may have a defense in certain circumstances (Business and Professions Code § 26032; Business and Professions Code § 26033).
- (d) Investigating members should not order a patient to destroy marijuana plants under threat of arrest.

434.3.5 EXCEPTIONS

This policy does not apply to, and officers should consider taking enforcement action for the following:

- (a) Persons who engage in illegal conduct that endangers others, such as driving under the influence of marijuana in violation of the Vehicle Code (Health and Safety Code § 11362.5).
- (b) Marijuana possession in jails or other correctional facilities that prohibit such possession (Health and Safety Code § 11362.785).
- (c) Smoking marijuana (Health and Safety Code § 11362.79):
 1. In any place where smoking is prohibited by law.
 2. In or within 1,000 feet of the grounds of a school, recreation center or youth center, unless the medical use occurs within a residence.
 3. On a school bus.
 4. While in a motor vehicle that is being operated.
 5. While operating a boat.

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- (d) Use of marijuana by a person on probation or parole, or on bail and use is prohibited by the terms of release (Health and Safety Code § 11362.795).

434.4 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

434.5 PROPERTY AND EVIDENCE SECTION RESPONSIBILITIES

The Property and Evidence CSO shall report to the Support Services Manager. The Support Services Manager should ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed pending any charges and without a court order. The Support Services Manager is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Support Services Manager should, as soon as practicable, return to the person from whom it was seized any useable medical marijuana, plants, drug paraphernalia or other related property.

The Support Services Manager may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Investigations Bureau Commander.

Bicycle Patrol Unit

435.1 PURPOSE AND SCOPE

The Woodland Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

435.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Patrol Supervisor.

435.3 TRAINING

Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies.
- Bicycle safety and accident prevention.
- Operational tactics using bicycles.

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

Bicycle patrol officers will be required to pass an annual bicycle skills test.

435.3.1 TRAINING REMEDIATION

Participants in the program who do not qualify with their firearm while wearing all of the required equipment, or who fail the annual bicycle skills test will be removed from active status until standards are met.

Participants will have 60 days from the date of the bicycle skills testing or range qualification to prepare, practice, and train for the remedial test. If the participant is on modified duty, the participant has 60 days from returning to full duty to prepare, practice, and train for the remedial test.

Participants who fail the remedial test shall be placed on inactive status until they complete further training at the convenience of the department and pass the firearms course, physical fitness test, and bicycle skills test.

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Bicycle Patrol Unit

435.4 UNIFORMS AND EQUIPMENT

Bicycles officers shall wear the departmentally approved uniform and safety equipment while operating the police bicycle. Safety equipment includes departmentally approved helmet, riding gloves, protective eyewear and approved footwear.

Refer to the procedure manual for specific uniform details.

Bicycle officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining necessary forms, citation books and other needed equipment to keep available while on bike patrol.

435.5 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, and appropriate safety equipment.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a "POLICE" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors and front lights. Officers wishing to enforce Vehicle Code 2800.1(b) shall also affix a horn satisfying the requirements of that section.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, and equipment information. These items should remain with/on the bicycle at all times.

Each bicycle may be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle. (Vehicle Code § 21201.3)

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance annually to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

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Bicycle Patrol Unit

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

435.6 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):

- (a) In response to an emergency call.
- (b) While engaged in rescue operations.
- (c) In the immediate pursuit of an actual or suspected violator of the law.

Policy Title

Disposal of Property at Unpermitted Campsites

436.1 PURPOSE

This procedure is intended to outline the steps for evaluating and disposing of property left at unpermitted campsites in Woodland.

436.2 CONSIDERATIONS

There are a number of considerations in evaluating how personal property found at unpermitted campsites should be treated. The applicable case law distinguishes between abandoned and non-abandoned property. This is relevant because once someone abandons property in a public space they lose Fourth Amendment protections for the property. However, in practice, the problem with homeless persons' property at unpermitted campsites is that it is extremely difficult to determine if they've abandoned their property, or are just temporarily away, and it is even harder to prove in court. For this reason, the best course of action is to provide notice in all cases.

436.3 PROCEDURE

436.3.1 PRE-DEPRIVATION NOTICE

The Woodland Police Department will treat all homeless encampments as if they are not abandoned and provide notices accordingly. Prior to cleaning up the camp, officers should post the Pre-Deprivation Notice in a prominent location of the encampment and take a dated photo of the posted form. See attachment: WDLD Camping notice.rtf

436.3.2 WAITING PERIOD

After 24 hours a City of Woodland employee can check the site of the abandoned property. Property that has not been removed after 24 hours will be determined to be abandoned and may be collected.

Only property identified as a risk to public health and safety can be disposed of if an employee does not post the Pre-Deprivation Notice and follows the 24 hour waiting period. All other property must be held for safekeeping.

436.3.3 PERSONAL PROPERTY

Items such as tents, sleeping bags, legal papers, photographs, appliances and clothing must be stored for 90-days during which time the rightful owner may reclaim the property. Employees will photograph and document any personal property that is collected for storage. If the property can be contained in one or two trash bags employees are authorized to collect the property. Larger amounts of property may require cooperation with the Public Works to arrange for pick up.

City of Woodland employees shall check the property to ensure there is no identifying information for the owner or identifiable property (serial numbers, etc.) in the abandoned property. Found property, with a value under \$50 and where the owner cannot be identified, may be destroyed by the officer per Policy 804.3.

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Disposal of Property at Unpermitted Campsites

436.3.4 ITEMS POSING A RISK TO PUBLIC HEALTH AND SAFETY

Employees may immediately dispose of items that pose a risk to public health or safety. Property that is abandoned or poses a risk to the health and safety of the community, such as used syringes, empty bottles, used napkins, empty packages, plastic bags, garbage, and litter shall not be stored. Employees will photograph and document any items disposed of due to their risk to public health and safety. Collected abandoned property that is a risk to public health and safety may be discarded in any trash receptacle belonging to the City of Woodland.

436.3.5 POST-SEIZURE NOTICE

Employees shall leave a Post-Seizure Notice in a prominent place for any property and take a photo of the notice. See attachment: Abandoned Property Post Seizure Notice.rtf

Vin Verification

437.1 PURPOSE AND SCOPE

To verify Motor Vehicle Numbers when contacted in person by the registered owners. This policy outlines the procedures employees should follow when contacted to verify motor vehicle frame and engine numbers.

437.1.1 PROCEDURE

Dispatch shall assign patrol CSOs to verify Motor Vehicle Numbers when available. If no CSOs are available, then patrol officers will respond on a Code-1 basis.

Officers on patrol, not on an assignment, should comply with citizen requests for verification of vehicle serial numbers without leaving their beat. Officers shall also notify Communications of the verification.

437.1.2 OFF HIGHWAY MOTOR VEHICLE VIN VERIFICATION DEFINITION - OFF HIGHWAY MOTOR VEHICLES

Motor vehicles used exclusively off the highway in California, and not otherwise licensed, i.e., trail bikes, mini bikes, dune buggies and all terrain vehicles used for recreation.

Off highway vehicle owners must present their vehicle to a Department of Motor Vehicles (DMV) employee, or to any California peace officer, for verification of engine or frame serial number.

Citizens contacting the Police Department for verification shall be directed to contact any DMV office except:

- (a) DMV Headquarters Office
- (b) State Capitol Office.

Owners shall not be directed to the California Highway Patrol (CHP). The CHP will not verify numbers unless the vehicle is being registered for use on the streets or highways.

Crisis Intervention Incidents

438.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

438.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage their behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

438.2 POLICY

The Woodland Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

438.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

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438.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Deputy Chief should collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

438.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
 - 1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of their action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

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438.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

438.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take their medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

438.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.

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- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

438.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

438.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Mental Illness Commitments Policy.

438.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS

Non-sworn employees may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Employees should treat all individuals equally and with dignity and respect.
- (b) If an employee believes that they are interacting with a person in crisis, they should proceed patiently and in a calm manner.
- (c) Employees should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the employee feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the employee to believe that the person may be harmful to themselves or others, an officer should be promptly summoned to provide assistance.

438.11 EVALUATION

The Bureau Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted periodically through the Law Enforcement/EMS Multi-Disciplinary Forensic Team Meetings. The overall purpose of the meeting is to gather emergency personnel

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and service teams who may encounter someone experiencing a mental health crisis, to develop a coordinated response.

Public Recording of Law Enforcement Activity

439.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

439.2 POLICY

The public has the right to lawfully record employees of this department who are performing their official duties. Employees will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

439.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, themselves or others.

439.4 OFFICER RESPONSE

Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that they may continue observing and recording from the sidewalk across the street.

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If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

439.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. The encounter shall be recorded by use of the body worn camera.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of employees, such as how and where to file a complaint.

439.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless:

- (a) The audio/video recording contains evidence of a crime that is serious in nature or crimes of violence.
- (b) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (c) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (d) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Suspicious Activity Reporting

440.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

440.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

440.2 POLICY

The Woodland Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

440.3 RESPONSIBILITIES

The Investigation Bureau Commander and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Investigation Bureau Commander include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

440.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

440.5 HANDLING INFORMATION

The Records Division will forward copies of SARs, in a timely manner, to the following:

- Detective Bureau supervisor
- Crime Analysis Unit
- Other authorized designees

Automated License Plate Readers (ALPRs)

441.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

441.2 POLICY

The policy of the Woodland Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

441.3 ADMINISTRATION

The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Woodland Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Bureau Commander. The Bureau Commander will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data.

441.3.1 ALPR ADMINISTRATOR

The Bureau Commander shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.
- (b) Training requirements for authorized users.
- (c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.
- (d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.
- (e) The title of the current designee in overseeing the ALPR operation.
- (f) Working with the Custodian of Records on the retention and destruction of ALPR data.
- (g) Ensuring this policy and related procedures are conspicuously posted on the department's website.

See attachment: LPR Guidelines.pdf

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441.4 OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

- (a) An ALPR shall only be used for official law enforcement business.
- (b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
- (f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

441.5 DATA COLLECTION AND RETENTION

The Bureau Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

441.6 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Woodland Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

- (a) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

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- (b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

441.6.1 PERMITTED/IMPERMISSIBLE USES

The ALPR system, and all data collected, is the property of the Woodland Police Department. Department personnel may only access and use the ALPR system for official and legitimate law enforcement purposes consistent with this Policy. The following uses of the ALPR system are specifically prohibited: Woodland Police Department Policy Manual Automated License Plate Readers (ALPRs)

- (a) **Invasion of Privacy:** Except when done pursuant to a court order such as a search warrant, it is a violation of this Policy to utilize the ALPR to record license plates except those of vehicles that are exposed to public view (e.g., vehicles on a public road or street, or that are on private property but whose license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shop or other business establishment).
- (b) **Harassment or Intimidation:** It is a violation of this Policy to use the ALPR system to harass and/or intimidate any individual or group.
- (c) **Personal Use:** It is a violation of this Policy to use the ALPR system or associated scan files or hot lists for any personal purpose.

Anyone who engages in an impermissible use of the ALPR system or associated scan files or hot lists may be subject to:

- criminal prosecution,
- civil liability, and/or
- administrative sanctions, up to and including termination, pursuant to and consistent with the relevant collective bargaining agreements and Department policies.

441.7 RELEASING ALPR DATA

The ALPR data may be shared only with other California law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

441.8 TRAINING

The Training Manager should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

First Amendment Assemblies

442.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

442.2 POLICY

The Woodland Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

442.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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442.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious, or social views of associations, or the activities of any individual, group, association, organization, corporation, business, or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

442.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

442.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

442.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

442.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.

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- (t) Parameters for the use of body-worn cameras and other portable recording devices.

442.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

442.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

442.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and conducted energy devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

442.8 ARRESTS

The Woodland Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

442.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences, and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

442.9.1 MEDIA ACCESS

If officers close the immediate area surrounding any emergency field command post or any other command post, or establish a police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in a protected activity pursuant to the First Amendment, officers shall comply with the requirements of Penal Code § 409.7 relating to media access (i.e., access to closed areas, obtaining information) (Penal Code § 409.7).

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442.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

442.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Dispatch records/tapes
- (g) Media accounts (print and broadcast media)

442.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

442.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Officers should also receive periodic training on the standards for the use of kinetic energy projectiles and chemical agents for crowd control purposes as identified in Penal Code § 13652.

442.13 USE OF KINETIC ENERGY PROJECTILES AND CHEMICAL AGENTS FOR CROWD CONTROL

Kinetic energy projectiles and chemical agents for crowd control purposes shall only be deployed by officers who have received POST training for crowd control if the use is objectively reasonable

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to defend against a threat to life or serious bodily injury to any individual, including an officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control and in accordance with the following requirements of Penal Code § 13652.

- (a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
- (b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
- (c) Individuals are given an objectively reasonable opportunity to disperse and leave the scene.
- (d) An objectively reasonable effort has been made to identify individuals engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of individuals.
- (e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
- (f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
- (g) An objectively reasonable effort has been made to extract individuals in distress.
- (h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
- (i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
- (j) Kinetic energy projectiles or chemical agents shall not be used solely due to any of the following:
 - 1. A violation of an imposed curfew.
 - 2. A verbal threat.
 - 3. Noncompliance with a law enforcement directive.
- (k) If the chemical agent to be deployed is tear gas, only an Incident Commander at the scene of the assembly, protest, or demonstration may authorize its use.

442.13.1 USE SUMMARY

The Patrol Bureau Commander or the authorized designee should ensure that a summary of each deployment of kinetic energy projectiles or chemical agents for crowd control purposes is prepared and published on the department website within 60 days of each incident. The time frame may be extended for another 30 days where just cause is demonstrated, but no longer than 90 days from the time of the incident. The summary shall be limited to the information known to the Department at the time of the report and include the information required in Penal Code § 13652.1.

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442.14 ANTI-REPRODUCTIVE RIGHTS CALLS

Officer response to public assemblies or demonstrations relating to anti-reproductive rights should be consistent with this policy (Penal Code § 13778.1).

Homeless Persons

443.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Woodland Police Department recognizes that members of the homeless community are often in need of special protection and services. The Woodland Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

443.1.1 POLICY

It is the policy of the Woodland Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

443.2 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate the members of the HOST Team as the liaisons to the department.. The responsibilities of the HOST Team include the following:

- (a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
- (b) Meet with social services and representatives of other organizations that render assistance to the homeless.
- (c) Maintain a list of the areas within and near this jurisdiction that are used as frequent homeless encampments.
- (d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include:
 - 1. Proper posting of notices of trespass and clean-up operations.
 - 2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.
- (e) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure that the rights of the homeless are not violated.
- (f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

443.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal

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activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

443.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.
- (d) Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Senior and Disability Victimization Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that he/she does not desire prosecution.

443.3 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property.

Officers should not conduct or assist in large encampment clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department HOST Team. When practicable, requests by the public for clean-

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up of a homeless encampment should be referred to the HOST Team. Officers locating personal property shall handle the found property as directed in the Property and Evidence policy.

443.4 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see the Crisis Intervention Incidents Policy).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

443.5 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

Small Unmanned Aircraft Systems (sUAS)

444.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of small Unmanned Aircraft Systems (sUAS) and for the storage, retrieval and dissemination of images and data captured by the sUAS.

444.2 POLICY

Small unmanned aircraft 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 sUAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

444.3 PROGRAM

The Woodland Police Department will manage the sUAS program. The team will have trained members able to respond for utilization of sUAS per the guidelines outlined in this policy.

444.4 DEFINITIONS

- (a) Small Unmanned Aircraft System (sUAS): Consists of the small unmanned aircraft weighing under 55 lbs., the command system, a secure control link, and other related safety support equipment.
- (b) Unmanned Aircraft (UA): An aircraft that is intended to navigate in the air without an on-board pilot.
- (c) UA Flight Crewmember: A pilot, visual observer, or other persons assigned duties for a sUAS for the purpose of flight.
- (d) Remote Pilot in Command (rPIC or PIC): A person exercising control over unmanned aircraft during flight. The pilot will be ultimately responsible for the operation and solely responsible for the input of commands/piloting during flight. The pilot will be trained in and demonstrate proficiency in the operation of the sUAS. The pilot must meet standards set forth in the COA or possess a valid Remote Pilot Certificate (with Small Unmanned Aircraft System rating) as defined by Part 107 under FAA regulations. Pilots are authorized to evaluate and then accept or decline any mission, or portion thereof, due to privacy, weather, safety, or legal concerns.
- (e) Certificate of Authorization (COA): A certificate given by the FAA which grants special permissions to fly within specific boundaries and perimeters. The WPD will maintain current Certificate(s) of Authorization in accordance with FAA regulations.
- (f) Visual Observer (VO): The visual observer, if required for a mission, is responsible for the visual observation of the UA while in flight. The visual observer will maintain a visual observation of the UA while in flight and alert the pilot of any conditions (obstructions, terrain, structures, air traffic, weather, etc.) which affect the safety of flight. The visual observer will be responsible for all aviation related communications required by the FAA. To accomplish this, at least one visual observer will be in close proximity to the Remote Pilot in Command for instant relaying of information. The visual observer

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should be a sUAS pilot or have been provided instruction in the function of a visual observer.

444.5 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator (sUAS Coordinator) who will be responsible for the management of the sUAS program. The sUAS Coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- (a) Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- (b) Ensuring that all authorized operators and any required observers have completed all required FAA and/or department-approved training in the operation, applicable laws, policies and procedures regarding use of the sUAS.
- (c) Developing uniform protocol for submission and evaluation of requests to deploy a sUAS, including urgent requests made during ongoing or emerging incidents. Deployment of a sUAS shall require authorization from the Chief of Police or the authorized designee, depending on the type of mission.
- (d) Developing an operational protocol governing the deployment and operation of a sUAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- (e) Developing a protocol for documenting all missions.
- (f) Developing a sUAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a sUAS, up to and including its overhaul or life limits.
- (g) 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. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- (h) Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- (i) Facilitating law enforcement access to images and data captured by the sUAS.
- (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.

444.6 PROCEDURES

- (a) A sUAS operation requires a Certificate of Authorization (COA) from the FAA or that the Remote Pilot in Command possess a valid Remote Pilot Certificate (with a Small Unmanned Aircraft System rating) as defined by Part 107 under FAA regulations.

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- (b) A sUAS will only be operated by personnel who have been trained and demonstrate proficiency in the operation of the system. All agency personnel with sUAS responsibilities, including command officers, will be provided training in the policies and procedures governing sUAS use.
- (c) The WPD sUAS and all related equipment will be available and issued by the sUAS Coordinator.
- (d) Only agency owned or leased sUAS will be used by the agency.
- (e) All flights will be documented in electronic flight records and shall include reason for the flight, type of mission as specified above and name of the command officer or supervisor approving the operation.
- (f) Prior to each sUAS flight, the Remote Pilot in Command shall determine if the flight will be in controlled or restricted airspace. If so, the Remote Pilot in Command shall ensure appropriate approval is obtained prior to the flight.
- (g) The administration, safety policy, training requirements, general operating procedures, maintenance logs and pre/post flight actions are contained electronically within the WPD sUAS Operations files and maintained by the sUAS Coordinator.

444.7 USE OF SUAS

Only authorized operators who have completed the required training shall be permitted to operate the sUAS.

- (a) All non-training missions will be approved in advance by a command officer. In the absence of command personnel, the shift supervisor will have the authority to approve missions for referral to an authorized Remote Pilot in Command.
- (b) All flights will be documented on the electronic mission form designed for this purpose and all flight time shall be accounted for on the form. The reason for the flight and type of mission as specified as well as the name of the command officer or supervisor approving the mission will also be documented.
- (c) The command officer or supervisor approving any flight missions, the sUAS operator(s), and any visual observers will consider the protection of individual civil rights and the reasonable expectation of privacy as a key component of any decision made to deploy the sUAS. Each sUAS operator and visual observer will ensure that the operation of the sUAS is consistent with local, state, and federal laws.
- (d) The use of the sUAS will be limited to the authorized missions described herein. The authorized missions for the WPD sUAS are:
 - 1. Post-incident crime scene preservation and documentation
 - 2. Post-incident traffic collision scene preservation and documentation
 - 3. Explosive Ordinance Disposal (EOD) missions
 - 4. Response to hazardous materials spills
 - 5. Search and Rescue (SAR) missions defined in California Government Code Section 26614

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6. Public safety and life preservation missions to include barricaded suspects, hostage situations, active shooters, apprehension of armed and dangerous and/or violent fleeing suspects, and high-risk search warrants
7. Disaster response and recovery to include natural or human caused disasters including a full overview of a disaster area for post-incident analysis and documentation
8. Training missions
9. In response to specific requests from local, state, or federal fire authorities for fire response and prevention
10. When there is probable cause to believe that (1) the sUAS will record images of a place, thing, condition, or event; and (2) that those images would be relevant to proving that a certain crime has occurred or is occurring, or that a particular person committed or is committing a certain crime and the use of the sUAS does not infringe upon the reasonable expectation of privacy
11. Pursuant to a search warrant
12. Special Events which require the protection of the public and/or dignitaries

444.8 PROHIBITED USE

The sUAS video surveillance equipment shall not be used:

- (a) To conduct random surveillance activities
- (b) To target a person based solely on actual or perceived characteristics, such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability
- (c) To harass, intimidate, or discriminate against any individual or group.
- (d) To conduct personal business of any type.
- (e) Any other use not specifically identified as an authorized mission.

The sUAS shall not be weaponized.

Violations of this policy will be handled pursuant to Standards of Conduct Policy.

444.9 DEPLOYMENT OF SUAS

The Watch Commander or Shift Supervisor shall make a request for the sUAS. The response team will handle all sUAS operations. The Police Department case officer shall meet with the sUAS operator to collect the data recorded by the sUAS.

Following a sUAS operation;

- (a) The operator will copy the recorded images and data to a storage medium;
- (b) The storage medium will be reviewed to ensure it was copied completely;
- (c) The case officer will collect the storage medium containing video taken during the flight;

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- (d) The video and/or photos shall be reviewed and evaluated for evidentiary value.
 - 1. Video determined to be of evidentiary value shall be placed into evidence.
 - 2. Video determined not to be of evidentiary value shall be submitted for destruction after being reviewed by the on-duty supervisor and in compliance with the City's records retention schedule.

444.10 DATA RETENTION AND PROCESSING

Upon completion of each sUAS mission the recorded data shall be reviewed and evaluated for evidentiary value. Data of identifiable individuals captured during a sUAS mission shall not be retained unless there is reasonable suspicion that evidence of criminal activity is present. All retained data shall be maintained or destroyed pursuant to department records retention and evidence policies and in compliance with applicable laws and regulations. Pursuant to Government Code section 6254 California Public Records Act-) all sUAS data is considered a "law enforcement investigatory file" and is exempt from disclosure under the CPRA.

444.11 PRIVACY

The use of the sUAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record, capture or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure), except as is necessary for safe flight operations. Operators and visual observers shall take reasonable precautions to avoid inadvertently recording, capturing or transmitting images of areas where there is a reasonable expectation of privacy, except as is necessary for safe flight operations. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during sUAS operations.

Racial and Identity Profiling Act (RIPA) Compliance

445.1 PURPOSE

The purpose of this order is to establish procedures for the collection of data pursuant to California Government Code section 12525.5, known as the Racial and Identity Profiling Act (RIPA)

445.1.1 POLICY

It shall be the policy of the Woodland Police Department to collect and report data to the California Department of Justice in accordance with RIPA, which requires officers to complete an entry for each individual detained or searched during a call for service or self-initiated activity.

445.2 PROCEDURE

(a) GENERAL

1. Department personnel shall comply with RIPA reporting requirements.
2. Department personnel shall not use or release any data unless authorization has been given by the Chief of Police or designee.

(b) RESPONSIBILITIES

1. Officers shall:
 - (a) complete a RIPA entry for every individual detained and/or searched. Only one RIPA entry is required for each detainee
 - (b) complete the RIPA entries by end of watch
 - (c) Tag RIPA on the body worn camera for every individual detained and/or searched when a RIPA entry will be made
 - (d) email the RIPA coordinator if there is a problem with a RIPA entry
2. The RIPA Coordinator shall:
 - (a) approve RIPA entries
 - (b) conduct compliance checks by selecting 10 random stops through CAD and compare the associated RIPA entries
 - (c) generate and send a bi-weekly RIPA compliance report to supervisors identifying officers who are missing a RIPA entry
 - (d) provide the RIPA compliance report to the Deputy Chief as necessary or as requested
3. Supervisors shall:
 - (a) review the bi-weekly compliance report for their teams and address any missing RIPA entries that are incomplete or missing

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- (b) ensure officers complete all missing RIPA entries during their next shift when a missing entry is identified

445.3 REPORTING OF STOPS

Unless an exception applies under 11 CCR 999.227, an officer conducting a stop of a person shall collect the data elements required by 11 CCR 999.226 for every person stopped and prepare a RIPA entry. When multiple officers conduct a stop, the officer with the highest level of engagement shall collect the data elements and prepare the RIPA entry (11 CCR 999.227). See Stop Data Regulations (11 CCR 999.224-229)

See attachment: stop-data-reg-final-text-110717.pdf

445.4 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The RIPA coordinator shall ensure that all RIPA entries are provided to the Records Supervisor for required annual reporting to the California Department of Justice (DOJ) (Government Code § 12525.5).

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Woodland Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic collision occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high collision hours and at locations of occurrence. All officers will take random enforcement action when appropriate against violators as a matter of routine.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criteria for evaluating officer overall performance (Vehicle Code § 41603).

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions are up to the discretion of the officer.

500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist

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500.3.3 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

- (a) Vehicular manslaughter
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs
- (c) Felony or misdemeanor hit-and-run
- (d) Refusal to sign notice to appear
- (e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license should be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of employees who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

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Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained by each employee issued a vest. Before going into service each employee shall ensure a serviceable high-visibility vest is available for their use.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Chief's Administrative Secretary should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 MOTOR OFFICER EQUIPMENT

Motorcycles shall be assigned to officers. Officers are accountable for preventative maintenance, cleanliness, and security.

- (a) Maintenance other than ordinary cleaning, shall be performed by a licensed motorcycle technician. No equipment shall be installed or modified on the department motorcycle without the written permission of the bureau lieutenant.
- (b) During off-duty time, the police motorcycle shall be stored in a proper shelter with the ignition locked. While on duty and while the motorcycle is out of the officer's view, the ignition shall be locked and the key removed.

Officers shall obtain supervisor approval to operate a police motorcycle not assigned to them.

No officer shall be given a solo motorcycle assignment without first qualifying in a P.O.S.T. Motorcycle Training Program. Prior to attending such a course all reasonable measures will be made to allow an officer to practice riding.

Each assigned motorcycle officer shall maintain a skill level in the proficient and safe handling of a police motorcycle.

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Woodland Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY

The Traffic Sergeant will be responsible for distribution of the Collision Investigation Manual. The Traffic Sergeant will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING

All collision reports will be documented via the Crossroads collision report writing system. Collision reports will be documented as "REPORTS" or "FULL INVESTIGATIONS". See Reporting situations to determine the correct report to be completed.

Shift supervisors shall approve all traffic collision reports taken by their staff.

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Collisions involving City of Woodland vehicles will be investigated as follows:

- (a) Collisions that result in no injuries, and minor property damage (both vehicles drivable) may be assigned to a Community Service Officer, traffic officer or a police officer. In these types of situations a report will be used to document the collision in conjunction with a City of Woodland Property Damage Report. Collision photographs must be taken and booked into evidence. If the above circumstances involve a police vehicle, the investigation will be assigned to a traffic officer or supervisor.
- (b) Collisions resulting in major property damage shall be investigated by a Traffic Officer, or referred to the California Highway Patrol at the discretion of the Traffic Sergeant.
- (c) The California Highway Patrol shall be requested to investigate any collision involving a Woodland Police Department vehicle resulting in injury to any of the parties involved as a result of the collision. If CHP is not available another outside agency shall be contacted to take the investigation.

Additionally, collisions involving Police Department vehicles:

- (a) A City of Woodland Incident/Accident Report form shall be completed and routed prior to the end of the employee's shift.
- (b) A supervisor shall notify the Chief of Police, via the chain of command
- (c) A supervisor shall enter the collision in Blue Team.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Woodland Police Department resulting in a serious injury or fatality, the

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Traffic Sergeant or the Patrol Supervisor, shall request the California Highway Patrol to conduct the investigation. If CHP is not available another outside agency shall be contacted to take the investigation.

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Sergeant or on-duty Patrol Supervisor may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

501.4.4 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Personnel will respond to all City street collisions. Unless approved by a supervisor, traffic collision reports shall be taken under any of the following circumstances:

- (a) If any one of the following conditions exist the city street collision shall be documented with a full investigation:
 - 1. One or more of the drivers involved is under the influence and any party, other than the DUI driver, is injured.
 - 2. The collision involves a hit and run where the suspect can be identified or a vehicle license number is obtained.
 - (a) A non-injury hit and run collision can be documented as a report with supervisor approval if the reporting party does not want prosecution.
 - 3. If any party is transported to the hospital by ambulance for visible serious injury or suspected serious injury. According to the vehicle code serious injury includes loss of consciousness, suspected concussion, bone fracture, a protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis.
 - 4. Other conditions exist which an officer or their supervisor deems appropriate to document with an investigation.
- (b) All other city street collisions shall be documented as a report.
 - 1. Traffic collisions where one or more of the driver's are under the influence, and none of the parties are injured, shall be documented as a report.
- (c) All counter reports will be documented as follows:
 - 1. A Counter Report or citizen's report is a property-damage only collision reported by an involved party in person at the Woodland Police Department or via dispatch where all parties have left the scene.
 - 2. Counter Reports are to be completed through the Woodland Police Department Webpage Online Reporting or using the kiosk in the Woodland Police Department's front lobby.
 - 3. Counter Reports are not processed through the Statewide Integrated TrafficRecords System database files.

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- (d) Collisions reported after the fact, where there are injuries shall be classified as a Late Report and documented with a report or with a full investigation..

All ambulance transports require investigative follow-up to determine if a report or full investigation needs to be completed.

501.4.5 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

Unless approved by a supervisor all private property collisions listed below shall be documented with a full investigation:

- (a) The collision involves a hit and run where the suspect can be identified or a vehicle license number is obtained.
 - 1. A non-injury hit and run collision can be documented as a report with supervisor approval if the reporting party does not want prosecution.
- (b) If any party is transported to the hospital by ambulance for visible serious injury or suspected serious injury. According to the vehicle code serious injury includes loss of consciousness, suspected concussion, bone fracture, a protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis.
- (c) A collision involving a drunk driver where one of the parties is injured.

A private property collision involving a tow away resulting from major damage to one or more vehicles (not just a crimped fender rendering the vehicle inoperative) shall be documented as a report.

A private property collision involving a government agency vehicle that does not include the above criteria shall be documented as a report.

A private property collision where one or more of the driver's are under the influence, and none of the parties, other than the DUI driver, are injured, shall be documented as a report.

A private property collision involving a reported complaint of pain or minor injury shall be documented with a report.

All ambulance transports require investigative follow-up to determine if a report or full investigation needs to be completed prior to going off-duty.

501.5 NOTIFICATION OF TRAFFIC DIVISION SUPERVISION

In the event of a serious injury or death related traffic collision, the Patrol Supervisor shall notify the Traffic Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Division. In the absence of a Traffic Sergeant, the Patrol Supervisor or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

On-Duty Collision Review

502.1 PURPOSE AND SCOPE

The Woodland Police Traffic Division will review on-duty collisions to ensure the driving was legal, within policy, and recognize contributing factors to the collisions.

502.2 RESPONSIBILITY

It shall be the responsibility of the Traffic Division to review all on-duty collisions as soon as practical. Typically, the review should happen within two weeks of the collision. The results of the review, and recommendations, will be forwarded up the chain to the Chief of Police.

Actions may include internal training, external training, or discipline in certain cases.

Vehicle Towing and Release

503.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Woodland Police Department. Nothing in this policy shall require the Department to tow a vehicle.

503.2 STORAGE AND IMPOUNDS

When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

503.2.1 VEHICLE STORAGE REPORT

Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should be given to the tow truck operator and the original shall be submitted to the Records Division as soon as practicable after the vehicle is stored.

- When the Records Division is closed, after hours, department members shall submit the CHP Form 180 to dispatch for CLETS entry, as soon as practicable after the vehicle is stored or impounded.

503.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Dispatch.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call a company from the rotational list of towing companies in Dispatch. The officer will then store the vehicle using a CHP Form 180.

503.2.3 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).

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The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

503.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS

Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver's license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on their copy of the notice to appear the name and driver's license number of the person to whom the vehicle is released.

503.2.5 DRIVING A NON-CITY VEHICLE

Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

503.2.6 RECORDS DIVISION RESPONSIBILITY

Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the Patrol Supervisor for approval (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Division to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

- (a) The name, address, and telephone number of this Department.
- (b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.

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- (c) The authority and purpose for the removal of the vehicle.
- (d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

503.2.7 EVIDENTIARY TOWS

When it becomes necessary to tow a vehicle for evidentiary purposes, employees should make every effort to avoid having vehicles delivered to the Police Department parking lot. Employees should instead have the vehicle(s) towed to the Municipal Service Center(MSC) evidence lot. Employees should tow vehicles to the Police Department parking lot only in serious violent felony investigations where a victim(s) have been identified or in fatal traffic collision investigations.

If a vehicle needs evidence processing, employees shall secure the vehicle, complete the necessary documentation, and notify CSI personnel in a timely manner.

503.3 TOWING SERVICES

The City of Woodland Police Department maintains a Rotation Tow Service Agreement which is updated annually. Tow service operators who choose to abide by the policy and procedures set forth in the agreement and are selected by the Chief of Police are placed on a rotation tow list. Approved tow service operators on the rotation tow list are considered a "official tow service" for the purpose of this policy.

503.3.1 TOW ROTATIONS

The City of Woodland has two rotation lists. The first is for towing of all vehicles except for the following which is on the secondary tow rotation list.

- (a) Abandoned travel trailers
- (b) Abandoned motor homes

When the decision has been made to tow an abandoned vehicle it should to be towed during normal business hours unless there are exigent circumstances and only with Supervisor approval. If the tow company is not available to tow the abandoned travel trailer or motor home then arrangements should be made with that tow company to complete the job when they are available. This is intended to prevent one tow company from carrying an undue burden of handling abandoned travel trailers and motor homes.

503.4 VEHICLE INVENTORY

All property of value in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Employees conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

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503.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

503.6 RELEASE OF VEHICLE

The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

- (a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).
- (b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).
- (c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver's license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:
 - 1. The vehicle was stolen.
 - 2. If the driver reinstates his/her driver's license or acquires a license and provides proof of proper insurance.
 - 3. Any other circumstance as set forth in Vehicle Code § 14602.6.
 - 4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.
- (d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without

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requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

Vehicle Impound Hearings

504.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

504.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Woodland Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or their agent (Vehicle Code §§ 22650(a) and 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

504.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852). The Traffic Sergeant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at their own expense.

The failure of either the registered or legal owner or interested person or their agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code §§ 22851.3(e)(2) and 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code §§ 14602.6(b) and 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code §§ 14602.6(b) or 14608(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations

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where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

- (a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.
 - 1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.
- (b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department's expense (Vehicle Code § 22852(e)).
- (c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the Deputy Chief. The hearing officer will recommend to the Deputy Chief that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.

Impaired Driving

505.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

505.2 POLICY

The Woodland Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California's impaired driving laws.

505.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in California or another jurisdiction.

505.4 FIELD TESTS

The Standardized Field Sobriety Tests (SFST) should be used to evaluate drivers who are suspected of being DUI whenever possible.

The Standardized Field Sobriety Tests should include the following tasks except when the suspect has a physical disability that prevents them from completing a specific task(s) or the officer determines it would be unsafe to complete any or all specific tasks:

- (a) Horizontal Gaze Nystagmus.
- (b) Walk and turn test.
- (c) One Leg Stand.

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Other field sobriety tests (Finger to nose, Romberg and PAS or similar tests that you have been trained in) may be used in conjunction with, or in place of, the above tests, if the officer can adequately document them in the DUI/Intoxication Report.

505.5 CHEMICAL TESTS

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

- (a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.
- (b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person's blood alcohol content is 0.05 or more (Vehicle Code § 23140).
- (c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).
- (d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

505.5.1 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of the person's blood or breath, and the officer shall advise the person that the person has that choice. If the person arrested either is incapable, or states that the person is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

505.5.2 BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

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Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the officer's belief shall be included in the officer's report (Vehicle Code § 23612(a)(2)(C)).

505.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if the arrestee chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because the arrestee has a bleeding disorder or has taken medication that inhibits coagulation, the arrestee shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

505.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain the arrestee's dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, stored, and transported as required by the testing facility.

505.5.5 STATUTORY NOTIFICATIONS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

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505.5.6 PRELIMINARY ALCOHOL SCREENING

Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, the person shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy the person's obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

505.5.7 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of the person's blood, breath, or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

505.6 REFUSALS

When a person refuses to provide a viable chemical sample, officers should:

- (a) Advise the person of the requirement to provide a sample (Vehicle Code § 23612).
- (b) Audio and/or video record the admonishment and the response if practicable.
- (c) Document the refusal in the appropriate report.

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the person and take possession of only a California license to operate a motor vehicle that is held by that person (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

A person who does not explicitly choose a chemical test shall be deemed to have refused a chemical test. (People v. Ling, 17 S.O.S. 4550)

505.6.1 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained (Penal Code § 1524).
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in

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obtaining a blood sample due to an accident investigation or medical treatment of the person.

505.6.2 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that the person will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of the person's duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video if practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

505.7 ARREST AND INVESTIGATION

505.7.1 WARRANTLESS ARREST

In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when any of the following occur (Vehicle Code § 40300.5):

- (a) The person is involved in a traffic accident.
- (b) The person is observed in or about a vehicle that is obstructing the roadway.

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- (c) The person will not be apprehended unless immediately arrested.
- (d) The person may cause injury to themselves or damage property unless immediately arrested.
- (e) The person may destroy or conceal evidence of a crime unless immediately arrested.

505.7.2 STATUTORY WARNING

An officer requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

505.7.3 PRELIMINARY ALCOHOL SCREENING

Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, they shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy their obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

505.7.4 PRELIMINARY ALCOHOL SCREENING FOR MINORS

If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of their blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

505.7.5 OFFICER RESPONSIBILITIES

The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

- (a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver's license to the Department of Motor Vehicles (DMV).
- (b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.
- (c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

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505.8 RECORDS SUPERVISOR RESPONSIBILITIES

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

505.9 ADMINISTRATIVE HEARINGS

The supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officers who receive notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

Traffic Citations

506.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

506.2 RESPONSIBILITIES

The Traffic Sergeant shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Records Division shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

506.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)).

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation.

506.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Traffic Bureau.

506.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and the citation correction form to their immediate supervisor. The citation and correction form shall then be forwarded to the Records Bureau. Records shall then forward the necessary paperwork to the court having jurisdiction and to the recipient of the citation.

506.6 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

506.6.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels:

- (a) Administrative reviews are conducted by the Traffic Bureau Supervisor who will review written/documentary data. Requests for administrative reviews are available at the front desk of the Woodland Police Department. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed or delivered to the current mailing address of the processing agency.

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- (b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.
- (c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to The Superior Court of California.

506.6.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

- (a) Requests for an administrative review must be postmarked or received within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking (Violation Vehicle Code § 40215(a)).
- (b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).
- (c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).
- (d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209 and Vehicle Code § 40210).

506.6.3 COSTS

- (a) There is no cost for an administrative review.
- (b) Appellants must pay the full amount due for the citation, or provide satisfactory proof of their inability to pay, before receiving an administrative hearing.
- (c) An appeal through Superior Court requires prior payment of filing costs including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

Disabled Vehicles

507.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

507.2 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

507.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

507.3.1 MECHANICAL REPAIRS

Employees shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

507.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

72-Hour Parking Violations

508.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Woodland Police Department City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

508.2 MARKING VEHICLES

Vehicles suspected of being in violation of the City of Woodland Police Department 72-Hour Parking Ordinance shall be marked and noted on the Woodland Police Department Marked Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on a tire. Any deviation in markings requires supervisor approval and shall be noted on the Marked Vehicle Card. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Card completed and forwarded to the Traffic Division.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

Patrol CSOs and Parking CSOs shall be responsible for the follow up investigation of all 72-hour parking violations noted on the Marked Vehicle Cards.

508.2.1 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Division immediately following the storage of the vehicle. It shall be the responsibility of the Records Division to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Division to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Woodland Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.3.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.3.2 MANDATORY RECORDING OF ADULTS

Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. The recording should be video with audio if reasonably feasible (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

- (a) Recording is not feasible because of exigent circumstances that are later documented in a report.

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- (b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.
- (c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.
- (d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.
- (e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.
- (f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.
- (g) The questions are part of a routine processing or booking, and are not an interrogation.
- (h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

The Department shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Penal Code § 859.5).

600.4 INITIAL INVESTIGATION

600.4.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Patrol Supervisor.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.

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5. Collect any evidence.
 6. Take any appropriate law enforcement action.
 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.4.2 NON-SWORN EMPLOYEE RESPONSIBILITIES

A non-sworn employee assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 1. In these cases, the investigator shall have one or both parties sign the Refusal To Prosecute Form. If one or both parties are unable to or refuse to sign the form, the officer will ensure that comments are added to the dispatch log stating the parties were warned and prosecution was not desired.
 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).
- (g) The statute of limitations for prosecution for the alleged crime has expired.
- (h) The victim has refused to cooperate and there is not enough information to develop probable cause for an arrest.

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If the justification for discontinuing an investigation is not listed above, consult with your supervisor.

The Domestic Violence, Child Abuse Sexual Assault Investigations and Senior and Disability Victimization policies may also require an arrest or submittal of a case to a prosecutor.

g) The statute of limitations for prosecution for the alleged crime has expired.(h) The victim has refused to cooperate and there is not enough information to develop probable cause for an arrest.(i) If the justification for discontinuing an investigation is not listed above, consult with your supervisor

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights, and civil liberties. Information gathered via the internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using the member's own equipment, the member should note the dates, times, and locations of the information and report the discovery to the member's supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Officers who use an alias to create any fictitious social media account will obtain supervisor approval prior to doing so and will provide the reason the account is needed, user name, date

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of birth used for the account, and the source of the account image if one is used. Officers shall not post derogatory or inflammatory comments on their alias social media page or on the page of another person or business that could cause anyone to become the potential target of a criminal act.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 USE OF CERTAIN DNA SAMPLES

Known samples of DNA collected from a victim of a crime or alleged crime, and known reference samples of DNA from any individual that were voluntarily provided for the purpose of exclusion are to be used only for the purpose directly related to the incident being investigated and in compliance with the procedures identified in Penal Code § 679.12.

600.9 ANTI-REPRODUCTIVE RIGHTS CRIMES

A member should take a report any time a person living within the jurisdiction of the Woodland Police Department reports that the person has been a victim of an anti-reproductive rights crime as defined by Penal Code § 13776 and Penal Code § 423.3. This includes:

- (a) Taking a report, even if the location of the crime is outside the jurisdiction of this department or has not been determined (e.g., online harassment).
- (b) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Members should encourage the person to review the material and should assist with any questions.

A report should also be taken if a person living outside department jurisdiction reports an anti-reproductive rights crime that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the [city/county] to facilitate the crime).

A member investigating an anti-reproductive rights crime should ensure that the case is referred to the appropriate agency if it is determined that this department should not be the investigating agency. The victim should be advised that the case is being transferred to the agency of

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jurisdiction. The appropriate entries should be made into any databases that have been authorized for department use and are specific to this type of investigation.

The Detective Bureau supervisor should provide the Records Supervisor with enough information regarding the number of calls for assistance and number of arrests to meet the reporting requirements to the California Department of Justice as required by Penal Code § 13777. See the Records Division Policy for additional guidance.

Senior Detective

601.1 PURPOSE AND SCOPE

It is Department policy to recognize the value of training and experience, and to encourage the mentorship of other personnel by those who possess greater training and experience. The Senior Detective shall act as that mentor to the other detectives.

601.2 DUTIES

The Senior Detective shall be responsible to conduct investigations of major crimes as assigned by the Investigations supervisor.

The Senior Detective shall assist other investigators with complex investigations.

The Senior Detective shall serve as a trainer and provide guidance to officers newly assigned to investigations.

The Senior Detective may be appointed as "acting sergeant" during extended absences of the Detective Sergeant.

601.3 QUALIFICATIONS

Candidates wishing to attain the Senior Detective assignment must meet the minimum qualifications detailed below:

- (a) Successful completion of a previous detective assignment or current satisfactory performance in a detective assignment.
- (b) Favorable performance evaluations with investigative notations.
- (c) Experience in the preparation and execution of search warrants.
- (d) Prior exposure and direct involvement in the management of complex investigations.
- (e) Ability to prepare accurate and grammatically correct written reports.
- (f) Ability to establish and maintain cooperative working relationships with those contacted in the performance of required duties.
- (g) Ability to analyze situations and develop an effective and reasonable course of action.

Sexual Assault Investigations

602.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Senior and Disability Victimization policies.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

602.2 POLICY

It is the policy of the Woodland Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

602.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with SART.

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Sexual Assault Investigations

602.4 INVESTIGATION AND REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

602.4.1 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

Victims are often reluctant or embarrassed to discuss details. Recanting or changing one or more aspects of a prior statement is not necessarily an indication of false reporting or that the case is unfounded. If the responding officer has reason to believe the incident may be without merit, they should document the evidence and inconsistencies. Due to physical and emotional trauma, and the myths and stereotypes associated with sexual assault, inconsistencies in the victim's report are not uncommon. No opinions of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (42 USC § 3796gg-8; Penal Code § 637.4).

602.4.2 VICTIM RIGHTS

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

Whenever there is an alleged sexual assault the assigned officer shall accomplish the following:

- (a) Immediately provide the victim with the "Victims of Domestic Violence" card containing the names and locations of rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2(a)).
- (b) Advise the victim of the right to have a victim advocate and a support person present at any interview by law enforcement as provided in Penal Code § 679.04.
- (c) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately notify the local rape victim counseling center (Penal Code § 264.2(b)(1)).
 - 1. Prior to any such examination the assigned officer shall ensure that the victim has been properly informed of their right to have a sexual assault victim advocate and at least one other support person present (Penal Code § 264.2(b)(2)).

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2. A support person may be excluded from the examination by the officer or the medical provider if their presence would be detrimental to the purpose of the examination (Penal Code § 264.2(b)(4)).

602.4.3 FEDERAL VIOLENCE AGAINST WOMEN ACT

Federal Violence Against Women Act laws guarantee that victims of sexual assault, 12 years of age or older, who request a sexual assault forensic medical examination shall be provided one. This includes cases in which the victim refuses to involve or cooperate with law enforcement or law enforcement declines to authorize the exam. In these rare instances, consult with the Investigations Supervisor for direction on how to proceed.

602.4.4 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that their name will become a matter of public record unless the victim requests that their name not be made public. The reporting officer shall document in their report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name or address of any victim of a sex crime who has exercised their right to confidentiality (Penal Code § 293).

602.4.5 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, it is critical to the investigation that a urine sample from the victim be collected by a medical professional.

Subject to available resources and other law enforcement considerations which may affect the ability to process and analyze rape kits, other sexual assault victim evidence and other crime scene evidence, any member of this department assigned to investigate a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). Generally, rape kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer should further ensure that the results of any such test have been timely entered into and checked against both the Department of Justice Cal-DNA database and the Combined DNA Index System (CODIS).

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If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18 month period (Penal Code § 680(d)).

602.4.6 VICTIM NOTIFICATION OF DNA STATUS

- (a) Upon receipt of a written request from a sexual assault victim or the victim's authorized designee, the assigned officer may inform the victim of the status of the DNA testing of any evidence from the victim's case (Penal Code § 680).
 - 1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
 - 2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim's authorized designee regarding the status of any DNA testing.
- (b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):
 - 1. To be informed if a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.
 - 2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.
 - 3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the Department of Justice Databank of case evidence.
- (c) Provided that the sexual assault victim or the victim's authorized designee has kept the assigned officer informed with regard to current address, telephone number and email address (if available), any victim or the victim's authorized designee shall, upon request, be advised of any known significant changes regarding the victim's case (Penal Code § 680).
 - 1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.
 - 2. No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

602.4.7 DESTRUCTION OF EVIDENCE

Any destruction of evidence related to a sexual assault shall occur only after victim notification is made as required pursuant to Penal Code § 680 and only in compliance with the Property and Evidence Policy.

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Sexual Assault Investigations

602.4.8 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Bureau supervisor.

Classification of a rape case as unfounded requires the Detective Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted their original statement, there must be corroborating evidence to support the recanted information before the case should be determined as unfounded.

602.4.9 AUDITING CASE DISPOSITIONS

The Detective Bureau supervisor will ensure case dispositions are reviewed on a periodic basis using an identified group that is independent of the investigation process. The SART and/or victim advocates should be considered for involvement in this audit.

602.5 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

Asset Forfeiture

603.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Woodland Police Department seizes property for forfeiture or when the Woodland Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The employee assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture- The following may be subject to forfeiture:

- (a) Property related to a narcotics offense, which includes (Heath and Safety Code § 11470; Health and Safety Code § 11470.1):
 - 1. Property (not including real property or vehicles) used, or intended for use, as a container for controlled substances, materials to manufacture controlled substances, etc.
 - 2. Interest in a vehicle (car, boat, airplane, other vehicle) used to facilitate the manufacture, possession for sale or sale of specified quantities of controlled substances.
 - 3. Money, negotiable instruments, securities or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, proceeds traceable to an exchange, etc.
 - 4. Real property when the owner is convicted of violating Health and Safety Code § 11366, Health and Safety Code § 11366.5 or Health and Safety Code § 11366.6 (drug houses) when the property was not used as a family residence or for other lawful purposes, or property owned by two or more persons, one of whom had no knowledge of its unlawful use.
 - 5. The expenses of seizing, eradicating, destroying or taking remedial action with respect to any controlled substance or its precursors.
- (b) Property related to criminal profiteering (may include gang crimes), to include (Penal Code § 186.2; Penal Code § 186.3):

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1. Any property interest, whether tangible or intangible, acquired through a pattern of criminal profiteering activity.
2. All proceeds acquired through a pattern of criminal profiteering activity, including all things of value that may have been received in exchange for the proceeds immediately derived from the pattern of criminal profiteering activity.

Seizure -The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

603.2 POLICY

The Woodland Police Department, as a member of the Yolo County Law Enforcement Agency Coordinating Council (LEACC), in narcotics related investigations utilizes the local jurisdictions to pursue violations of the appropriately applied forfeiture laws as related to the seizure of money and certain property items, per MOU.

603.3 ASSET FORFEITURE PROCEDURE

Before seizing any currency, vehicle or personal property pursuant to Health & Safety Code § 11470, an officer should contact the Investigations Bureau Sergeant or designee. The following guidelines will be observed:

- (a) The seizing officer or the detective will serve all persons with Notice of Seizure and Intended Forfeiture forms which includes an attached County of Origin Claim form Opposing Forfeiture, and a forfeiture receipt. Disclaimers (English/Spanish) will be completed on all persons disclaiming ownership of currency, vehicle or property seized.
- (b) When someone has made notification other than the Asset Forfeiture detective, a copy of all reports and all applicable asset forfeiture paperwork must be forwarded to the Investigations Bureau Sergeant, for review.
- (c) Interview all persons involved concerning their possession of the seized assets, financial situation, employment, income and other resources. The interviewing officer shall ensure that *Miranda* warnings are given and waivers obtained before interviewing any person who is in custody.
- (d) Attempt to promptly determine all lien holders or all persons who may have a legal interest in the seized currency, vehicle or property for further contact, investigation and notification.
- (e) The seizure of assets subject to forfeiture is a civil proceeding filed through the county of origin, Office of the District Attorney Forfeiture Unit or the Investigations Bureau.

603.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.

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- (b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):
 - 1. The property subject to forfeiture is legally seized incident to an arrest.
 - 2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the district attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

603.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds should not be seized.
- (b) Real property is not subject to seizure, absent exigent circumstances, without a court order (Health and Safety Code § 11471).
- (c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect's immediate family (Health and Safety Code § 11470).
- (d) Vehicles, boats or airplanes owned by an "innocent owner," such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).
- (e) Any property when the associated activity involves the possession of marijuana or related paraphernalia that is permissible under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1).

603.3.3 SEIZED VEHICLES

Vehicles seized subject to forfeiture will be taken to a designated secure storage facility. A seized vehicle should not be impounded. The officer seizing the vehicle shall notify their direct supervisor of the seizure of the vehicle and circumstances of the seizure as soon as possible.

If the vehicle cannot be driven, a tow truck will be used to tow the vehicle to the storage facility.

Personal property located in a seized vehicle shall be removed and booked into Property as either evidence or for safekeeping.

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603.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

603.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Section/CSO is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

603.6 DISPOSITION OF FORFEITED PROPERTY

Forfeited funds distributed under Health and Safety Code § 11489 et seq. shall only be used for purposes allowed by law, but in no case shall a peace officer's employment or salary depend upon the level of seizures or forfeitures they achieve (Health and Safety Code § 11469).

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The Department may request a court order so that certain uncontaminated science equipment is relinquished to a school or school district for science classroom education in lieu of destruction (Health and Safety Code § 11473; Health and Safety Code § 11473.5).

603.6.1 RECEIVING EQUITABLE SHARES

When participating in a joint investigation with a federal agency, the Woodland Police Department shall not receive an equitable share from the federal agency of all or a portion of the forfeiture proceeds absent either a required conviction under Health and Safety Code § 11471.2 or the flight, death or willful failure to appear of the defendant. This does not apply to forfeited cash or negotiable instruments of \$40,000 or more.

603.7 CLAIM INVESTIGATIONS

An investigation shall be made as to any claimant of a vehicle, boat or airplane whose right, title, interest or lien is on the record in the Department of Motor Vehicles or in an appropriate federal agency. If investigation reveals that any person, other than the registered owner, is the legal owner, and such ownership did not arise subsequent to the date and time of arrest or notification of the forfeiture proceedings or seizure of the vehicle, boat or airplane, notice shall be made to the legal owner at their address appearing on the records of the Department of Motor Vehicles or the appropriate federal agency (Health and Safety Code § 11488.4).

603.8 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly Health and Safety Code § 11469 et seq. and Penal Code § 186.2 et seq. and the forfeiture policies of the forfeiture counsel.
- (b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:

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1. Names and contact information for all relevant persons and law enforcement officers involved.
 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 3. A space for the signature of the person from whom cash or property is being seized.
 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Department Directives. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
1. Written documentation of the seizure and the items seized is in the case file.
 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
 4. Property is promptly released to those entitled to its return (Health and Safety Code § 11488.2).
 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 6. Any cash received is deposited with the fiscal agent.
 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (j) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.

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- (k) Keeping a manual that details the statutory grounds for forfeitures and department procedures related to asset forfeiture, including procedures for prompt notice to interest holders, the expeditious release of seized property, where appropriate, and the prompt resolution of claims of innocent ownership (Heath and Safety Code § 11469).
- (l) Providing copies of seized business records to the person or business from whom such records were seized, when requested (Heath and Safety Code §11471).
- (m) Notifying the California Franchise Tax Board when there is reasonable cause to believe that the value of seized property exceeds \$5,000.00 (Health and Safety Code § 11471.5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives (Health and Safety Code § 11495).

Informants

604.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

604.2 INFORMANT FILE SYSTEM

The Detective Supervisor or their designee shall be responsible for maintaining informant files for Detective and Patrol bureau informants. A separate file shall be maintained on each confidential informant.

The Gang Unit Supervisor shall be responsible for maintaining informant files for the Gang Unit. A separate file shall be maintained on each confidential informant.

604.2.1 FILE SYSTEM PROCEDURE

Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file and include the following information:

- (a) Informant's name and/or aliases.
- (b) Date of birth.
- (c) Physical description: height, weight, hair color, eye color, race, sex, scars, tattoos or other distinguishing features.
- (d) Current home address and telephone numbers.
- (e) Current employer(s), position, address(es) and telephone numbers.
- (f) Vehicles owned and registration information.
- (g) Places frequented.
- (h) Informant's photograph.
- (i) Briefs of information provided by the informant and his or her subsequent reliability. If an informant is determined to be unreliable, the informant's file is marked as "Unreliable".
- (j) Name of officer initiating use of the informant.
- (k) Signed informant agreement.
- (l) Update on active or inactive status of informant.

The informant files shall be maintained in a secure area within the Investigations Bureau, or the Gang Unit. These files shall be used to provide a source of background information about the informant, enable review and evaluation of information given by the informant, and minimize incidents that could be used to question the integrity of detectives or the reliability of the confidential informant.

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Access to the informant files shall be restricted to the Chief of Police, Deputy Chief, the Investigations Bureau Lieutenant, Detective Supervisor, Gang Unit Supervisor or their designees.

604.3 USE OF INFORMANTS

The officer shall compile sufficient information through a background investigation in order to determine the reliability, credibility and suitability, of the individual, including age, maturity and risk of physical harm. This information shall be reviewed by a competent Assistant District Attorney and the informant approved for use. Before using an individual as a confidential informant, an officer must receive approval from the appropriate unit Supervisor.

604.3.1 JUVENILE INFORMANTS

The use of juvenile informants under the age of 13-years is prohibited. Except as provided for in the enforcement of the Tobacco Enforcement Act, Business & Professions Code §§ 22950, et seq., the use of any juvenile informant between the ages of 13 and 18-years is only authorized by court order obtained pursuant to Penal Code § 701.5.

For purposes of this policy, a "juvenile informant" means any juvenile who participates, on behalf of this department, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the juvenile.

604.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

All confidential informants are required to sign and abide by the provisions of the departmental Informant Agreement. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the unit supervisor before being finalized with the confidential informant.

604.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS

No employee shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Employees shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following must be adhered to:

- (a) Officers shall not withhold the identity of an informant from their superiors.
- (b) Identities of informants shall otherwise be kept confidential.
- (c) Criminal activity by informants shall not be condoned.

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- (d) Informants shall be told they are not acting as police officers, employees or agents of the Woodland Police Department, and that they shall not represent themselves as such.
- (e) The relationship between officers and informants shall always be ethical and professional.
- (f) Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of the appropriate unit supervisor.
- (g) Officers shall not meet with informants of the opposite sex in a private place unless accompanied by at least one additional officer or with prior approval of the appropriate Unit Supervisor. Officers may meet informants of the opposite sex alone in an occupied public place such as a restaurant. When contacting informants of either sex for the purpose of making payments officers shall arrange for the presence of another officer, whenever possible.
- (h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

604.5 NARCOTICS INFORMANT PAYMENT PROCEDURES

The potential payment of large sums of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. Additionally, to maintain a good accounting of such funds requires a strict procedure for disbursements.

604.5.1 PAYMENT PROCEDURE

The amount of funds to be paid to any confidential informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case.
- The significance, value or effect on crime.
- The amount of assets seized.
- The quantity of the drugs seized.
- The informant's previous criminal activity.
- The level of risk taken by the informant.

The Unit Supervisor will discuss the above factors with the Investigations Lieutenant and arrive at a recommended level of payment that will be subject to the approval of the Deputy Chief.

604.5.2 CASH DISBURSEMENT POLICY

No informant will be told in advance or given an exact amount or percentage for services rendered.

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604.5.3 PAYMENT PROCESS

Payments may be paid in cash out of the Investigations Bureau Buy/Expense Fund. The Unit Supervisor will be required to sign the voucher for the payment.

To complete the transaction with the confidential informant the case agent shall have the confidential informant initial the voucher. The confidential informant will sign the voucher indicating the amount received, the date, and that the confidential informant is receiving funds in payment for information voluntarily rendered in the case. The Woodland Police Department case number shall be recorded on the voucher. The voucher will be kept in the confidential informant's file.

If the payment amount exceeds \$500.00, a complete written statement of the confidential informant's involvement in the case shall be placed in the confidential informant's file. This statement shall be signed by the confidential informant verifying the statement as a true summary of their actions in the case(s).

Each confidential informant receiving a cash payment shall be informed of his or her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

604.5.4 REPORTING OF PAYMENTS

Each confidential informant receiving a cash payment shall be informed of their responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the confidential informant should be provided IRS Form 1099 (26 CFR § 1.6041-1). If such documentation or reporting may reveal the identity of the confidential informant and by doing so jeopardize any investigation, the safety of peace officers or the safety of the confidential informant (26 CFR § 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the confidential informant shall be provided a letter identifying the amount they must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the confidential informant's file.

604.6 RECOVERED INVESTIGATIVE FUNDS

If the investigative funds are used to purchase contraband and these funds are subsequently recovered (for example in a "buy/bust" operation), the funds will be booked into evidence. In this case, it will be noted in the expense voucher narrative that the funds were recovered and booked into evidence.

Officers will note in their report as well as on the evidence sheet, that the monies are recovered investigative funds.

Upon final disposition of the cases in which recovered investigative funds are being held in evidence, the Property/Evidence CSO will return the recovered funds to the Finance Department for return to the Asset Forfeiture fund.

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604.6.1 THEFT OR LOSS OF INVESTIGATIVE FUNDS

If there is a theft or loss of investigative funds, the supervisor will immediately report the incident to the Bureau Commander.

If the funds are stolen, a crime report will be completed documenting the theft.

Eyewitness Identification

605.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Penal Code § 859.7).

605.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process -Any field identification, live lineup or photographic identification.

Field identification -A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

605.2 INTERPRETIVE SERVICES

Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

605.3 EYEWITNESS IDENTIFICATION FORM

The process and any related forms or reports should provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.
- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An admonishment that the suspect may or may not be among those presented and that the witness is not obligated to make an identification.
- (f) An admonishment to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (g) A signature line where the witness acknowledges that they understand the identification procedures and instructions.

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Eyewitness Identification

See attachment: Photographic Lineup Checklist (2020).pdf

See attachment: The Folder Shuffle Method Instructions (2020).pdf

The process and related forms should be reviewed at least annually and modified when necessary.

605.4 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

The eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures. When it is not feasible to make a recording with both audio and visual representations, an audio recording should be made (Penal Code § 859.7).

605.4.1 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases.

When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 1. The length of time the witness observed the suspect.
 2. The distance between the witness and the suspect.
 3. Whether the witness could view the suspect's face.
 4. The quality of the lighting when the suspect was observed by the witness.
 5. Whether there were distracting noises or activity during the observation.
 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 7. The length of time that has elapsed since the witness observed the suspect.

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Eyewitness Identification

- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
- (e) A person should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
- (g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

605.5 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

605.5.1 DOCUMENTATION RELATED TO BLIND ADMINISTRATION

If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).

605.5.2 DOCUMENTATION RELATED TO RECORDINGS

The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

Fictitious Drivers License

606.1 PURPOSE AND SCOPE

This policy establishes the procedures for the procurement and possession of fictitious drivers licenses to be used during the scope of official police operations.

606.1.1 REQUEST FOR FICTITIOUS DRIVERS LICENSE

Officers in need of a fictitious driver's license shall submit a memorandum of request, through the chain of command, to their Bureau Commander. The request shall contain the:

- (a) Officer's full name, DOB, current California Drivers License number, and the reason for a fictitious license.
- (b) full fictitious name, address, and identifying information to be used.
- (c) indication of a different date of issue if needed.

When the fictitious license is issued it shall be sent to the Bureau Commander. The Bureau Commander will log all of the pertinent information and give the fictitious license to the appropriate supervisor for presentation to the requesting employee.

606.1.2 RESPONSIBILITY

Officers possessing a fictitious license shall only use the fictitious license in the course of investigating actual or suspected violations of the law. Officers possessing a fictitious license shall be responsible for any misuse of the fictitious license.

When the fictitious license has expired or is no longer needed, the officer shall forward the fictitious license to the Bureau Commander, for return to the DMV.

If a fictitious driver's license is lost, the Bureau Commander shall be notified immediately and shall then advise the DMV of the loss.

If the true driver's license of an officer is suspended or revoked, the fictitious license shall be returned to the Bureau Commander immediately.

Brady Material Disclosure

607.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information -Information known or possessed by the Woodland Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

607.2 POLICY

The Woodland Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Woodland Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

607.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

607.4 DISCLOSURE OF PERSONNEL INFORMATION

Whenever it is determined that *Brady* information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure shall apply:

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- (a) In the event that a *Pitchess* motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of *Brady* information in the officer's personnel file.
- (b) The prosecuting attorney should then be requested to file a *Pitchess* motion in order to initiate an in-camera review by the court.
- (c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.
- (d) The Custodian of Records shall accompany all relevant files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (e) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (f) Upon completion of the *Pitchess* motion the Custodian of Record shall notify, in writing, the subject employee and the Chain of Command.

607.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

607.6 TRAINING

Department members should receive periodic training on the requirements of this policy.

Crime Analysis

608.1 PURPOSE

The purpose of this policy is to establish the authority for information requirements and reporting responsibilities of this agency's crime analysis unit.

608.2 POLICY

The crime analysis function shall include collecting, organizing, analyzing, and interpreting crime and incident data to evaluate past performance and identify criminal activity patterns and trends for operational deployment, tactical intervention, strategic planning, and management analysis. Crime analysis is indispensable to this agency's efficiency, productivity, and effectiveness. Therefore, all applicable personnel shall provide complete and consistent reports of crime, incidents and related information as required to support this function. The crime analysis function shall in turn provide operational units with, and assist units, to assemble data and information sufficient for analysis, planning, and daily problem solving.

608.3 PROCEDURES

A. The crime analysis process shall be organized on five primary levels: data collection, data collation, analysis, report dissemination, and feedback/evaluation.

- (a) Data Collection - The crime analysis function shall identify all essential information requirements for all analytical and reporting responsibilities. The unit shall communicate these requirements to this agency's chief executive and coordinate data recording and reporting procedures as necessary with the chief executive and his designates.
 - 1. Crime data requirements include but are not necessarily limited to the following:
 - (a) Classification of crime
 - (b) Date and time of occurrence
 - (c) Time of police response
 - (d) Location of occurrence and demographics
 - (e) Victim and target characteristics
 - (f) Criminal suspect name/alias
 - (g) Criminal suspect characteristics
 - (h) Suspect vehicle
 - (i) Modus Operandi
 - (j) Physical evidence
 - (k) Stolen property record
 - (l) Responding officer/investigator
 - (m) Arrests/charges

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- (n) Case closures
- 2. Sources for the above data include the following records and reports:
 - (a) Dispatch
 - (b) Patrol incident
 - (c) Supplementary
 - (d) Arrest
 - (e) Investigative
 - (f) Field interrogation
- (b) Data Collation
 - 1. From the data elements and sources, crime analysis officers shall compile data into organized formats for subsequent comparison and analysis.
 - 2. Data shall be arranged so the relationships between data elements may be established.
 - 3. A system for ready retrieval of stored information shall be established.
- (c) Analysis - Analysis of crime-related data and information shall be focused in four primary areas: crime pattern detection, crime-suspect correlations, crime forecasts and resource allocation.
 - 1. Crime pattern detection shall be used to identify similarities among crimes that may be used for improved deployment and related purposes. At a minimum, analyses in relationship to geographic and offense patterns shall be correlated with suspect information, vehicle, M.O. and related files to establish investigative leads and tactical recommendations.
 - 2. Crime suspect correlations shall be performed where indicated to establish specific relationships between suspects and offenses. Suspect identifiers may be drawn from career criminal files, M.O. files, suspect vehicle files, field interrogation reports, arrest records and alias files where appropriate.
 - 3. Daily and weekly crime pattern reports shall be used in addition to other data to identify established or developing crime patterns. Where the quantity and consistency of information is available, target areas or locations shall be identified to assist in tactical and patrol deployment.
 - 4. Crime analysis personnel shall provide data and analyses support resource allocation, performance evaluation and efficiency assessments. This information shall be sufficient for decision making in the following areas and as otherwise directed by the agency chief executive:
 - (a) Staffing in relationship to service demands and related priorities.
 - (b) Determining patrol areas.
 - (c) Allocating personnel
 - (d) Mode of patrol and number of officers assigned to specific units

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- (e) .Assessing workload imbalances
 - (f) Evaluating response times.
 - (g) Determining apprehension probabilities
 - (h) Service times
- (d) Report Dissemination - The timeliness and format of crime analysis reports is vital to the usefulness of information generated. To that end, such reports shall:
 - 1. be tailored to meet the particular requirements of patrol, investigative and administrative personnel;
 - 2. arrive in a timely manner that allows a reasonable time for officers to develop and implement countermeasures and response strategies for the problem at hand;
 - 3. present in an objective manner that distinguishes conclusions from theories and indicates the degree of reliability of report conclusions; and
 - 4. make recommendations for combating identified problems.
- (e) Feedback and Evaluation - Feedback from operational units in response to crime analysis unit reports and studies is essential to evaluate and improve the utility of this agency function and the effectiveness of various agency strategies, programs and tactics.
 - 1. Each report issued by the crime analysis function shall be accompanied by a standard crime analysis feedback form to be used to track and evaluate the effectiveness of enforcement actions and countermeasures.
 - 2. Operational units will address the crime or other problem area identified and utilize data provided to develop and implement enforcement tactics, strategies and long-range plans.
 - 3. After appropriate action is completed, the feedback forms will be returned to the crime analysis unit for impact analysis.

B. Traffic Analysis - In addition to analysis of crime activities and reports and related departmental responses, the crime analysis unit shall be responsible for collecting, collating, analyzing and distributing traffic accident information in coordination with the Traffic Unit. Analysts shall familiarize themselves with the Crossroads Analytical Software in use by the department

- (a) Traffic crash files shall be provided and used as the basis for identifying locations, times and causes for accidents.
- (b) Analysis of base data for three years shall be performed to identify trends and patterns in accidents and those locations having a abnormally high incidence of traffic collisions.
- (c) Selective enforcement recommendations and other strategies designed to reduce traffic accidents will be provided to appropriate operational units.

C. Coordination with Other Criminal Justice Agencies

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- (a) The crime analysis function shall coordinate its operations with other criminal justice agencies whenever appropriate and necessary to fulfill its mission or to support the common mission of the law enforcement community. This may include but is not limited to linkages with prosecuting attorneys; local, state and regional intelligence systems; and other local and state law enforcement and criminal justice agencies.
- (b) The crime analysis function shall be responsible for safeguarding the confidentiality and security of agency documents under its control.
 - 1. Requests for information from outside agencies shall be forwarded to designated command personnel for approval. Release of information shall conform with state law at all times.
 - 2. Requests for information from sworn or non-sworn personnel of this agency shall be made by inter-office memorandum to the commander of the crime analysis function.

Chapter 7 - Equipment

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made as soon as possible after the occurrence. Loss or damage shall be documented in a police report or a Department Memorandum to the Chief of Police. The narrative shall include a description of the law enforcement action the employee was engaged in at the time of the damage. The employee shall also include a quote for replacement or repair of the damaged item.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, or designee, who will then forward the claim to the Chief's Executive Assistant. The Chief's Executive Assistant will notify the employee's supervisor and the Senior Management Analyst of the outcome of the request. Claim paperwork will be kept in the employee's equipment file.

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Replacement of personal property will follow guidelines set forth in the employee's MOU.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.3.2 QUALIFICATIONS

- (a) Acts of personal negligence resulting in damage to personal property will not be covered.
- (b) The Chief's Executive Assistant shall verify that the item is damaged and must be replaced.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to their immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the Deputy Chief.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued by the Department or personally owned, while on-duty or when used for authorized work-related purposes. This does not include the mobile digital computer or police radio.

This policy generically refers to all such devices as Personal Communication Devices (PCD) but is intended to include all mobile telephones, personal digital assistants (PDA) and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Woodland Police Department allows employees to utilize department-issued PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, employees are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

701.3 PRIVACY POLICY

Employees shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy that the employee might otherwise have in any communication, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files without prior notice, consent or a search warrant, on department-issued PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Prior to

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conducting any search of personally owned devices, supervisors shall consult with the Chief of Police. All such searches shall be fully documented in a written report.

701.4 DEPARTMENT-ISSUED PCD

Depending on an employee's assignment and the needs of the position, the Department may, at its discretion, issue a PCD. Department-issued PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Department-issued PCDs shall not be used for long term storage of information and items of evidentiary value. This information should be transferred to the appropriate storage system when feasible.

701.5 PERSONALLY OWNED PCD

Employees may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Carrying a personally owned PCD is a privilege, not a right.
- (b) Employees shall promptly notify the Department in the event the PCD is lost or stolen.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the employee's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

Except with prior express authorization from their supervisor, employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the employee has prior express authorization from their supervisor, the employee may engage in business-related communications. Should employees engage in such approved off-duty communications or work, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisor to ensure appropriate compensation. Employees who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

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701.6 USE OF PERSONAL COMMUNICATION DEVICES

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) All PCDs in the workplace shall be set to silent or vibrate mode.
- (b) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (c) Employees may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.
- (d) Officers are prohibited from taking pictures, video or making audio recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (e) Employees will not access social networking sites for any purpose that is not official department business.
- (f) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISORY RESPONSIBILITIES

Supervisors should ensure that members under their command are provided appropriate training on the use of PCDs consistent with this policy. Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD. An investigation into improper conduct should be promptly initiated when circumstances warrant.

If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable, until the employee is on-duty, as such contact may be compensable.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Except in an emergency, employees who are operating a vehicle shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to business-related calls of an urgent nature. Where practicable, stop the vehicle at an appropriate location to use the PCD.

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701.9 OFFICIAL USE

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other department communications network.

The following situations are examples of when the use of a PCD may be appropriate:

- (a) Barricaded suspects
- (b) Hostage situations
- (c) Mobile Command Post
- (d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.
- (e) Major political or community events
- (f) Investigative stakeouts
- (g) Emergency contact with an allied agency or allied agency field unit
- (h) When immediate communication is needed and the use of the radio is not available or appropriate and other means are not readily available

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The service request shall be promptly forwarded to vehicle maintenance for repair.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 2 Sticks yellow crayon or chalk
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit
- Fire Extinguisher
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 5 Evidence collection bags
- Traffic Cones

702.3.2 UNMARKED VEHICLES

An employee driving unmarked department vehicles shall ensure that the minimum following equipment is present in the vehicle:

- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit
- Fire Extinguisher

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- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 Evidence collection kit

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

702.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

702.6 NON-SWORN EMPLOYEE USE

Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees shall also prominently display the "out of service" placards or lightbar covers at all times. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Participation in the U.S. D.O.D. 1033 Program

703.1 PURPOSE

The Woodland Police Department is committed to ensuring 1033 Program equipment is being used in accordance with Law Enforcement Support Office (LESO) guidance/requirements and to identify enforcement action in the event of improper use.

703.2 POLICY

The U.S. Department of Defense 1033 Program permits the Secretary of Defense to transfer excess Department of Defense supplies and equipment to state and local law enforcement agencies for use in their law enforcement duties. This property is procured at no cost to the agency with the exception of any shipping or transportation costs. The type of property available includes but is not limited to tactical and riot gear, vehicles, watercraft, weapons, and night vision. All equipment must be strictly accounted for. When no longer needed agencies must request permission for turn in, transfer, or disposal. The Woodland Police Department may request participation in the program through the Governor appointed State Coordinator. The Coordinator will facilitate the application process with the Federal Law Enforcement Support Office.

703.3 ASSIGNMENTS

The Chief of Police shall appoint an employee to be responsible for managing the Woodland Police Department's participation in the 1033 program. This assignment also includes the duties associated with the 1033 Program Property Accountability Officer.

703.4 1033 PROPERTY

Property available under this agreement is for the current use of authorized program participants; it will not be requested nor issued for speculative use/possible future use. Property will not be obtained for the purpose of sale, lease, loan, personal use, rent, exchange, barter, to secure a loan, or to otherwise supplement normal LEA or the budget of the state/local governmental entity. All requests for property will be based on bona fide law enforcement requirements. Under no circumstances will property be sold or otherwise transferred to non-U.S. persons or exported. Loaning to non-participants of the DLA LESO Program is not authorized.

703.4.1 NOTIFICATION AND APPROVAL

The Chief of Police shall be notified of all property obtained through the 1033 Program. The Chief of Police shall have the final decision on the acceptance of any piece of property from the 1033 Program.

703.5 AUDITS

As a participant in the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) Program Woodland PD may be subject to selection in LESO compliance reviews. In addition to this requirement, LESO requires that the State will conduct annual internal 5% Program Compliance Reviews of LEAs participating in the LESO program in order to ensure accountability, program compliance and validate annual inventory submissions are accurate.

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Participation in the U.S. D.O.D. 1033 Program

703.5.1 INVENTORY

The Property Accountability Officer shall be responsible for the annual certification of inventory as identified in the FEPMIS inventory tool for their agency. LESO requires the use of the FEPMIS tool to manage inventories.

Vehicle Use

704.1 PURPOSE AND SCOPE

This policy establishes a system of accountability to ensure City-owned vehicles are used appropriately. For the purposes of this policy, "City-owned" includes any vehicle owned, leased or rented by the City.

704.2 POLICY

The Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

704.3 USE OF VEHICLES

City-owned vehicles shall only be used for official business and, when approved, for commuting to allow employees to respond to department-related business outside their regular work hours.

Employees shall not operate a City-owned vehicle at any time when impaired by drugs and/or alcohol.

Any employee operating a vehicle equipped with a two-way communications radio, MDC and/or a GPS device shall ensure the devices are on and set to an audible volume whenever the vehicle is in operation.

704.3.1 SHIFT ASSIGNED VEHICLES

Employees who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out, according to current procedures, prior to taking it into service.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

704.3.2 UNSCHEDULED USE OF VEHICLES

Employees utilizing a City-owned vehicle for any purpose other than their regularly assigned duties shall first notify the Patrol Supervisor of the reason for use. This section does not apply to employees permanently assigned an individual vehicle (e.g., command staff, detectives), who regularly use the vehicle on an unscheduled basis as part of their normal assignment.

704.3.3 UNMARKED VEHICLES

Except for use by the assigned employee, unmarked units shall not be used without first obtaining approval from the supervisor of the unit to which the vehicle is assigned.

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704.3.4 AUTHORIZED PASSENGERS

Employees operating City-owned vehicles shall not permit persons other than City employees or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as a passenger in their vehicle.

704.3.5 INSPECTIONS

The interior of any vehicle that has been used to transport any person other than an employee should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting officer shall search all areas of the vehicle that are accessible by the person before and after the person is transported.

704.3.6 PRIVACY

All City-owned vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents. Exceptions to this policy include duty bags, purses, backpacks or other personal bags.

704.4 KEYS AND SECURITY

All uniformed field employees approved to operate marked patrol vehicles should be issued a copy of the unit key as part of their initial equipment distribution upon hiring. Officers shall not duplicate keys.

Employees assigned a permanent vehicle should be issued keys for their assigned vehicle.

The loss of any key shall be promptly reported in writing through the employee's chain of command.

704.5 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Woodland Police Department, an officer should avoid becoming directly involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions Policy and the Law Enforcement Authority Policy).

Officers may render public assistance (e.g., to a stranded motorist) when deemed prudent.

Officers shall, at all times while driving a marked City-owned vehicle, be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

704.6 MAINTENANCE

Employees are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles.

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Vehicle Use

Employees shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage. It is the assigned employee's responsibility to ensure that their assigned vehicle is maintained according to the established service and maintenance schedule.

Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy.

704.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or removal of any equipment or accessories shall be made to the vehicle without written permission from the Bureau Commander.

704.7 VEHICLE DAMAGE, ABUSE AND MISUSE

When a City-owned vehicle is involved in a traffic collision or otherwise incurs damage, the involved employee shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see also Traffic Collision Reporting Policy).

When a collision involves a City vehicle or when a employee of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death, the supervisor should request that an outside law enforcement agency be summoned to investigate the collision.

The employee involved in the collision shall complete the City of Woodland Incident/Accident Report form. If the employee is unable to complete the form, the supervisor shall complete the form. The form shall be delivered to the lieutenant in charge of Fleet. The lieutenant in charge of Fleet receiving a City of Woodland Incident/Accident Report should review the report for accuracy and determine what additional action should be taken. The lieutenant shall forward a copy of the Woodland Incident/Accident Report to city shop, city representative, and YCPARMIA if applicable. A copy will be forwarded to the lieutenant in charge of the Traffic Division for accident review if necessary.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Patrol Supervisor.

Personal Protective Equipment

705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

705.2 POLICY

The Woodland Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

- (a) Employers shall make hearing protectors available to all employees exposed to an 8-hour time-weighted average of 85 decibels or greater at no cost to the employees. Hearing protectors shall be replaced as necessary.
- (b) Employers shall ensure that hearing protectors are worn by all employees:
 - 1. Who are required by Section 5096(b) to wear personal protective equipment; or

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2. Who are exposed to an 8-hour time-weighted average of 85 decibels or greater, and who:
 - (a) Are required by Section 5097(c)(9) to wear hearing protectors because baseline audiograms have not yet been established; or
 - (b) Have experienced a standard threshold shift.
- (c) Employees shall be given the opportunity to select their hearing protectors from a variety of suitable hearing protectors provided by the employer.
- (d) The employer shall provide training in the use and care of all hearing protectors provided to employees.
- (e) The employer shall ensure proper initial fitting and supervise the correct use of all hearing protectors.

705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

Where eye protection is required in the employee requires vision correction, such eye protection shall be provided as follows:

- (a) safety spectacles with suitable corrective lenses, or
- (b) safety goggles designed to fit over spectacles, or
- (c) protective goggles with corrective lenses mounted behind the protective lenses.

The Firearms Coordinator shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

705.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

705.7 RESPIRATORY PROTECTION

The Community Relations Lieutenant is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member, or YCPARMIA. The plan shall include procedures for (8 CCR 5144):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.

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- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

705.7.1 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (8 CCR 5144).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

- (a) They smell, taste or are irritated by a contaminant.
- (b) They experience difficulty breathing due to filter loading.
- (c) The cartridges or filters become wet.
- (d) The expiration date on the cartridges or canisters has been reached.

705.7.2 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (8 CCR 5144).

After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

- (a) At least once every 12 months.
- (b) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

705.7.3 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member shall be issued respiratory protection that forms a complete seal around the face until (8 CCR 5144):

- (a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.

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- (b) A physician or other licensed health care professional has reviewed the questionnaire.
- (c) The member has completed any physical examination recommended by the reviewing physician or health care professional. The pre-employment medical examination qualifies for this examination.

705.8 RECORDS

The Chief's Executive Assistant is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule and 8 CCR 5144.

705.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (8 CCR 3380).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (8 CCR 5144).

Military Equipment

706.1 PURPOSE AND SCOPE

The purpose of this policy ("Policy") is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment pursuant to Assembly Bill 481 ("AB 481"). (California Government Code § 7070; et seq.).

706.1.1 DEFINITIONS

Definitions related to this Policy include those provided in Government Code Section 7070 and as follows:

Governing body – City of Woodland City Council ("City Council") appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code Section 30510 and Penal Code Section 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by City Council or a state agency to require additional oversight.

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706.2 POLICY

It is the Policy of the City of Woodland ("City") that members of the Woodland Police Department("Department") comply with the provisions of AB 481, with request to the funding, acquisition and use of military equipment.

706.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police shall designate a member of the department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this Policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the City Council.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of the Department.
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting; and
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and City Council and ensuring that the report is made available on the department website.
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

706.4 MILITARY EQUIPMENT INVENTORY

The list of qualifying equipment for the Department is attached to this Policy as Exhibit "A" and incorporated into the Policy by this reference:

See attachment: Woodland_ Military Equipment List (Final Draft).pdf

706.4.1 MAINTENANCE OF MILITARY USE SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to 25% of stock in a calendar year without City Council approval to maintain essential availability for the Department's needs.

706.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the City Council by way of an ordinance adopting this Policy. As part of the approval process, the Chief of Police or the

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authorized designee shall ensure this Policy is submitted to the City Council and is available on the department website at least thirty (30) days prior to any public hearing concerning the adoption of the Policy. The Policy must be approved by the City Council prior to engaging in any of the following :

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

706.5.1 PROHIBITED MILITARY EQUIPMENT

The following military equipment is prohibited by the City of Woodland and will not be requested or possessed by the Woodland Police Department:

- Tracked armored vehicles that provided ballistic protection to their occupants.
- Weaponized aircraft, vessel, or vehicles of any kind.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- TASER Shockwave, microwave weapons, and long-range acoustic devices (LRADs)

706.6 MILITARY EQUIPMENT USE CONSIDERATIONS

- (a) The military equipment acquired and authorized by the Department is:
 - 1. Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 - 2. Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (b) Military equipment shall only be used by a Department employee only after applicable training, including any course required by the Commission on Peace Officer Standards and Training, has been completed, unless exigent circumstances arise.

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706.7 COORDINATION WITH OTHER JURISDICTIONS

Military equipment used by any member of this jurisdiction shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

The Department participates with the Yolo County Regional SWAT Team and works closely with local, county, state, and federal partners. In exigent circumstances and with the approval of the Chief of Police or designee, military equipment may be deployed from outside entities to promote the safety and security of community members. If the Police Department acquires, borrows, or uses military equipment in exigent circumstances, it will provide written notification of the acquisition or use to the City Council within thirty (30) days following the commencement of such exigent circumstance, unless such information is confidential or privileged under local, state or federal law.

While this procedure is wide-ranging, it is not all-inclusive. There may be instances wherein exigent circumstances demand the need for Incident Commanders to authorize military equipment to be used in a manner not outlined within this policy. In scrutinizing those particular instances, the judgment of the Incident Commander influenced by the totality of the circumstances, public safety, officer safety, civil rights, and information available at the time will be used.

706.8 ANNUAL REPORT

Upon approval of the Policy, the Chief of Police or the authorized designee should submit a military equipment report to the City Council for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use.

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code section § 7072 for the preceding calendar year for each type of military equipment in department inventory.

706.9 COMPLIANCE

- (a) Department members are bound to adhere to this Policy, in addition to state and local laws and ordinances when employing the use of military equipment at any time. Violations of the law or this Policy may result in criminal or administrative investigations and/or actions.
- (b) Members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment in this Policy and how the military equipment is used by any of the following means:
 - 1. Via email to: wpd@cityofwoodland.org
 - 2. Via phone call to: (530) 661-7800
 - 3. Via mail to: Woodland Police Department Attn: Military Equipment Coordinator
1000 Lincoln Avenue Woodland, California 95695

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The Department is committed to responding to complaints, concerns, and questions received through any of the above methods in a timely manner.

706.10 COMMUNITY ENGAGEMENT

Within thirty (30) days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Knox-Box® Access

707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide information about the Knox-Box® Rapid Entry System and the roles and responsibilities of department members with regard to Knox-key security, storage, access and accountability. This policy shall apply to all buildings or sites within the City of Woodland Police Department jurisdiction where it has been determined that a Knox-keyed device is needed or has been provided for accessibility for emergency responders (Fire Code § 506).

707.1.1 DEFINITIONS

Definitions related to this policy include:

Key tag - Attached to each key in a Knox-Box to identify its function.

Knox-Box - A locked box used for securely storing the keys to a gate, building or rooms within a building.

Knox Company - The manufacturer/vendor of the Knox-Box, cabinets, key switches, padlocks and related accessories. This is the only company whose products can be accessed by the Woodland Police Department.

Knox master key - A key carried on all fire apparatus which enables department members to access any Knox-keyed device within the jurisdiction.

707.2 POLICY

It is the policy of the Woodland Police Department to be registered with the Knox Company to participate in its rapid entry system, providing safe and secure non-destructive emergency access to commercial and residential properties. Participation minimizes potential budget impacts caused by forcible entry during an emergency and allows a building to be re-secured quickly and easily by members.

The Police Chief or the authorized designee shall appoint a Knox program coordinator, who shall be responsible for ensuring that all aspects of the program are administered in accordance with local ordinance and Knox Company requirements.

707.3 KNOX KEY ACCOUNTABILITY

No individual member shall be issued a Knox master key. Appropriate police vehicles shall be equipped with locking units that are accessed by an individual pin code. Once the Knox master key is released, it should be used to access the Knox-keyed device at the location of the emergency and be immediately returned to the secured unit.

Each secured unit shall have an audit trail showing all access, this can be done by advising dispatch while on scene, or documented in the incident report.

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The Police Chief is ultimately accountable for Knox master keys issued to the Department. Any missing master key shall be immediately reported verbally to a supervisor and followed up with a written explanation to the Police Chief within two working days.

Maintenance and security of the Knox master keys is essential to the credibility of the program. Any loss of a master key shall be thoroughly investigated and appropriate action initiated. If the key cannot be recovered, all Knox master keys in the jurisdiction may have to be replaced at department expense.

707.4 SITE INSTALLATION AND TESTING

It is a property owner's responsibility to order Knox-keyed devices and ensure that they are installed securely in a manner and location approved by the Woodland Fire Department, in accordance with local building codes and ordinances. The reflective alert decal included with each Knox-Box should be mounted on the door or door frame adjacent to the Knox-Box. It is intended to alert Woodland Police Department staff to the presence of a Knox-Box.

Knox-Boxes should be installed near the main entrance to the building at a height not to exceed 6 feet. This height has proven ideal as it enables members to access the Knox-Box quickly without deploying a ladder, yet is high enough to discourage tampering. The preferred location for mounting a key switch is at the gate control head or adjacent to the gate or door entry key pad.

Knox-key switches should be installed by an electrician familiar with these devices.

707.5 KEYS IN KNOX-BOXES

Every access key placed in a Knox-Box shall be identified with a sturdy tag. Each set of keys shall be grouped together on a key ring. Tags and key rings may be purchased from the Knox Company at the time the Knox-Box is ordered. The keys being installed will be at the discretion of the property owner but should be selected based on the access needs of emergency responders. Keys typically installed in a Knox-Box include:

- Main entrance
- Grand master
- Elevator control
- Mechanical room
- Fire alarm panel
- Electrical room
- Roof access
- Other secured areas deemed appropriate by the owner and/or the Department

707.6 LOCK UP OF KEYS IN KNOX-BOXES

The Woodland Fire Department shall be responsible for Knox-Box testing, key switch testing, locking of newly installed Knox-Boxes and the number of key sets required in all Know-Boxes.

Chapter 8 - Support Services

Property and Evidence

800.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and identifies those persons authorized to remove and/or destroy property.

800.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

800.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in their possession until it is properly tagged and placed in the designated property locker or storage room along with the property form.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking.

Found property, with a value under \$50 and where the owner cannot be identified, may be destroyed by the officer.

800.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked into the evidence/property computer system prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, the case number, owner's name, finder's name, and other identifying information or markings. If the owner is booked into jail employees shall note this in the Additional Information field of the property form.
- (b) Complete an evidence/property electronic barcode tag and attach it to each package or envelope in which the property is stored.

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- (c) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
- (d) The pink copy of the property form shall be given to the owner and employees shall document this in their report.
- (e) When the property is too large to be placed in a locker, the item may be retained in the sally port. Submit the completed property record into a numbered locker indicating the location of the property.

800.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker with a copy of the property sheet. The remaining copy will be submitted with the case report.

800.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Patrol Supervisor. The Explosive Ordinance Disposal (EOD) Unit will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers for disposal by EOD.

800.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the Property and Evidence CSO, or placed in the designated container for return to the Department of Motor Vehicles. No formal property booking process is required.
- (c) All bicycles and bicycle frames require a property record. Property barcode tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the Property and Evidence CSO, or placed in the bicycle storage area, or sally port, until a Property and Evidence CSO can log the property.
- (d) Amounts of currency over \$100.00 that are entered into evidence needs to be verified by another officer to verify the total dollar amount. The witnessing officer will co-sign the envelope. The entering officer will identify the verifying officer in the report. In cases involving the placing of more than \$1,000.00 into evidence/property, the employee will

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notify the on-duty supervisor who in turn will notify the Property CSO of the seizure. The Property CSO will place the currency and/or property into the evidence safe.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

800.3.5 RELINQUISHED FIREARMS

Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold or otherwise transferred, unless (Penal Code § 29810):

- (a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or
- (b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or
- (c) The Automated Firearms System indicates that the firearm was reported lost or stolen.
 - 1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

The Property and Evidence CSO shall ensure the Records Supervisor is notified of the relinquished firearm for purposes of updating the Automated Firearms System and the disposition of the firearm for purposes of notifying the California Department of Justice (DOJ) (See the Records Division Policy).

800.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics and dangerous drugs
- (b) Firearms (ensure they are unloaded and booked separately from ammunition)
- (c) Property with more than one known owner
- (d) Paraphernalia as described in Health and Safety Code § 11364
- (e) Fireworks
- (f) Contraband

800.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Syringes should be placed in the Sharps container for disposal.

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A property tag shall be securely attached to the outside of all items or group of items packaged together.

800.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker, accompanied by one copy of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an DOJ BFS Lab envelope of appropriate size available in the evidence processing room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property barcode tag shall be attached to the outside of the container/envelope. The chain of custody of the evidence shall be recorded on the DOJ BFS Lab envelope.

800.5 RECORDING OF PROPERTY

The Property and Evidence CSO receiving custody of evidence or property shall record their signature, the date and time the property was received and where the property will be stored in the property management system.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property barcode tag and the property sheet.

Any changes in the location of property held by the Woodland Police Department shall be noted in the property management system.

800.6 PROPERTY CONTROL

Each time the Property and Evidence CSO receives property or releases property to another person, they shall enter this information in the property management system. Officers desiring property for court shall contact the Property and Evidence CSO at least one day prior to the court day.

800.6.1 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time in the property management system and the request for laboratory analysis.

The Property and Evidence CSO releasing the evidence must complete the required information in the property management system. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Bureau for filing with the case.

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800.6.2 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the property management system, stating the date, time and to whom released.

The Property and Evidence CSO shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the property management system, indicating date, time, and the person who returned the property.

800.6.3 AUTHORITY TO RELEASE PROPERTY

The Investigations Lieutenant shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

The District Attorney's Office, monthly, provides a list of evidence items that can be released back to the rightful owner(s).

800.6.4 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the property form.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.

A Property and Evidence CSO shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Division for filing with the case. If some items of property have not been released, the property card will remain with the Property and Evidence Section. Upon release, the proper entry shall be documented in the Property Management System.

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Under no circumstances shall any firearm, magazine, or ammunition be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Property and Evidence Section Supervisor should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and, if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm, magazine, or ammunition longer than 180 days after notice has been provided to the owner that such items are available for return. At the expiration of such period, the firearm, magazine, or ammunition may be processed for disposal in accordance with applicable law (Penal Code § 33875).

800.6.5 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

800.6.6 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS

Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm or ammunition, the Property and Evidence CSO shall return the weapon or ammunition to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met, unless the firearm or ammunition is determined to be stolen, evidence in a criminal investigation, or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).

800.6.7 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS

Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

- (a) If a petition for a hearing regarding the return of a firearm or a weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the firearm or weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) that conforms to the provisions of Penal Code § 33865.
- (b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the firearm or weapon is not retained as evidence, the Department shall make the firearm or weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ that conforms to the provisions of Penal Code § 33865.

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- (c) Unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not returned should be sold, transferred, destroyed, or retained as provided in Welfare and Institutions Code § 8102.

800.6.8 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, they are entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Woodland Police Department determines them to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

800.6.9 RELEASE OF FIREARMS, MAGAZINES, AND AMMUNITION

The Department shall not return any firearm, magazine, or ammunition taken into custody to any individual unless all requirements of Penal Code § 33855 are met.

800.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property and Evidence CSO shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective.

800.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)

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- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen, or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680)

800.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than \$15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

800.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Investigations Lieutenant shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor and Attorney General
- (d) Any sexual assault victim
- (e) The Investigation Bureau supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Property and Evidence Section Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on

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the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigation Bureau supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigation Bureau supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

800.8 INSPECTIONS OF THE EVIDENCE ROOM

- (a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.
- (c) An annual audit of evidence held by the Department shall be conducted by a Bureau Commander (as appointed by the Chief of Police) not routinely or directly connected with evidence control. The annual evidence audit shall consist of a review of 25 randomly selected evidence items to ensure proper policy and procedure was followed.
- (d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

Records Division

801.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Woodland Police Department Records Division. The policy addresses department file access and internal requests for case reports.

801.2 POLICY

It is the policy of the Woodland Police Department to maintain department records securely, professionally, and efficiently.

801.3 RESPONSIBILITIES

801.3.1 RECORDS DIVISION PROCEDURE MANUAL

The Records Supervisor should establish procedures that address:

- (a) Identifying by name persons in reports.
- (b) Classifying reports by type of incident or crime.
- (c) Tracking reports through the approval process.
- (d) Assigning alpha-numerical records to all arrest records.
- (e) Managing a warrant and wanted persons file.

801.3.2 RECORDS DIVISION

The responsibilities of the Records Division include but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:
 - 1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
 - 2. Suspected hate crimes (Penal Code § 13023).
 - 3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).

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4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
 5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
 - (a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).
 6. Anti-reproductive rights crime information required by Penal Code § 13777.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
 - (f) Identifying missing case reports and notifying the responsible member's supervisor.
 - (g) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).
 - (h) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, surrendered in relation to a private party firearms transaction or registration, relinquished pursuant to a court order, or under observation, within seven calendar days of the precipitating event (Penal Code § 11108.2).
 - (i) Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).
 - (j) Transmitting data to the Joint Regional Information Exchange System on any suspected multi-mission extremist crimes.

801.3.3 RECORDS SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Records Supervisor. The Records Supervisor shall be directly responsible to the Community Relations Lieutenant or the authorized designee.

The responsibilities of the Records Supervisor include but are not limited to:

- (a) Overseeing the efficient and effective operation of the Records Division.
- (b) Scheduling and maintaining Records Division time records.
- (c) Supervising, training, and evaluating Records Division staff.
- (d) Maintaining and updating a Records Division procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

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1. Homicides.
2. Cases involving department members or public officials.
3. Any case where restricted access is prudent.

801.4 DETERMINATION OF FACTUAL INNOCENCE

In any case where a person has been arrested by officers of the Woodland Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Records Supervisor. The Records Supervisor should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8).

Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Records Supervisor should forward the petition to the Investigations Division Supervisor and the City Attorney for review. After such review and consultation with the City Attorney, the Investigations Division Supervisor and the Records Supervisor shall decide whether a finding of factual innocence is appropriate.

Upon determination that a finding of factual innocence is appropriate, the Records Supervisor shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California Department of Justice and other law enforcement agencies (Penal Code § 851.8).

The Records Supervisor should respond to a petition with the Department's decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

801.5 ARREST WITHOUT FILING OF ACCUSATORY PLEADING

The Deputy Chief should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

- (a) The individual is issued a certificate describing the action as a detention.
- (b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.
- (c) The Bureau of Criminal Identification and Investigation of the Department of Justice is notified.

801.6 FILE ACCESS AND SECURITY

The security of files in the Records Division must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in

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a secure area within the Records Division and access must only be by authorized members of the Records Division. Access to case reports or files when Records Division staff is not available may be obtained through the Patrol Supervisor.

The Records Division will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

801.7 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Division. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Supervisor. All original case reports removed from the Records Division shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Division.

All original case reports to be removed from the Records Division shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Division. The photocopied report shall be shredded upon return of the original report to the file.

801.8 CONFIDENTIALITY

Records Division staff has access to information that may be confidential or sensitive in nature. Records Division staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Division procedure manual.

801.9 MINIMUM STAFFING LEVELS

The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

Full-time Records Specialists, regardless of assignment, are included in minimum staffing. Minimum staffing level for the Records Division is two Record Specialist per Day. The schedule for the Records Division is as follows:

- 0500-1500 hours (1) Record Specialist
- 1100-2100 hours (1) Record Specialists
- 2000-0600 hours (1) Record Specialists

Records Maintenance and Release

802.1 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.

802.2 POLICY

The Woodland Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 7920.000 et seq.).

802.3 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 bureau 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 (Government Code § 7922.525; Government Code § 7922.530).
- (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 § 7922.530).
- (g) Determining how the department's website may be used to post public records in accordance with Government Code § 7922.545.
- (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 § 7922.680 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 § 7922.700) is publicly available upon request and posted in a prominent location on the Department's website (Government Code § 7922.710; Government Code § 7922.720).

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802.3.1 TRAFFIC COLLISION REPORTS

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.

802.4 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.

802.4.1 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 § 7922.530).

The processing of requests for any record is subject to the following (Government Code § 7922.530; Government Code § 7922.535):

- (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 § 7923.655).
- (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 § 7922.600).
 - 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.

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- (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 § 7922.570; Government Code § 7922.580).
- (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. The written response shall also include the names, titles, or positions of each person responsible for the denial (Government Code § 7922.000; Government Code § 7922.540).

802.5 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 § 7922.200).
- (c) Personnel records, medical records, and similar records that would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 7927.700; 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 shall not be disclosed to any arrested person or to any person who may be a defendant in a

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criminal action unless it is required by law (Government Code § 7923.615; Penal Code § 841.5).

1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, elder and dependent 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 § 7923.750.
- (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 § 7923.605).
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 § 7923.605.
- (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/CountyAttorney], the 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 § 7923.800).
- (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.

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- (l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 7927.200).
- (m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 7927.205).
- (n) Records relating to the security of the department's electronic technology systems (Government Code § 7929.210).
- (o) A record of a 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)(9)).
- (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 § 7927.705).
- (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 § 827.95; Welfare and Institutions Code § 831).

802.6 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.

802.7 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.

802.8 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

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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 Supervisor 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.

802.8.1 SEALED JUVENILE ARREST RECORDS

Upon receiving notice from a probation department to seal juvenile arrest records pursuant to Welfare and Institutions Code § 786.5, the Records Supervisor should ensure that the records are sealed within 60 days of that notice and that the probation department is notified once the records have been sealed (Welfare and Institutions Code § 786.5).

802.9 SECURITY BREACHES

The Records Supervisor 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 (Civil Code § 1798.29):

(a) Social Security number

1. Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
2. 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
3. Medical information
4. Health insurance information
5. Information or data collected by Automated License Plate Reader (ALPR) technology
6. Unique biometric data

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7. Genetic data
- (b) A username or email address, in combination with a password or security question and answer that permits access to an online account

802.9.1 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 Woodland 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 Woodland 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 Woodland 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.

802.9.2 MANNER OF NOTICE

- (a) Notice may be provided by one of the following methods (Civil Code § 1798.29):
 1. Written notice.

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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.

802.10 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 § 7923.625).

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 depicts an incident 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 § 7923.625).

The Custodian of Records should work as appropriate with the Chief of Police or the Community Relations Sergeant 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.

802.10.1 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.

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- (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 § 7923.625).

802.10.2 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 § 7923.625):

- (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.
- (a) 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.

802.10.3 REDACTION

If the Custodian of Records, in consultation with the Chief of Police or the 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 § 7923.625).

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 § 7923.625).

802.10.4 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 § 7923.625):

- (a) The person in the recording whose privacy is to be protected, or the person's authorized representative.

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- (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 and the estimated date of disclosure (Government Code § 7923.625).

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 § 7923.625).

Protected Information

803.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Woodland Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

803.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Woodland Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

803.2 POLICY

Members of the Woodland Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

803.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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803.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Woodland Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

803.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

803.4.2 RELEASE OF CORI

Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

- (a) Records Supervisor
- (b) Full-time employees of the Records Division
- (c) Personnel specifically designated in writing by the Deputy Chief with the concurrence of the Criminal Records Security Officer (Records Supervisor)

803.4.3 RELEASE OF CORI TO FIELD PERSONNEL

Personnel shall not have access to CORI until a background investigation has been completed and approved.

CORI shall not generally be transmitted by radio, text, email, or through computer terminals to field personnel or vehicles except in cases where circumstances reasonably indicate that the immediate safety of the officer or the public are at significant risk. Examples of situations where the transmission of summary criminal history information would be justified include a hostage situation or an armed suspect however a routine investigation or traffic enforcement stop would not be sufficient justification.

Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

803.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

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A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

803.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

803.5.2 TRANSMISSION GUIDELINES

Protected information, such as restricted Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should not be transmitted via unencrypted radio. When circumstances reasonably indicate that the immediate safety of officers, other department members, or the public is at risk, only summary information may be transmitted.

In cases where the transmission of protected information, such as Personally Identifiable Information, is necessary to accomplish a legitimate law enforcement purpose, and utilization of an encrypted radio channel is infeasible, a MDC or department-issued cellular telephone should be utilized when practicable. If neither are available, unencrypted radio transmissions shall be subject to the following:

- Elements of protected information should be broken up into multiple transmissions, to minimally separate an individual's combined last name and any identifying number associated with the individual, from either first name or first initial.
- Additional information regarding the individual, including date of birth, home address, or physical descriptors, should be relayed in separate transmissions.

Nothing in this policy is intended to prohibit broadcasting warrant information.

803.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.

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- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

803.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

803.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

803.7.1 COMPUTER TERMINAL SECURITY

Computer terminal equipment capable of providing access to automated criminal offender record information is located in the Records Division, Patrol Report Writing, and in the Investigations Bureau to preclude access by unauthorized persons.

No employee shall be authorized to operate computer terminal equipment with access to CORI until the operator has completed the appropriate training.

803.7.2 DESTRUCTION OF CORI

When any document providing CORI has served the purpose for which it was obtained, it shall be destroyed by shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

803.7.3 CUSTODIAN OF CRIMINAL RECORDS

The Records Supervisor, unless otherwise directed by the Chief or their designee shall be the Department's official Custodian of Criminal Records. The Custodian of Criminal Records shall be responsible for the security, storage, dissemination and destruction of criminal records, and will serve as a primary contact for the California Department of Justice for any related issues. The Chief or their designee may appoint other department employees to the role of Custodian of Criminal Records, who will share the same responsibilities regarding criminal records.

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The Administration will ensure that they make the appropriate applications and notifications to the California Department of Justice regarding the Department's Custodian of Criminal Record appointments, per the requirements of Penal Code § 11102.2.

This subsection is not intended to interfere with any other employee acting as a custodian of records for other statutory purposes but is narrowly tailored to address issues of criminal history records.

803.8 TRAINING PROGRAM

All personnel authorized to process or release CORI shall be required to complete a training program prescribed by the Criminal Record Security Officer. The Records Supervisor shall coordinate the course to provide training in the proper use, control, and dissemination of CORI.

803.9 PENALTIES FOR MISUSE OF RECORDS

Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of Policy Manual § 340.3.7(a).

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of Policy Manual § 340.3.7(a).

803.10 CALIFORNIA RELIGIOUS FREEDOM ACT

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).

Computers and Digital Evidence

804.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

804.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

- (a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
 - 1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
 - 2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).
- (e) Label each item with case number, evidence sheet number, and item number.
- (f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, officers should document the following in related reports:
 - 1. Where the computer was located and whether or not it was in operation.
 - 2. Who was using it at the time.
 - 3. Who claimed ownership.

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4. If it can be determined, how it was being used.
 - (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media.

804.2.1 BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

804.2.2 FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

- (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
- (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
- (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
- (d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

804.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.
- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Property and Evidence Section to copy the contents to an appropriate form of storage media.
- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

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- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

804.4 SEIZING PCDS

Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

- (a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be placed in a faraday bag to prevent the device from sending or receiving information.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

804.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

804.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

804.5.2 DOWNLOADING OF DIGITAL FILES

Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

- (a) Files should not be opened or reviewed prior to downloading and storage.
- (b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

804.5.3 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

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- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

Alarm Program

805.1 PURPOSE AND SCOPE

The Senior Management Analyst, or their designee, will be responsible for the administration of the burglary and robbery alarm ordinance. The Senior Management Analyst will maintain records and keep current statistics which will reflect the false alarm rates for those users who come into conflict with the standards previously set by the City Council. Additionally, the Senior Management Analyst will maintain accounting records using the City Financial System which will accurately reflect the fees and or fines debited and received by the Department as a result of the administration of this ordinance.

The purpose of the City of Woodland Burglar Alarm Ordinance is to help the Police Department reduce the number of false alarm responses on an annual basis. False alarms create a variety of concerns including officer safety issues when continuous responses are required. As a result, the Police Department has been charged with the administration of this ordinance and accounting for any fees and fines imposed as a result of unnecessary Police response.

805.2 PROCEDURE

The Senior Management Analyst will periodically evaluate the false alarm standards and recommend any changes that may be necessary to the Chief of Police. The service fee schedule will be monitored to ensure that costs for police response to false alarms do not exceed the amount of the fees imposed by the resolution.

The Patrol Division will notify dispatch of any discernable reason for the alarm which, in turn, will be logged on the call for the alarm program administrator.

The Senior Management Analyst will review alarm responses and assess service costs, nature of alarms and notification to permittees, process all billings, and receive all fees associated with the alarm program and retain all permit applications and service fee invoices for contested alarm calls.

805.3 BURGLARY/ROBBERY ALARMS

The Senior Management Analyst is responsible for cost recovery of department expenses for repeat responses to Burglary/Robbery false alarm calls per Section 5.16.220 Woodland City Ordinance.

805.3.1 PROCEDURE

Section 5.16.220 WCO does not authorize arrests. It was enacted to discourage and reduce the frequency of return call to false alarms by charging a service fee.

The Patrol Division will notify dispatch of each false alarm to which officers respond. This notification can be accomplished by notifying dispatch of the following information, generally contained in the CAD event created by dispatch, which will be routed to the Records Manager for assessment:

- (a) Location of call

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- (b) Time & Date
- (c) Name of Business or resident
- (d) Reason for alarm
- (e) If the responsible responded to the alarm call
- (f) Name of responsible contacted at the scene

Records Division Shift and Vacation Sign-up Rules

806.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that Records Division shift and vacation sign-ups are conducted in a consistent manner. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

806.2 RECORDS DIVISION SIGN-UP RULES

The rules for sign-ups for the work schedule are:

- (a) Sign-ups will be done by seniority.
- (b) Employees may not work a shift more than two consecutive times. If needed, certain lines will be blocked during the sign-ups to ensure that Records Specialist with lesser seniority can comply with this rule. The Records Supervisor can assign an employee to a shift in violation of this rule if the assignment is necessary to meet the needs of the Department.
- (c) It is the employee's responsibility to make sure they will not be working the same shift more than two consecutive times. Employees who sign up in violation of this rule will have their shifts adjusted to comply with the rule.
- (d) If the sign-up is done improperly, the Records employee making the mistake will be responsible for any corrections needed. It is important to sign-up properly to avoid mistakes and end up not getting the shift you want.
- (e) If a Records employee conducts a shift trade, the employee may have to modify or cancel their annual vacation if there is a conflict on the new shift.

806.3 RECORDS DIVISION SHIFT SIGN-UP PROCEDURES

Annually, during the month of October, employees will be assigned a date and time to sign-up for the following calendar year's records shifts. If an employee misses their assigned time, they will be able to sign-up at any time after their assigned block, however less senior employees will have the opportunity to sign-up in the mean time.

806.4 SHIFT TRADES

After the entire sign up is complete, employees can trade shifts with another employee as long as the trade is agreeable to both employees and the trade is approved by the Records Supervisor. A shift trade will not be approved if the trade creates a conflict due to scheduled vacation, training and other scheduled absences or with the sign-up rules. In these cases, the trading employees may be required to adjust their scheduled time off to resolve the conflict.

806.5 RECORDS DIVISION VACATION SIGN-UP RULES

The following are the rules for Records Division Vacation Sign-up work schedule:

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Records Division Shift and Vacation Sign-up Rules

- (a) Employees will sign up for one or two annual vacation periods. No more than two periods will be honored. The sum of the time for both periods taken cannot exceed 16 scheduled work days (one month). If you sign up for more, only the first two periods will be honored and the other periods will be forfeited.
- (b) No time period can consist of less than four scheduled work days. Employees must sign up for an entire work week; employees cannot sign up for only one, two or three days at a time. The work week for weekend swing shift & graveyards is Friday through Monday consecutively.
- (c) Employees selecting the split time option can only take one period during the months of June, July, and August. The other period must fall outside that time period.
- (d) Annual vacation is extremely important to the department. Due to the many unforeseen changes, which we will undoubtedly face during a coming year, all other vacation requests will be done through the Records Supervisor no more than six weeks prior to the date requested. All requests exceeding three consecutive days off will require approval by a supervising lieutenant or above.
- (e) No more than one employee may be on vacation at the same time.
 - 1. Two employees on the same shift shall not have lines that overlap more than one day a week.
- (f) Throughout the year, the Records Supervisor has the flexibility to approve additional vacation periods/days/number of personnel off on a specific shift, if staffing allows.
- (g) Sign-ups will be done by seniority.
- (h) If the sign-up is done improperly, the employee making the mistake will be responsible for any corrections needed. It is important to sign-up properly to avoid mistakes and end up getting the dates employees do not want.
- (i) Employees will be assigned a date and time that they are to sign up. If an employee fails to sign up on their respective date and time, then the sign up will continue without them. Employees waiting to sign-up for their vacation should keep tabs on the progress of the sign-up so they know the possible dates for their vacation.
- (j) All personnel are reminded this vacation schedule is a tentative schedule and all annual vacations must be confirmed a maximum of six weeks prior to the vacation to guarantee the vacation will be granted.
- (k) If an employee conducts a shift trade the employee may have to modify or cancel their annual vacation if there is a conflict on the new shift.

Employees should remember that these are guidelines for the annual vacation sign-up only. These guidelines do not limit the total number of the individuals actually allowed to take time off as the year progresses. If staffing allows (employees assigned, training days, light duty, etc.), employees are encouraged to submit requests through regular channels within six weeks of the additional days requested. Requests will be considered first by the date submitted and second by the seniority of the requestor.

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by employees of the Woodland Police Department for processing prior to being released or transferred to a housing or other type of facility.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by an employee of the Department.

Safety checks - Direct, visual observation by an employee of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Woodland Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Woodland Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Woodland Police Department, but should be transported to a jail facility, a medical facility, or another type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision, or medication while in temporary custody.
- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Mental Illness Commitments Policy).

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1. If the officer taking custody of an individual believes that the individual may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed (15 CCR 1030).
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance, or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior including behavior that results in the destruction of property or demonstrates an intent to cause physical harm to themselves or others (15 CCR 1053; 15 CCR 1055).
- (h) Any individual who claims to have, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk (15 CCR 1051).
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to the individual's health or safety.
- (j) Any individual with an obvious developmental disability (15 CCR 1057).
- (k) Any individual who appears to be a danger to themselves or others due to a behavioral crisis, or who appears gravely disabled (15 CCR 1052).
- (l) Any individual who needs restraint beyond the use of handcuffs or shackles for security reasons (15 CCR 1058).
- (m) Any individual obviously suffering from drug or alcohol withdrawal (15 CCR 1213).

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with the member's supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody has a hearing or speech impairment, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process (15 CCR 1027).

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Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present (Penal Code § 4021).

No individual in custody shall be permitted to supervise, control, or exert any authority over other individuals in custody.

900.3.3 STAFFING PLAN

The Chief of Police or the authorized designee shall ensure a staffing plan is prepared and maintained, indicating assigned personnel and their duties. The plan should ensure that at least one member who meets the training standards established by the Board of State and Community Corrections (BSCC) for general fire- and life-safety and is trained in fire- and life-safety procedures relating specifically to the facility is on-duty at all times (15 CCR 1028).

The staffing plan shall be available for biennial review by BSCC staff. The review and recommendations of the BSCC biennial review shall be forwarded to the City, as required by 15 CCR 1027.

900.3.4 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Patrol Supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease, or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate the individual for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication, or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, the individual shall be transported to the City jail or the appropriate mental health facility.

The officer should promptly notify the Patrol Supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The Patrol Supervisor shall determine whether the individual will be placed in a cell, immediately released, or transported to jail or other facility.

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900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall (15 CCR 1050):

- (a) Advise the Patrol Supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 - 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
 - 2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 - 3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
 - 4. Ensure males and females are separated by sight and sound when in cells.
 - (a) When deciding whether to assign an arrestee to a holding cell consider on case-by-case basis to ensure the inmates health and safety.
 - 5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.
- (e) The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. Observable symptoms of a communicable disease, including tuberculosis, include but are not limited to:
 - Fever
 - Diarrhea
 - Fatigue
 - Muscle aches
 - Coughing, coughing that lasts three or more weeks, coughing up blood
 - Chest pain, or pain with breathing or coughing
 - Unintentional weight loss
 - Night sweats

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- Chills
- Loss of appetite
- (f) Suicide Prevention Program
 1. During screening an evaluation of the arrestee will be completed as listed in 900.4 to ensure that the arrestee is not suicidal.
 2. Removal of the arrestees belt, shoes containing shoelaces, and any ties or long strings.
 3. Maintaining regular, face to face, scheduled checks on the arrestees will increase the safety of an arrestee.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Bureau Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that the individual may have the individual's consular officers notified of the arrest or detention and may communicate with them.
 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 1. If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform the individual without delay that the individual may communicate with consular officers.
 - (c) Forward any communication from the individual to the individual's consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 2. If the country is not on the mandatory notification list and the individual requests that the individual's consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

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- (b) Forward any communication from the individual to the individual's consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Woodland Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including the individual's name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks (15 CCR 1027; 15 CCR 1027.5).
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Woodland Police Department.

The Patrol Supervisor should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Patrol Supervisor should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the log.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins.
- (d) There is reasonable access to a drinking fountain or water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.

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- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (j) Adequate furnishings are available, including suitable chairs or benches.

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members (15 CCR 1220). At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, the person will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Woodland Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the member supervising the individual has probable cause to believe the possession of the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to the individual's health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Patrol Supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists (Penal Code § 2656; 15 CCR 1207).

900.5.5 TELEPHONE CALLS

Immediately upon being booked and, except where physically impossible, no later than three hours after arrest, an individual in custody has the right to make at least three completed calls to an attorney, bail bondsman, and a relative or other person (Penal Code § 851.5). Additional calls may be made as reasonable and necessary (15 CCR 1067). In providing further access to a telephone beyond that required by Penal Code § 851.5, legitimate law enforcement interests such as officer safety, effect on ongoing criminal investigations, and logistics should be balanced against the individual's desire for further telephone access.

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- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at the individual's own expense.
 - 1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
 - 2. The provisions of Penal Code § 851.5 concerning this issue shall be posted in bold, block type in a conspicuous place within the facility.
- (b) The individual should be given sufficient time to contact whomever the individual desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
 - 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use the member's judgment in determining the duration of the calls.
 - 2. Within three hours of the arrest, the member supervising the individual should inquire whether the individual is a custodial parent with responsibility for a minor child, and notify the individual that the individual may make two additional telephone calls to a relative or other person for the purpose of arranging for the care of minor children (Penal Code § 851.5).
- (c) Calls between an individual in temporary custody and the individual's attorney shall be deemed confidential and shall not be monitored, eavesdropped upon, or recorded (Penal Code § 851.5(b)(1); 15 CCR 1068).
- (d) Individuals who are known to have, or are perceived by others as having, hearing or speech impairments shall be provided access to a telecommunication device which will facilitate communication (15 CCR 1067).

900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated (15 CCR 1072). Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

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900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.5.8 REPORTING PHYSICAL HARM OR SERIOUS THREAT OF PHYSICAL HARM

In addition to a custody log entry, any incident that results in physical harm or serious threat of physical harm to an employee, person in custody or any other person shall be documented as stated in the Use of Force or On-Duty Injuries policies, or other applicable reporting process. A copy of all reports generated regarding the above circumstances shall be submitted as soon as reasonably practicable. The Patrol Supervisor will retain a record of these reports for inspection purposes (15 CCR 1044).

The Woodland Police Department has a zero tolerance in regards to sexual abuse and sexual harassment.

While interacting with arrestees detained in the holding cells the officer should insure that their body worn camera is activated unless during a strip search. If an allegation of sexual abuse or sexual assault is report no subject employed by the City of Woodland shall retaliate against the reporting party.

In the lobby of the police department there will be signage notifying inmates, family, community members and other interested third-parties of the method for reporting sexual abuse or sexual harassment.

900.5.9 ATTORNEYS AND BAIL BONDSMEN

- (a) An attorney may visit at the request of the individual in custody or a relative (Penal Code § 825).
- (b) Attorneys and bail bondsmen who need to interview an individual in custody should do so inside a secure interview room.
- (c) The individual in custody as well as the attorney or bail bondsman should be searched for weapons prior to being admitted to the interview room and at the conclusion of the interview.
- (d) Attorneys must produce a current California Bar card as well as other matching appropriate identification.
- (e) Interviews between attorneys and their clients shall not be monitored or recorded (15 CCR 1068).

900.5.10 DISCIPLINE

Discipline will not be administered to any individual in custody at this facility. Any individual in custody who repeatedly fails to follow directions or facility rules should be transported to the

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appropriate jail, mental health facility or hospital as soon as practicable. Such conduct should be documented and reported to the receiving facility (15 CCR 1081).

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Woodland Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Adults who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.6.2 CELL CAPACITY

The Woodland Police Department temporary holding facility is rated for 20 persons broken down as follows:

- 1. Cell 1 3 Adult Prisoners
- 2. Cell 2 3 Adult Prisoners
- 3. Cell 3 3 Adult Prisoners
- 4. Cell 4 3 Adult Prisoners
- 5. Booking Area Cuffing Rail 8 Adult Prisoners

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. A request for the release of property to another person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

The Patrol Supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding their property. The Patrol Supervisor shall attempt to prove or disprove the claim.

900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection

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also should be conducted when the individual is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.
- (b) The individual shall constantly be monitored by an audio/video system during the entire custody.
- (c) The individual shall have constant auditory access to department members.
- (d) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (e) Safety checks by department members shall occur no less than every 15 minutes (15 CCR 1027.5).
 - 1. Safety checks should be at varying times.
 - 2. All safety checks shall be logged.
 - 3. The safety check should involve questioning the individual as to the individual's well-being.
 - 4. Individuals who are sleeping or apparently sleeping should be awakened.
 - 5. Requests or concerns of the individual should be logged.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Patrol Bureau Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Woodland Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Patrol Supervisor, Chief of Police and Investigation Bureau Commander.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the City Attorney.
- (f) Notification of the Coroner.
- (g) Evidence preservation.
- (h) In-custody death reviews (15 CCR 1046).
- (i) Notification to the Attorney General within 10 days of any death in custody including any reasonably known facts concerning the death (Government Code § 12525).

See attachment: Death-Serious Injury Procedure.pdf

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900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms, and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of the individual's property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Woodland Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if the individual is being sent to another facility.
 - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with the person's personal needs as reasonable.

900.11 ASSIGNED ADMINISTRATOR

The Patrol Bureau Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues (15 CCR 1029):

- (a) General security – will be inspected daily by on duty Supervisor
- (b) Key control – controlled by the Chief of Police Executive Assistant
- (c) Sanitation and maintenance – provided by paid janitorial services
- (d) Emergency medical treatment (15 CCR 1200) – officers shall request AMR and Fire Personnel for any medical emergencies
- (e) Escapes – officers shall report any escapes to on duty Supervisor
- (f) Evacuation plans – officers shall evacuate prisoners following posted evacuation plans
- (g) Fire- and life-safety, including a fire suppression pre-plan as required by 15 CCR 1032 – officers shall request AMR and Fire Personnel for any fire or medical emergencies

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The facility will be inspected annually by Woodland Fire to ensure appropriate clearances have been granted. Fire and life safety inspections will be conducted monthly by the Sergeant assigned to the holding cells. All inspection documentation will be retained for 2 years. If an evacuation is required, staff are able to start release of locks necessary for emergency evacuation or rescue and initiate other necessary emergency actions within 2 minutes of an alarm. Officers will evacuate the building following the posted evacuation routes and procedures and all prisoners will be secured in the rear of Patrol vehicles. Egress doors are locked from the inside, openable by keypad access located by both doors. After evacuating the building, prisoners will then be transported to Yolo County Jail or released. The evacuation plan is readily available onsite. Keypads and emergency lighting are provided backup power by the emergency generator. Emergency generator is tested annually for compliance. Staff are instructed in the proper use of portable fire extinguishers and other manual fire suppression equipment. Training of new employees shall be provided promptly upon entrance to duty. Refresher training is provided annually. See attachment: Fire.pdf

- (h) Disaster plans – officers shall evacuate prisoners following posted evacuation plans
- (i) Building and safety code compliance – shall conducted yearly and arranged by the Chief of Police Executive Assistant
- (j) Civil and other disturbances including hostage situations -- officers shall report any disturbances to on duty Supervisor
- (k) Periodic testing of emergency equipment – shall be conducted by designated Supervisor
- (l) Emergency suspension of Title 15 regulations and notice to the Board of State and Community Corrections as required in 15 CCR 1012
- (m) Inspections and operations reviews – will be inspected daily by on duty Supervisor

Annual review and evaluation of security measures including internal and external security measures, sanitation, safety and maintenance (15 CCR 1280).

These supplemental procedures shall be reviewed and updated no less than every two years and shall be available to all members (15 CCR 1029).

900.12 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

Department members responsible for supervising adults in temporary custody shall complete the Corrections Officer Core Course or eight hours of specialized training within six months of assignment. Such training shall include but not be limited to the following (15 CCR 1024):

- (a) Applicable minimum jail standards
- (b) Jail operations liability
- (c) Separation of incarcerated persons

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- (d) Emergency procedures and planning, fire safety, and life safety
- (e) Suicide prevention
- (f) De-escalation
- (g) Juvenile procedures
- (h) Racial bias
- (i) Mental illness

Eight hours of refresher training shall be completed every two years (15 CCR 1024).

The Training Manager shall maintain records of all such training in the member's training file.

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Woodland Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of the individual's property, shoes, and clothing, including pockets, cuffs, and folds on the clothing, to remove all weapons, dangerous items, and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach, rectal cavity, or vagina of an individual.

Strip search - A search that requires an individual to remove or rearrange some or all of the individual's clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus, or outer genitalia. This includes monitoring an individual who is changing clothes, where the individual's underclothing, buttocks, genitalia, or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after the individual's arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Woodland Police Department facilities. Custody searches should also be conducted any time an individual

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in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

901.5 STRIP SEARCHES

No individual in temporary custody at any Woodland Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Woodland Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

- (a) Written authorization from the Patrol Supervisor shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

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- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks, or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The written authorization for the search, obtained from the Patrol Supervisor.
 - 4. The name of the individual who was searched.
 - 5. The name and sex of the members who conducted the search.
 - 6. The name, sex, and role of any person present during the search.
 - 7. The time and date of the search.
 - 8. The place at which the search was conducted.
 - 9. A list of the items, if any, that were recovered.
 - 10. The facts upon which the member based the member's belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia, or breasts while that individual is showering, performing bodily functions, or changing clothes, unless the individual would otherwise qualify for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect the individual's privacy and dignity.
- (h) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Patrol Supervisor shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.
- (i) A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name, and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

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901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Patrol Supervisor authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Patrol Supervisor authorization does not need to be in writing.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (Penal Code § 4030):

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Patrol Supervisor and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.
- (c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Patrol Supervisor's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.

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6. The medical personnel present.
 7. The names, sex and roles of any department members present.
 8. Any contraband or weapons discovered by the search.
- (f) Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

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902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse, harassment, and retaliation against individuals in custody in the Woodland Police Department Temporary Holding Facilities (28 CFR 115.111; 15 CCR 1029).

902.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the individual in custody:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire

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- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above
- Any display by a staff member, contractor, or volunteer of the staff member's uncovered genitalia, buttocks, or breast in the presence of an individual in custody
- Voyeurism by a staff member, contractor, or volunteer

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an individual in custody that are directed toward another; repeated verbal comments or gestures of a sexual nature to an individual in custody by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY

The Woodland Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Woodland Police Department will take immediate action to protect those in its custody who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

902.3 PREA COORDINATOR

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards in the Woodland Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of individuals in custody includes the requirement to adopt and comply with applicable PREA standards and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect those in custody from sexual abuse (28 CFR 115.113; 15 CCR 1029). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of individuals in custody (28 CFR 115.151).

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- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and department leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
 - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 - 3. A process to document all referrals to other law enforcement agencies.
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 - 5. In accordance with security needs, provisions to give, to the extent available, individuals in custody access to victim advocacy services if the individual is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that individuals with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect, and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing, or vision disabilities) (28 CFR 115.116).
 - 1. The agency shall not rely on other individuals in custody for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the individual's safety, the performance of first-response duties under this policy, or the investigation of an individual's allegations of sexual abuse, harassment, or retaliation.
- (h) Publishing on the department's website:
 - 1. Information on how to report sexual abuse and sexual harassment on behalf of an individual in custody (28 CFR 115.154).
 - 2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).

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- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187; 34 USC § 30303; 15 CCR 1041).
 - 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
 - 2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house individuals in custody overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).
- (l) Ensuring that information for uninvolved incarcerated persons, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

902.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Individuals in custody may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

- Sexual abuse
- Sexual harassment
- Retaliation by other individuals in custody or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

Individuals in custody shall be notified of the department zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward a report of sexual abuse and sexual harassment to agency officials. This allows the individual to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from individuals in custody and third parties and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

All members shall report immediately to the Patrol Supervisor any knowledge, suspicion, or information regarding:

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- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against individuals in custody or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 PATROL SUPERVISOR RESPONSIBILITIES

The Patrol Supervisor shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect, or violations leading to sexual abuse, harassment, or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Patrol Supervisor shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that an individual in custody was sexually abused while confined at another facility, the Patrol Supervisor shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Patrol Supervisor shall document such notification (28 CFR 115.163).

If an alleged victim is transferred from the Temporary Holding Facility to a jail, prison, or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the individual's potential need for medical or social services, unless the individual requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

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- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects, and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect, or witness on an individual basis and not by the person's status as a detainee or a member of the Woodland Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary, and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe an individual in custody sexually abused another individual in custody in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No individual in custody who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether

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the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or the City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history, and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with individuals in custody and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with individuals in custody by a contractor or volunteer.

902.6 RETALIATION PROHIBITED

All individuals in custody and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Patrol Supervisor or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for individuals in custody or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Patrol Supervisor or the authorized designee shall identify a staff member to monitor the conduct and treatment of individuals in custody or members who have reported sexual abuse and of those who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of individuals in custody, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS

902.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days

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of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the Department's progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

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All aggregated sexual abuse data from Woodland Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING

All department members and contractors who may have contact with individuals in custody shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Manager shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and the right of individuals in custody to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which individuals in custody are most vulnerable.
- The right of individuals in custody and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all individuals in custody.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

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The Training Manager shall maintain documentation that employees, volunteers, contractors, and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current department members who may have contact with individuals in custody shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such members to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 CITY OF WOODLAND EMPLOYMENT POLICY

Refer to the City of Woodland's policy for Employment.

See attachment: Employment (rev 11.1.07).pdf

Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Woodland Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 FULL TIME PROBATIONARY PERSONNEL

Non-sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. An evaluation is completed quarterly for all full-time non-sworn personnel during the probationary period.

Sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, during the FTO Program and quarterly throughout the remainder of the 12 month probationary period.

1001.4 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to the following types of performance evaluations:

Patrol Division Rotational - An evaluation at the end of each Patrol Division rotation will be completed to document the employee's performance during that time period. Any Training/Observation Forms received during the rotation should be stapled to the Rotational Evaluation. Completed rotational evaluations must be signed by the employee, the supervisor and the supervisor's Lieutenant.

Annual - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Special - A special evaluation may be completed any time the employee's supervisor feels one is necessary due to employee performance that is deemed less than standard. Approval is required

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via the chain of command prior to the issuance of a special evaluation. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1001.4.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance.

The evaluation form for sworn employees contains a check-box and narrative section to rate an employee Superior, Acceptable, Needs Improvement or Unacceptable.

A narrative section is mandatory and can include significant events, both positive and negative, major work efforts, ongoing commendable performance, performance problems, disciplinary issues, etc.

Any rating under any job dimension marked Needs Improvement, Unacceptable or Superior shall be substantiated in the narrative section.

1001.5 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee and manager of the supervisor. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation.

1001.6 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Lieutenant). The Lieutenant shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Lieutenant shall evaluate the supervisor on the quality of ratings given. The Lieutenant shall then forward the evaluation to the Deputy Chief for review. The Deputy Chief will then provide the evaluation to the Chief of Police for review and signature.

1001.7 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Chief of Police for the tenure of the employee's employment. A copy will be given to the employee.

Promotional Policy

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Woodland Police Department.

1002.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and transfer:

- (a) Present a professional, neat appearance.
- (b) Maintain a physical condition which aids in their performance.
- (c) Demonstrate the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to organizational goals and objectives in a positive manner.

1002.2 SWORN NON-SUPERVISORY SELECTION PROCESS

The following positions are considered transfers and are not considered promotions:

- (a) Corporal
- (b) Gang Task Force Officer
- (c) Detective/Investigator
- (d) Motor Officer
- (e) Crisis Response Unit (SWAT/CNT)
- (f) Field Training Officer
- (g) Senior Detective
- (h) K-9 Handler
- (i) Honor Guard
- (j) Bike Patrol
- (k) Yolo County SIU Detective
- (l) Homeless Outreach Street Team

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(m) School Resource Officer

Grievance Procedure

1003.1 GRIEVANCES

Refer to City of Woodland personnel rule #14.

Reporting of Employee Convictions

1004.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1004.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty, or nolo contendere plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member's ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1004.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

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Reporting of Employee Convictions

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1004.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Employees shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm or ammunition as a part of the individual's employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned, or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee, or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1004.5.1 NOTIFICATION REQUIREMENTS

The Chief of Police or designee shall submit within 10 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Chief of Police or designee shall submit within 10 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).

Drug- and Alcohol-Free Workplace

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1005.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1005.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Patrol Supervisor or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1005.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair the member's abilities, without a written release from the member's physician.

1005.3.2 USE OF MARIJUANA

Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1005.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1005.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1005.7 REQUESTING SCREENING TESTS

In accordance with the provisions of policy 1006 the supervisor may request an employee to submit to a screening test when the supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing their ability to perform duties safely and efficiently.

1005.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1005.7.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

- (a) Fails or refuses to submit to a screening test as requested.

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- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

1005.8 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Employees Suspected of Working Under the Influence (WUI)

1006.1 PURPOSE AND SCOPE

This policy is intended to establish procedures for investigating and processing employees suspected of Working Under the Influence (WUI). It is the position of the department to take immediate action when there is sufficient cause to believe an employee is unfit for duty due to the influence of alcohol or drugs while at work.

Any employee who reasonably suspects that another City employee, manager, or supervisor is under the influence of alcohol and/or drugs during work hours, should immediately call their supervisor and report their observations in accordance with the City of Woodland's Alcohol/Drug Policy.

1006.2 SUPERVISORY RESPONSIBILITY

The supervisor shall take appropriate action. The supervisor has the authority to protect the health and safety of employees and/or citizens, and may:

- Immediately suspend the employee.
- Ask for an alcohol/drug test.

The supervisor shall request the presence of a second supervisor or manager and meet with the employee. The employee will be offered the opportunity to give an explanation of their condition. The employee may have a representative present during the discussion and testing. The supervisors shall wait up to one (1) hour for the arrival of the representative.

From initial contact through the meeting with the employee the supervisors shall observe the employee for indicators of probable alcohol/drug usage. The circumstances under which an employee may be tested include, but are not limited to:

- (a) after any accident when there is reasonable suspicion to believe it is drug or alcohol related;
- (b) direct observation of use or possession of alcohol or drugs;
- (c) odor of an alcoholic beverage on the breath;
- (d) Inability to appropriately respond to questions;
- (e) objective symptoms such as bloodshot and/or watery eyes incoherent or slurred speech, unsteady walking and movement, disorientation, loss of balance, and unexplained drowsiness; or
- (f) a pattern of abnormal, erratic, paranoid or bizarre behavior.

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Employees Suspected of Working Under the Influence (WUI)

If the supervisors concur that there is reasonable and articulable evidence to suspect that the employee is under the influence of alcohol/drugs, they may direct the employee to submit to an alcohol/drug test.

- The directive shall be in writing.
- The directive shall be signed by the employee and witnessed by the requesting supervisor(s).

1006.2.1 EMPLOYEE RESPONSIBILITY

It is the responsibility of the employee to comply with the reasonable orders of their supervisors to determine whether or not the employee is working under the influence.

Employee consents to testing

If the employee consents to a drug/alcohol test, the employee should be transported for testing by their supervisor. The supervisor shall ask the physician that appropriate tests be ordered and shall confirm that the employee actually complied with the order and that specimens were taken. After the physician has completed the examination and any ordered specimen(s) have been taken, the supervisor shall request the physician's immediate written determination of the employee's fitness for duty at that time and when the employee can be returned to duty.

After completion of the inquiry and/or test, and if the employee is not under arrest, they may be transported home or released to a responsible adult who is willing to assume responsibility for the employee and who will seek to ensure that the employee will not endanger themselves or others.

Employee refuses to submit to testing

If an employee refuses to submit to an alcohol/drug test, the supervisors shall remind the employee of the City's Alcohol and Drug Policy requirements, then give the employee a direct order to comply with the alcohol/drug test. If the employee refuses to comply with the supervisor's direct order to submit to the test(s), the supervisors shall:

- (a) Advise the employee that failure to comply with this direct order is insubordination, which in and of itself, shall be cause for disciplinary action, up to and including termination.
- (b) Repeat the direct order.
- (c) If the employee still refuses to comply, immediately relieve the employee of duty and advise the employee: (1) They have been insubordinate. (2) They shall be off work on administrative leave status for the remainder of the shift. (3) Their failure to comply is subject to disciplinary action, up to and including termination. (4) They shall report to their Division Lieutenant at the beginning of their next duty shift.

After completion of the inquiry and/or test, and if the employee is not under arrest, they may be transported home or released to a responsible adult who is willing to assume responsibility for the employee and who will seek to ensure that the employee will not endanger themselves or others.

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1006.2.2 REPORTING

Supervisors shall report WUI cases immediately to the Division Commander. Supervisors shall document their investigation of the WUI allegation in a detailed report, via the Chain of Command to the Chief of Police within 2 days.

Copies of the report shall be given to Human Resources and the employee.

1006.2.3 DETERMINATION - TEST RESULTS AND LABORATORY REPORTS

Test results and laboratory reports will be disclosed strictly on a need-to-know basis, and to the employee upon request.

Tests results may also be disclosed under the following circumstances:

- (a) The information is compelled by law or by other judicial process.
- (b) The information has been placed at issue in a formal grievance.
- (c) The information is to be used in administering an employee benefit plan.
- (d) The information is needed by medical personnel for the diagnosis or treatment of the employee, and the employee is unable to consent.

The results of the alcohol/drug test will be returned to the Chief of Police (COP) and the employee will be advised of the results.

- (a) An employee who has tested positive may request that the City conduct a second test to confirm the results(at the employee's expense).
- (b) The results of the second test will be controlling.

Test results and laboratory reports shall be maintained in a separate confidential medical folder, which is kept in a secure place, and shall not be placed in the employee's general personnel file.

1006.2.4 DISCIPLINARY ACTION

If the employee is judged by the examining physician to be unfit for duty due to alcohol and/or drugs, the supervisor(s) shall advise the employee that they are:

- (a) Unfit for duty;
- (b) Relieved from duty on unpaid status for the balance of the shift; and
- (c) Subject to an internal investigation.

If the test results are negative, the employee will be reinstated with pay for all regularly scheduled work, not including overtime, which was missed while on suspension.

If the test results are positive, it may result in disciplinary action up to and including termination.

- (a) The employee will be questioned concerning past and present alcohol/drug use.
- (b) In appropriate circumstances, an employee may be allowed to sign a "Last Chance Agreement" and enroll in an alcohol or drug rehabilitation program.

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- (c) A request for alcohol/drug rehabilitation treatment may not be used by an employee as a means of avoiding imposition of disciplinary action.

Employees who have tested positive for an alcohol or drug test while on the job, or while subject to duty, may be required to submit to unannounced testing for a period of up to two (2) years.

- (a) Employees may be tested as stipulated in their written "Last Chance Agreement".
- (b) Employees who test positive for alcohol or drugs while participating in a written agreement will be terminated.

1006.2.5 EMPLOYEE ASSISTANCE

The City places a high value on employee behavior that exhibits a realization that the presence of alcohol and drugs in the workplace is a threat to the safety of all employees and the public we serve. The City's health plans provide a variety of programs for the treatment of alcohol or substance abuse. Employees should refer to their plan's handbook or contact Human Resources for additional information

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.), the California Family Rights Act, leave for victims of crime or abuse, or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1007.2 EMPLOYEE RESPONSIBILITIES

Sick leave may be used for absences caused by illness, injury, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee's immediate family when it is not possible to schedule such appointments during non-working hours. Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits.

1007.2.1 NOTIFICATION

Employees are encouraged to notify the on duty supervisor as soon as they are aware that they will not be able to report to work. At a minimum, employees shall make such notification no less than one hour before the start of their scheduled shift. If an employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor.

When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever possible, provide the Department with no less than 30-days notice of the intent to take leave.

1007.3 EXTENDED ILLNESS

Employees absent from duty due to personal illness in excess of three consecutive days may be required to furnish a doctor's note supporting the use of sick leave and/or the ability to return to work.

Nothing in this section precludes a supervisor, with cause, from requiring a doctor's note if three or fewer sick days are taken.

1007.4 SUPERVISOR RESPONSIBILITY

Supervisors should monitor sick leave usage and regularly review the attendance of employees under their command to ensure that the use of sick leave is consistent with this policy. Supervisors should address sick-leave use in the employee's performance evaluation when it has negatively affected the employee's performance or ability to complete assigned duties, and when unusual

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amounts of sick leave by the employee has had a negative impact on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of sick leave and should consider referring the employee to the Employee Assistance Program.

1007.5 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days shall be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days after the first three days of paid sick leave are used in a 12-month period. Supervisors shall notify employees as soon as possible when a health care provider's statement is required.

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Woodland Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Woodland Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 2. Bloodborne pathogen mandates including (8 CCR 5193):

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- (a) Sharps injury log.
 - (b) Needleless systems and sharps injury protection.
- 3. Airborne transmissible disease mandates including (8 CCR 5199):
 - (a) Engineering and work practice controls related to airborne transmissible diseases.
 - (b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.
- 4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).
- 5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.
- 6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).
- (f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title, and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).
- (g) Coordination with the Department of Human Resources to provide required notices to members regarding COVID-19 exposures (Labor Code § 6409.6).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/ OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

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- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

See attachment: Woodland Police ATD Control Procedures.pdf

1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1008.4.3 DECONTAMINATION

After handling an event that involved blood or body fluids employees shall follow the Disposal and Decontamination procedures in the attached document. See attachment: Woodland Police Decontamination Procedures.pdf

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

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1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek

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timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.
- (c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
- (d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).
- (e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Woodland Police Department facilities or vehicles.

1009.2 EMPLOYEE USE

Employees hired after July 1, 2006 shall refrain from the use of all tobacco products during the term of their employment with the City.

For employees hired prior to July 1 2006 the following shall apply:

- Tobacco use is prohibited anytime employees are in public view representing the Department.
- Smoking and the use of other tobacco products is not permitted inside any City facility, office or vehicle (California Labor Code § 6404.5).
- Use of tobacco products within 20 feet of a main entrance, exit, or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement, or any other purpose (Government Code § 7596 et seq.) is prohibited.

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Woodland 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.

1010.1.1 PERSONNEL COMPLAINTS DEFINED

Personnel complaints consist of any allegation of misconduct or improper job performance against any employee that, if true, would constitute a violation of department policy, city policy, federal, state or local law.

Inquiries about employee conduct which, even if true, would not qualify as a personnel complaint may be handled informally by a supervisor and shall not be considered complaints.

This policy shall not apply to any interrogation, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of an employee in the normal course of duty, by a supervisor or any other employee, nor shall this policy apply to an investigation concerned solely and directly with alleged criminal activities (Cal. Govt. Code 3303(i)).

Personnel Complaints shall be classified in one of the following categories:

Informal - Is most often used to investigate procedural complaints, complaints that are the result of a misunderstanding, or minor misconduct which can be resolved to the satisfaction of the complainant and/or the Department.

Formal - This process occurs when the alleged misconduct, if true, could result in disciplinary action. Such complaints may be investigated by a department supervisor of rank greater than the accused employee or referred to the Community Relations Sergeant depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Community Relations Sergeant, such matters need not be documented as personnel complaints, but may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1010.2 POLICY

The Woodland Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

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It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.2.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public lobby. Forms may also be available at other government facilities.

1010.2.2 SOURCE OF COMPLAINTS

- (a) A department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
- (b) A supervisor receiving a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action.
- (c) Anonymous complaints and third party complaints should be accepted and investigated to the extent that sufficient information is provided.

1010.2.3 ACCEPTANCE OF COMPLAINTS

A complaint may be filed in person, in writing, or by telephoning the Department. Although not required, every effort should be made to have the complainant appear in person. The following should be considered before taking a complaint:

- (a) When an uninvolved supervisor or the Patrol Supervisor determines that the reporting person is satisfied that their complaint required nothing more than an explanation regarding the proper/improper implementation of department policy or procedure, this shall be documented as an informal complaint
- (b) When the complainant is intoxicated to the point where their credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a Personnel Complaint form
- (c) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint

1010.2.4 FORMAL COMPLAINT DOCUMENTATION

Formal complaints of alleged misconduct shall be documented by a supervisor on a personnel complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

When a Personnel Complaint form is completed in person, the complainant should legibly write a detailed narrative of their complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. In an effort to ensure accuracy in any complaint, it is recommended that a recorded statement be obtained from the reporting party. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement.

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The complainant should be provided with a copy of their own original complaint per Penal Code § 832.7.

1010.2.5 INITIATION OF A INTERNAL AFFAIRS INVESTIGATION

Upon receipt of a formal complaint it shall be routed, via the chain of command, to the Chief of Police. The Chief of Police or his designee, upon review of the complaint and upon concurrence that a formal investigation is warranted shall assign the investigation to a Lieutenant. The Lieutenant will make an initial determination of the section(s) of the Woodland Police Department Policies or City Rules and Regulations applicable to the employee's conduct alleged in the complaint or Other Major incident investigation. The Lieutenant or designee will:

- (a) Assign a supervisor, or another employee of equal or higher rank than the involved employee, to investigate the complaint.
- (b) If the complaint alleges a crime, a separate but concurrent criminal investigation will be conducted.
- (c) Notify the accused employee according to section 1010.6a.
- (d) Notify the complainant by mail that an investigation into their complaint has been initiated.
- (e) Notify the association representing a subject employee(s), if applicable, of the date an investigation is initiated.
 1. This notification will not identify the subject employee(s), nor include any other personnel information.
 2. This notification will be withheld if notification to the subject employee(s) is also withheld pursuant to section 1010.6.a.2.

1010.2.6 INFORMAL COMPLAINT DOCUMENTATION

The initial supervisor receiving the complaint shall make every effort to investigate and resolve the complaint as soon as possible, preferably before going off duty. If the initial supervisor is unable to resolve the complaint, and the complaint is regarding the conduct of a Department member who works directly for another supervisor, it shall be referred to the Department member's supervisor.

Upon completion of the investigation and resolution of the complaint, the investigating supervisor shall inform the complaining party of the resolution.

If, at any point in the informal complaint process, information is revealed that raises the likelihood of criminal conduct or major misconduct on the part of the Department member, the informal process should immediately cease and the formal investigation process shall be followed from that point onward.

The investigating supervisor shall document a resolved complaint in the form of a inquiry in the complaint management software, and forward it to the Chief of Police via chain of command. The inquiry shall:

- Inquiry date

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- Contain the nature of the complaint
- the name(s) of any Department member(s) involved, if any
- The manner in which the complaint was resolved.
- If the informal complaint was a procedural complaint the inquiry shall offer any suggested changes in procedure that may need to be made.
- Disposition

Informal complaints will be stored in the complaint management software. This file will be separate from any personnel files. The purpose of this file will be to ensure that information is available should a formal complaint develop from the incident at a future date and to ensure that procedural changes that may be warranted are made.

If the complaint involves a Department member, copies of the inquiry will be distributed to the affected member and the member's supervisor for possible evaluation purposes.

1010.3 SUPERVISOR RESPONSIBILITY

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation. Moreover, supervisors shall also maintain the ability to engage in the interrogation of an employee in the normal course of duty, counseling, instruction, or informal verbal admonishment, or other routine or unplanned contact (Cal. Govt. Code 3303(i)).

The supervisor shall be responsible for the following:

- (a) A supervisor receiving a formal complaint involving allegations of a potentially serious nature shall ensure that the appropriate Patrol or Investigations Lieutenant, Deputy Chief, and Chief of Police are notified as soon as practicable.
- (b) A supervisor receiving or initiating any formal complaint shall ensure that a Personnel Complaint form has been completed as fully as possible. The original complaint form will then be directed to the Chief of Police, via the chain of command, who will take appropriate action or forward the complaint to the Investigations Lieutenant for further action.
 1. During the preliminary investigation of any complaint, the supervisor should make every reasonable effort to obtain names, addresses and telephone numbers of additional witnesses.
 2. Once immediate medical attention has been provided, photographs of alleged injuries as well as accessible areas of non-injury should be taken.
 3. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the employee's Deputy Chief (Second in Command) or the Chief of Police who will initiate appropriate action.

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- (c) A supervisor dealing with an accused employee shall ensure that the procedural rights of the employee are followed pursuant to Government Code § 3303, et seq.
- (d) When the nature of a personnel complaint relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination, the supervisor receiving the complaint shall promptly contact the Chief of Police, via the chain of command, for direction regarding their role in investigation and/or addressing the complaint.

1010.4 ASSIGNMENT TO ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the employee, other employees or the public, a supervisor may assign the accused employee to inactive duty pending completion of the investigation or the filing of administrative charges upon authorization from a Division Commander or higher.

1010.4.1 ADMINISTRATIVE LEAVE

An employee placed on administrative leave may be subject to the following guidelines:

- (a) Under such circumstances, an employee placed on administrative leave shall continue to receive regular pay and benefits pending the imposition of any discipline
- (b) An employee placed on administrative leave may be required by a supervisor to relinquish any badge, departmental identification, assigned weapon(s) and any other departmental equipment
- (c) An employee placed on administrative leave may be ordered to refrain from taking any action as a departmental employee or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor
- (d) An employee placed on administrative leave may be temporarily reassigned to a different shift (generally normal business hours) during the pendency of the investigation and the employee may be required to remain available for contact at all times during such shift and report as ordered
- (e) At such time as any employee placed on administrative leave is returned to full and regular duty, the employee shall be returned to their regularly assigned shift with all badges, identification card and other equipment returned

1010.4.2 HATE COMPLAINTS AGAINST PEACE OFFICERS

Internal complaints or complaints from the public shall be accepted and investigated in accordance with this policy where it is alleged that an officer has in the previous seven years, and since 18 years of age, engaged in membership in a hate group, participated in a hate group activity, or advocated any public expression of hate (Penal Code § 13682).

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1010.5 ALLEGATIONS OF CRIMINAL CONDUCT

Where an employee of this department is accused of potential criminal conduct, a separate supervisor or assigned detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practical when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian and the employee may not be administratively ordered to provide any information to a criminal detective.

No information or evidence administratively coerced from an employee may be provided to a criminal detective.

Any law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer, which has not led to a conviction, however, no disciplinary action, other than paid administrative leave shall be taken against the accused employee based solely on an arrest or crime report (Labor Code § 432.7(b)). An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1010.6 ADMINISTRATIVE INVESTIGATION OF COMPLAINT

Whether conducted by a supervisor or the Community Relations Sergeant, the following procedures shall be followed with regard to the accused employee(s):

- (a) The supervisor assigned to conduct the investigation shall notify the accused employee of the nature of the complaint and provide the employee with a copy of the complaint form and a summary of the allegations.
 1. Such notification shall be delivered in person to the accused employee. If the investigator is unable to complete the notification in person they shall immediately notify their supervisor and document the reason in the Investigation section of the IA report.
 2. The notification shall be specific to the allegations made against the accused employee. Notification shall be withheld from employees in criminal cases where notification will compromise the investigation.
 3. In all instances where notification is to take place the accused employee shall be notified as soon as possible to avoid the inadvertent loss of additional information pertaining to the complaint which the accused member may possess. Except as outlined above in section 1010.6.a.2 it is recommended the employee be allowed a minimum of five (5) working days to arrange for legal representation to be present during the scheduled interview/interrogation.
 4. If this investigation involves a sworn employee the supervisor shall attach a copy of the Peace Officer Bill of Rights (Government Code sections 3300 - 3311).

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- (b) If the investigating supervisor discovers additional potential policy or rule violations they shall notify the Chief of Police via the chain of command. If the Chief of Police determines the additional alleged policy or rule violations may be considered in any discipline the investigating supervisor shall be directed to renotice the accused employee of the additional alleged policy or rule violations.
- (c) Interviews of accused employees shall be conducted during reasonable hours and, if the employee is off-duty, the employee shall be compensated (Government Code § 3303(a)).
- (d) No more than two interviewers may ask questions of an accused employee (Government Code § 3303(b)).
- (e) Prior to any interview, an employee shall be informed of the nature of the investigation (Government Code § 3303(c)).
- (f) All interviews shall be for a reasonable period and the employee's personal needs shall be accommodated (Government Code § 3303(d)).
- (g) No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator (Government Code § 3303(e)).
- (h) Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The accused employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview (Government Code § 3303(g)).
- (i) If the allegations involve potential criminal conduct, the employee shall be advised of their Constitutional rights pursuant to *Lybarger*. This admonishment shall be given administratively whether or not the employee was advised of these rights during any separate criminal investigation. (Government Code § 3303(h)).
- (j) All employees subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual employee's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
- (k) All employees shall provide complete and truthful responses to questions posed during interviews.
- (l) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

1010.6.1 ADMINISTRATIVE SEARCHES

Any employee may be compelled to disclose personal financial information pursuant to proper legal process; if such information tends to indicate a conflict of interest with official duties, or, if the

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employee is assigned to or being considered for a special assignment with a potential for bribes (Government Code § 3308).

Employees shall have no expectation of privacy when using telephones, computers, radios or other communications provided by the Department.

Assigned lockers and storage spaces may only be searched in the employee's presence, with the employee's consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309). A search of such areas shall only be conducted upon a reasonable suspicion that official misconduct is involved.

All other departmentally assigned areas (e.g., desks, office space, assigned vehicles) may be administratively searched by a supervisor, in the presence of an uninvolved witness, for non-investigative purposes. (e.g., obtaining a needed report or radio).

1010.6.2 ADMINISTRATIVE INVESTIGATION FORMAT

Investigations of personnel complaints shall be detailed, complete and essentially follow this format:

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Investigation - The investigation should be a narrative description of how the investigator became aware of the investigation, a brief description of accusations made, steps taken during the investigation, interviews conducted, and evidence gathered with dates and times included as necessary. The investigation does not contain conclusions, opinions or a disposition as to the alleged charges. The investigation and all other narrative sections and transcribed statements should have individual line numbering along the left margin of each page and page numbering for each page within a section.

Incident - The incident narrative is a **FACTUAL** account of what occurred based on the corroborated facts collected during the investigation. Corroborated facts are those facts that are supported by more than one credible witness, or are undisputed in nature.

Controlling Rules and Regulations, Policies, or Codes - List the allegations separately (including applicable policy sections) with a very brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Interview Contacts - Include a list of all persons interviewed as part of the investigation including contact information.

Statements - Include detailed statements from each interview. When appropriate have the interviews transcribed. All interviews shall be at least audio recorded.

Notifications and Correspondence - Include a copy of all notifications and written correspondence related to the investigation and provided to the effected employee.

Findings and Recommendations - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of employee

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and witness statements. Other evidence related to each allegation should also be detailed in this section. A finding regarding each allegation and any recommended further action or disposition should be provided.

Attachments - A separate list of exhibits (recordings, photos, documents, etc.) should be attached to the report.

1010.7 DISPOSITION OF PERSONNEL COMPLAINTS

Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.5(c)).

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.8 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation. 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. If the nature of the allegations dictate that confidentiality is necessary to maintain the integrity of the investigation, the involved employee(s) need not be notified of the pending investigation unless and until the employee is interviewed or formally charged within one year of discovery.

a. Officers who are the subject of an internal affairs investigation shall be notified within 60 days of the initiation of an investigation of the disposition of that investigation.

- (a) If the investigation is not yet concluded, the Chief of Police, or designee, will notify the subject officer(s) of the extension and the tentative conclusion date.
- (b) Extensions may be granted for no more than 30 days per extension.

b. The investigating supervisor shall complete a written report directed to the Deputy Chief, or other ranking officer designated by the Chief of Police who is not the investigating supervisor, within 45 days. If the investigation will not be completed within 45 days the investigating supervisor will

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report in writing to the Deputy Chief or other ranking officer the status of the investigation at that time noting the reasons for the delay and steps in the investigation yet to be completed.

c.Once submitted the ranking officer shall review the investigation facts and try to reach a conclusion on each allegation.

d.If necessary, the ranking officer may return the investigation to the investigator for follow-up. Any follow-up requests will be memorialized in writing and included in the final investigation report.

Once the ranking officer has reached a conclusion on each allegation, the ranking officer shall prepare a written document detailing the conclusions, and recommended discipline if appropriate.

Once received, the Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.

Within 30 days of the final review by the Chief of Police, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings, however, will not disclose the amount of discipline, if any imposed. The complaining party should also be provided with a copy of their own original complaint (Penal Code § 832.7).

Any complaining party who is not satisfied with the findings of the Department concerning their complaint may contact the Chief of Police to discuss the matter further.

1010.8.1 CONFIDENTIALITY OF PERSONNEL FILES

All investigations of personnel complaints, whether originating from a citizen or internally, shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information from the employee's personnel file to refute such false representations (Penal Code § 832.5).

All citizen and internally generated complaints shall be maintained for a period of five years, after which the file shall be destroyed unless there is pending discipline or an active lawsuit.

Complaints shall be maintained in the employee's personnel file.

1010.9 REQUIRED REPORTING TO POST

The Chief of Police or the authorized designee shall notify POST on the appropriate POST form within 10 days of certain officer personnel events, including but not limited to (Penal Code § 13510.9):

- (a) Termination or separation from employment or appointment. Separation from employment or appointment includes any involuntary termination, resignation, or retirement.

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1. A POST affidavit-of-separation form shall be executed and maintained by the Department and submitted to POST as required by Penal Code § 13510.9 and 11 CCR 1003.
- (b) Events that could affect an officer's POST certification, such as:
 1. Complaints, charges, or allegations of serious misconduct (as defined by Penal Code § 13510.8).
 2. Findings of civilian review boards.
 3. Final dispositions of any investigations.
 4. Civil judgments or court findings based on conduct, or settlement of a civil claim against an officer or the Woodland Police Department based on allegations of conduct by an officer.

The Chief of Police or the authorized designee shall be responsible for providing POST access to or duplication of investigation documentation (e.g., physical or documentary evidence, witness statements, analysis, conclusions) for up to two years after reporting of the disposition of an investigation (Penal Code § 13510.9).

1010.9.1 NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

The Chief of Police or the authorized designee shall report allegations of serious misconduct by an officer to POST and the report shall include the following (11 CCR 1207):

- (a) Name of the Department
- (b) Administrative case number
- (c) Name, current address, and phone number of the complainant, if available
- (d) Name, POST ID, current address, and phone number of the involved officer
- (e) A summary of the alleged misconduct including:
 1. A narrative of the allegations
 2. Date and time of incidents
 3. Location of occurrence
 4. Any witness information, if available
 5. Summary of arrest or indictment of involved officer
- (f) A change in employment status of the involved officer (e.g., administrative leave, suspension, termination)
- (g) Name and contact information of the assigned investigator

The Chief of Police or the authorized designee shall provide updates of the investigation to POST every 90 days until the final disposition in the method designated by POST (11 CCR 1207).

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Upon completion of the investigation, the Chief of Police or the authorized designee shall submit to POST the final disposition of the investigation as well as investigation materials and the officer's service record as provided by 11 CCR 1207.

1010.9.2 ADDITIONAL NOTIFICATIONS TO POST FOR SERIOUS MISCONDUCT

Additional notification shall be made to POST (11 CCR 1207):

- (a) If the imposed disciplinary action is pending appeal or other review through an administrative or judicial proceeding:
 - 1. The Department shall provide the name of the body conducting the proceeding.
 - 2. The status of the proceeding, if known.
- (b) If criminal charges are pending:
 - 1. The name of the court having jurisdiction over the criminal charges against the officer.
 - 2. The status of the criminal case, if known.

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1011.2 WEARING OF SAFETY RESTRAINTS

All employees should wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The driver should ensure that all other occupants are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the employee or the public. Employees must be prepared to justify any deviation from this requirement.

When approaching an emergency response location, officers may unfasten the safety restraint for rapid exit to maximize officer safety and/or to provide emergency service to others.

Department personnel may remove the safety restraint device immediately prior to making a traffic stop. Caution must be exercised to ensure the violator is, in fact, stopping. The unacceptable consequence with this action is becoming involved in a pursuit without being properly restrained.

Combative prisoners need not be restrained if compliance with this policy creates potential for injury to either the officer or the prisoner.

1011.2.1 TRANSPORTING CHILDREN

Children under the age of 8 should be transported in compliance with California's restraint system requirements (Vehicle Code § 27360).

A child may be transported by sworn personnel without the use of a child passenger restraint system in an authorized emergency vehicle if a child passenger restraint system is unavailable and the child is secured by a seat belt (Vehicle Code § 27363(b) and Vehicle Code § 165).

Employees should deactivate, if available, the passenger side airbag when appropriate, such as when transporting a rear-facing infant or child in the front seat.

1011.3 TRANSPORTING PERSONS IN CUSTODY

Persons who are in custody should be in a seated position and secured in the rear seat of any department vehicle with a restraint system or, when a restraint system is not available, by seat belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

An incarcerated person in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

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1011.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Woodland Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

Officers and field deployed CSOs shall be issued body armor that meets or exceeds the standards of the National Institute of Justice. The body armor shall be replaced prior to the expiration of the warranty, or whenever the body armor becomes worn or damaged to the point that it is ineffective or functionally compromised.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Employees shall only wear agency-approved body armor.
- (b) Detectives shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Employees may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an employee is working patrol or taking part in Department range training.
- (e) An officer may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1012.3.2 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor.

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Body Armor

If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of California (Penal Code § 832.7).

1013.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. This file will be maintained by the Office of the Chief. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be retained for one year.
- (e) Discipline records, including copies of sustained personnel complaints (see the Personnel Complaints Policy).
 - 1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least four years (Government Code § 12946).
 - 2. Disciplinary action resulting from a sustained civilian's complaint involving misconduct shall be maintained pursuant to the established records retention schedule and at least 15 years (Penal Code § 832.5).
 - 3. A civilian's complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).
 - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
 - 2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).

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3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1013.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code § 1043, et seq. or in accordance with applicable federal discovery laws. Nothing in this section is intended to preclude review of personnel files by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1013.5 TRAINING FILE

An individual training file shall be maintained by the Support Services Manager for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Support Services Manager or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Support Services Manager or supervisor shall ensure that copies of such training records are placed in the member's training file.

1013.6 INTERNAL AFFAIRS FILE

During the investigation, the Internal affairs files shall be maintained under the exclusive control of the Community Relations Sergeant in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Community Relations Sergeant supervisor. After the investigation is completed, the Internal Affairs files shall be maintained under the control of the Chief's Executive Assistant.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

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- (a) Each investigation file shall be sequentially numbered within a calendar year, along with a designator for the type of complaint investigated.
 - 1. Misconduct Formal - a formal complaint that could result in discipline (e.g., MF-yy-01, MF-yy-02).
 - 2. Misconduct Informal - an informal complaint generally procedural in nature which may involve a minor rules violation, but can be resolved to the satisfaction of the citizen. (e.g., MI-yy-01, MI-yy-02)
 - 3. Procedural Complaint - a complaint about a departmental procedure and the application of that procedure an example might be the tow policy. (e.g., PO-yy-01, PO-yy-02)
 - 4. Other - Major Incident - an Administrative Review of a major incident to identify potential changes to policy or procedure, additional training needed, etc. (e.g. OT-yy-01, OT-yy-02)

Investigation files arising out of a sustained civilian's complaint involving misconduct shall be maintained pursuant to the established records retention schedule and for a period of at least 15 years. Investigations that resulted in other than a sustained finding may not be used by the Department to adversely affect an employee's career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least four years (Government Code § 26202; Government Code § 34090)._12946).

Investigation files arising out of a civilian complaint involving misconduct that was not sustained shall be maintained pursuant to the established records retention schedule and for at least five years (Penal Code § 832.5).

1013.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

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1013.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1013.8.1 RELEASE OF LAW ENFORCEMENT GANG INFORMATION

Information relating to the termination of an officer from this department for participation in a law enforcement gang shall be disclosed to another law enforcement agency that is conducting a pre-employment background investigation except where specifically prohibited by law (Penal Code § 13670).

1013.8.2 RELEASE OF PEACE OFFICER RECORDS RELATING TO HATE COMPLAINTS

Records relating to an officer for an investigation of a hate complaint described in Penal Code § 13682 with a sustained finding that the officer engaged in membership in a hate group, participated in a hate group activity, or advocacy of public expressions of hate are not confidential and shall be made available for public inspection though a public records request (Penal Code § 13683).

Records disclosed may be redacted as provided in Penal Code § 13683.

1013.9 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS

Personnel records and records related to certain incidents, complaints, and investigations of officers shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Chief of Police or authorized designee in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(3):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, whether the officer's action was consistent with law and

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department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.

- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the *Skelly* or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(8) or other law, the following records (hereinafter qualifying records) shall be made available for public inspection no later than 45 days from the date of a request (Penal Code § 832.7(b)(1)):

- (a) Records relating to the report, investigation, or findings of:
 - 1. The discharge of a firearm at another person by an officer.
 - 2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by an officer.
 - 3. A sustained finding involving a complaint that alleges unreasonable or excessive force.
 - 4. A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.
- (b) Records relating to an incident where a sustained finding was made by the Department or oversight agency regarding:
 - 1. An officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
 - 2. Dishonesty of an officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another officer, including but not limited to any false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.
 - 3. An officer engaged in conduct including but not limited to verbal statements, writings, online posts, recordings, and gestures involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
 - 4. An officer made an unlawful arrest or conducted an unlawful search.

Qualifying records will be made available regardless of whether the officer resigns before the Department or an oversight agency concludes its investigation (Penal Code § 832.7(b)(3)).

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(4)).

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When an investigation involves multiple officers, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(5). However, factual information about the action of the officer during an incident or the statements of an officer shall be released if the statements are relevant to a finding of the qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(5)).

1013.9.1 REDACTION

The Custodian of Records, in consultation with the Chief of Police or authorized designee, shall redact the following portions of qualifying records made available for release (Penal Code § 832.7(b)(6)):

- (a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of officers
- (b) Information that would compromise the anonymity of whistleblowers, complainants, victims, and witnesses
- (c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force
- (d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(7)).

1013.9.2 DELAY OF RELEASE

Unless otherwise directed by the Chief of Police, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of qualifying records due to any of the following conditions (Penal Code § 832.7):

- (a) Active criminal investigations
 - 1. Disclosure may be delayed 60 days from the date the misconduct or use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.
 - 2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer or against someone other than an officer who engaged in misconduct or used the force.
- (b) Filed criminal charges
 - 1. When charges are filed related to an incident in which misconduct occurred or force was used, disclosure may be delayed until a verdict on those charges is

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returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

(c) Administrative investigations

1. Disclosure may be delayed until:

- (a) There is a determination from the investigation whether the misconduct or use of force violated law or department policy, but no longer than 180 days after the date of the department's discovery of the misconduct or use of force or allegation of misconduct or use of force

1013.9.3 NOTICE OF DELAY OF RECORDS

When there is justification for delay of disclosure of qualifying records, the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

- (a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.
- (b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.
1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or no later than 18 months after the date of the incident, whichever occurs sooner, unless:
- (a) When the criminal proceeding is against someone other than an officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about misconduct or use of force by officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 7923.000, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(8)).

Preferred Assignment Status

1014.1 PURPOSE AND SCOPE

To formalize a process giving eligible senior officers recognition for their many years of service by allowing them to remain in a specialty assignment or on a specific watch with priority sign-up until their retirement.

1014.2 ELIGIBILITY

Sworn officers who will retire in three (3) years or less may request preferred assignment if they have at least 15 years of law enforcement service with the City of Woodland and have already given notice of their intention to retire. Sergeants who will retire in three (3) years or less may request preferred assignment if they have at least 15 years of law enforcement service and 5 years as a Sergeant with the City of Woodland and have already given notice of their intention to retire.

Officers requesting to remain in a specialty assignment must have a history of satisfactory performance and be recommended for consideration by both supervisory and administrative staff.

Preferred assignment status may be revoked by the Chief of Police if the officer's performance level falls below acceptable standards, staffing shortages require reassignment or the specialty assignment position is eliminated. Officers may only request a preferred assignment once during their career. Only two (2) officers may request preferred assignment to the same team.

1014.3 REQUEST PROCESS

The eligible officer shall send their written request for preferred assignment to the Chief of Police via the chain of command.

The officer's supervisor(s) and the Bureau Lieutenant shall review the request and make appropriate comments.

The Chief of Police is the only person authorized to approve or deny a request for preferred assignment. The decision of the Chief of Police is final.

The decision shall be given to the officer in writing. Reasons for denial may include but are not limited to:

- (a) The officer does not meet the established criteria.
- (b) Current staffing shortages do not permit a preferred status position (authorization may be given when staffing allows).

Specialty and Auxiliary Assignments

1015.1 PURPOSE AND SCOPE

It is the intent of the Department that all requests for Specialty or Auxiliary assignments be considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1015.1.1 APPLICATION PERIOD

All announcements for openings in specialty or auxiliary assignments shall be posted for a minimum of 20 days. The application period may be modified to meet organizational needs. Typically all announcements should be posted on August 1st of each calendar year and remain open until August 20th. This will allow for selection processes to be completed prior to the end of September in anticipation of the Patrol Bureau shift sign-up process in October of each year.

Applications for Field Training Officer will be accepted on a continual basis. Applicants for Field Training Officer will submit an interest memo to the current Field Training Program Sergeant outlining the applicant's skills, abilities, training and experience relevant to the position, reason(s) the employee desires the position and the reason(s) the employee considers themselves to be the best choice for the position. The timeline and structure of the selection process for Field Training Officers will be dependent on department need and applicant qualifications.

The announcement shall be prepared by the supervising Lieutenant, or designee, and shall be posted on the department bulletin board in the break room. A reasonable attempt shall be made by the Lieutenant, or designee, to notify absent employees of the vacancy, if the employee will be absent throughout the announcement period.

The announcement shall include the number of vacancies anticipated, skill and abilities, training and experience desired for the position, any certification materials required, availability requirements (emergency stand-by status, call out, mandatory cell phones, special duties, etc.), and the closing date for interest memos to be received by the supervising Lieutenant, or designee.

1015.1.2 SELECTION CRITERIA - SPECIALTY ASSIGNMENTS

An employee's interest memo will form the basis for the evaluation process. The memo should include any skills, abilities, training and experience relevant to the position, reason(s) the employee desires the position, reason(s) the employee considers themselves to be the best choice for the position.

The Lieutenant, or designee, shall verify all written materials submitted and confirm eligibility.

- If none of the applicants are eligible, the Lieutenant, or designee, shall repost the vacancy announcement and invite all employees to apply regardless of eligibility. Once the vacancy has been reposted, the application of an eligible candidate shall not outweigh the application of a previously ineligible candidate.

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Specialty and Auxiliary Assignments

1015.1.3 SELECTION PROCESS - SPECIALTY AND AUXILIARY ASSIGNMENTS

As stated earlier the interest memo will form the basis for the evaluation process. A selection panel shall review eligible memos of interest. The selection panel shall consist of any person(s) deemed necessary by the Chief of Police or their designee. Typically the Lieutenant and Sergeant in charge of the assignment will make up the selection panel. If the recruitment is for a sergeant position the Deputy Chief and Lieutenant will make up the selection panel.

In addition to the interest memo the panel may review and assess the following:

- (a) prior specialty assignments
- (b) employee evaluations
- (c) formal commendations
- (d) formal disciplinary actions
- (e) education data
- (f) sick leave usage
- (g) successful completion of an FTO assignment (preferential priority)

This information shall be documented on the attached Matrix. See attachment: 1028 Selection Matrix.xlsx

Eligible applicants may be invited for an oral interview and/or to conduct a written exercise. The oral interview panel shall consist of any person(s) deemed necessary by the Chief of Police or their designee. Questions may be developed with the assistance of the Human Resources Department. All questions will be posed to each candidate. The questions may be limited to those reasonably related to evaluating and determining the skills, abilities, training, and experience needed in the position for which the employee is applying.

Input on candidates may be requested from supervisors, command staff, and/or team members (if the assignment has more than one member).

The selection panel shall submit the names to the Chief of Police for approval.

1015.1.4 FTO PROGRAM - PREFERENTIAL PRIORITY

Officers who have successfully completed a POST Approved FTO course of instruction and who have trained new personnel through the FTO Program are entitled to preferential consideration (priority) when applying for specialty or auxiliary assignments.

Preferential consideration consists of two equally qualified candidates vying for the same assignment, one was an FTO the other was not. If at the end of the selection process the two candidates remain tied, the assignment may be awarded to the candidate with FTO experience.

1015.1.5 ELIGIBILITY LISTS

The selection board results will be used to establish an eligibility list that will be in effect for six months from the date of approval by the Chief.

The Administrative Sergeant will maintain the eligibility list.

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Specialty and Auxiliary Assignments

The list will be saved on the P: Drive at P/Community Relations/Admin Sergeant/All Eligibility Lists.

1015.2 ASSIGNMENT PERIOD

Specialty and Auxiliary Assignments require the following assignment and commitment periods based on training and necessary expertise. Employees in specialty assignments may opt to leave the assignment one year prior to the end of the assignment period.

Specialty Assignments:

- Community Relations Sergeant - 5 year assignment period and 4 year minimum assignment period.
- Traffic Sergeant - 5 year assignment period and 4 year minimum assignment period.
- Detective Sergeant - 5 year assignment period and 4 year minimum assignment period.
- Gang Task Force Sergeant - 5 year assignment period and 4 year minimum assignment period.
- Traffic Officer - 5 year assignment period and 4 year minimum assignment period.
- Detective - 5 year assignment period and 4 year minimum assignment period.
- Gang Task Force - 5 year assignment period and 4 year minimum assignment period.
- Senior Detective - 5 year assignment period and a maximum of 8 years including consecutive time spent as a Detective and 4 year minimum assignment period.
- Safe Streets Task Force Officer - 5 year assignment period and 4 year minimum assignment period.
- School Resource Officer - 5 year assignment period and 4 year minimum assignment period.
- K9 Officer - 5 year assignment period and shall be extended up to the working life of the dog and 4 year minimum assignment period.
- HOST Officer - 5 year assignment period and 4 year minimum assignment period.
- Special Services Detective - 5 year assignment period and 4 year minimum assignment period.

Auxiliary Assignments:

- FTO Sergeant - 5 year assignment period with an opt out option after 4 years.
- SWAT, CNT, Arrest and Control Instructor, Range Instructor - Minimum assignment of 4 years with no maximum.
- Bicycle Officer, Honor Guard Officer - Minimum assignment of 2 years with no maximum.
- FTO Program - Minimum assignment of 1 year with no maximum.
- Records Warrant Desk - 2 year assignment period.

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Specialty and Auxiliary Assignments

- Recruiting Team - Minimum assignment of 1 year with no maximum.
- Social Media Team - Minimum assignment of 2 years with no maximum.
- sUAS Operator - Minimum assignment of 2 years with no maximum.
- Peer Support Team - Minimum assignment of 2 years with no maximum.
- Crime Scene Investigation Team - Minimum assignment of 2 years with no maximum.
- K-9 Development Team - Minimum assignment of 2 years with no maximum.
- G.R.E.A.T. Instructor Officer - Minimum assignment of 3 years with no maximum.
- Armored Vehicle Driver - Minimum assignment of 3 years with no maximum.
- Citizen Police Academy Coordinator - Minimum assignment of 1 year with no maximum.
- Police Explorer Advisor - Minimum assignment of 1 year with no maximum.

Officers failing to complete the minimum assignment period due to unsatisfactory performance will not be eligible to apply for another specialty or auxiliary assignment until the remainder of the uncompleted period has passed. Officers requesting another specialty assignment prior to completing the minimum assignment period of the current specialty assignment may be approved by the Chief of Police or designee based on the needs of the department.

1015.2.1 AUXILIARY ASSIGNMENTS

To ensure officers do not become overburdened by participating in too many auxiliary assignments, an officer shall be limited to any two of the below auxiliary assignments, with the exceptions of SWAT and K9 which shall be limited to one:

- (a) Range Instructor
- (b) CNT Officer
- (c) Arrest and Control Instructor
- (d) SWAT Operator/Sniper

1015.3 SCHOOL RESOURCE OFFICER ASSIGNMENTS

The SRO position provides a highly visible presence and assists the school administration in maintaining a safe and secure environment. The level of commitment agreed upon between the Woodland Joint Unified School District and the Woodland Police Department in terms of resources and relevant time frame for the delivery of those resources has dictated the amount of time that SROs must be on duty. SROs must schedule vacations and personal time off periods longer than two days during non-school periods of time.

1015.4 DETECTIVE ASSIGNMENTS

Employees assigned to the Investigations Division must comply with the City Vehicle Use Policy and be able to respond to the Woodland Police Department to be allowed to take home their assigned vehicle while on-call.

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Specialty and Auxiliary Assignments

1015.5 DEPARTMENT NEEDS

The needs of the department shall be paramount when applicants are being considered for a specialty or auxiliary assignment.

Officer and Employee of the Year Awards

1016.1 PURPOSE

To establish procedures for presenting awards to members of the Department in recognition of superior performance as prescribed in this Order.

Annually a sworn police officer shall receive the "Officer of the Year" Award.

Annually a non-sworn employee shall receive the "Employee of the Year" Award.

1016.2 NOMINATIONS

Officer of the Year and Employee of the Year nominations shall be submitted, in writing, directly to the Chief of Police during the first 60 days of the calendar year, or as otherwise directed. Nominations must include a brief statement citing the reasons for the nomination.

Nominations may be submitted by any employee of the Department.

Nominations shall be submitted by all supervisory personnel, with the rank of Lieutenant or below.

The Award Review Committee shall consider the nominations submitted to the Chief of Police and shall forward their recommendations to the Chief of Police for a final decision on the annual recipients. (See Policy § 1018)

1016.3 SELECTION CRITERIA

Officer of the Year - to be awarded to a sworn officer in recognition of superior overall job performance and/or for contributing to the improvement of the organization and its ability to provide law enforcement services to the public. The criteria shall include, but not be limited to:

- Officer's evaluations should show consistent outstanding work performance throughout the previous twelve (12) months and not focus solely on any one isolated event.
- Officer's should be considered a team player, and their work ethics should include, but not be limited to, initiative, dependability, good judgment, unimpeachable integrity.
- Officer's may also be considered for other outstanding traits, including, but not limited to, attitude, leadership, compassion, peer respect, work knowledge, personal appearance, community involvement, and commitment to community policing.

Employee of the Year - to be awarded to a non-sworn employee in recognition of superior overall job performance and/or for contributing to the improvement of the organization and its ability to provide law enforcement services to the public. The criteria shall include, but not be limited to:

- Employee's evaluations should show consistent outstanding work performance throughout the previous twelve (12) months and not focus solely on any one isolated event.

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Officer and Employee of the Year Awards

- Employee's should be considered a team player, and their work ethics should include, but not be limited to, initiative, dependability, good judgment, unimpeachable integrity.
- Employee's may also be considered for other outstanding traits, including, but not limited to, attitude, leadership, compassion, peer respect, work knowledge, personal appearance, and community involvement.

Submitted nominations for these awards should detail as many of criteria listed above, or other appropriate and qualifying actions, as possible. All of this information shall be considered by the Award Review Committee in making their recommendation, and the Chief of Police in making a final selection decision on these awards.

1016.4 PRESENTATION OF AWARDS

Awards will be presented at the annual awards ceremony or at any other time deemed appropriate by the Chief of Police.

A person shall not be eligible to win Officer or Employee of the Year two (2) years in a row.

When an employee receives an award, an appropriate document shall be placed in the individual's personnel file for an official record of the recognition bestowed.

Employee Commendations

1017.1 PURPOSE AND SCOPE

Special recognition may be in order whenever an employee performs their duties in an exemplary manner. This procedure provides general guidelines for the commending of exceptional employee performance.

1017.2 WHO MAY MAKE COMMENDATIONS

A written commendation may be made by any supervisor regarding any other employee of the Department, provided the reporting person is superior in rank or is the person-in-charge of the individual being commended. Additionally, investigating officers may commend uniformed officers for exceptional assistance in investigative functions, with approval from the investigator's supervisor. Any employee may recommend a commendation to the supervisor of the employee subject to commendation.

1017.3 COMMENDABLE ACTIONS

A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- Superior handling of a difficult situation by an employee
- Conspicuous bravery or outstanding performance by any employee of the Department
- Any action or performance that is above and beyond the typical duties of an employee

1017.3.1 COMMENDATION INCIDENT MEMORANDUM

A memo shall be prepared to document the commendation of the employee and shall contain the following:

- (a) Employee name, division, and assignment at the date and time of the commendation.
- (b) A brief account of the commendable action shall be documented on the form with report numbers, as appropriate.
- (c) Signature of the commending supervisor.

Completed memos shall be forwarded to the appropriate Bureau Commander for their review. The Bureau Commander shall sign and forward the report to the Chief of Police for their review.

The memo will then be returned to the Administrative Secretary for entry into the employee's personnel file.

1017.3.2 10851 AWARD PROGRAM

This specific commendation formally recognizes officers excelling in recovery of stolen vehicles and/or the apprehension of auto theft suspects.

The Crime Analysis Unit (CAU) shall administer the California State Automobile Association (CSAA) and California Highway Patrol (CHP) 10851 Recognition Award Program.

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Employee Commendations

Patrol shall report all 10851 recoveries/arrests according to the Department's report writing policy.

CAU shall read each 10851 recovery report to determine if an award criteria exists.

CAU shall maintain a log of officers' 10851 recoveries/arrests.

Individual officers shall qualify to receive a 10851 Award by meeting the following criteria within twelve (12) months:

- (a) Six (6) separate recoveries of stolen vehicles, all cleared by arrest; or
- (b) Twelve (12) recoveries of stolen vehicles, three (3) of which shall have been cleared by arrest; or
- (c) Development of information resulting in identification of a vehicle theft ring and subsequent arrest of two (2) or more suspects and the recovery of at least ten (10) stolen vehicles

The CAU shall submit nominations for officers who qualify for a 10851 Award.

Awards shall be given during an annual ceremony, or more often if needed. Awards given for the 10851 Program shall be as follows:

- INITIAL - The first 10851 Award is a white metal pin. The next three (3) qualifying awards shall be white pins with ribbons attached: "II, III, or IV."
- MASTER - The fifth 10851 Award is a blue metal pin. Subsequent Master awards shall be blue pins with ribbons attached: II (for ten (10) qualifications), III (for fifteen (15) qualifications), or IV (for twenty (20) qualifications).
- LIFETIME - The final pin is the Lifetime Achievement 10851 Award. The pin is a gold metal pin fitted with a ribbon containing a jewel. It is given to an officer who qualifies for a fifth Master Award.

Departmental Awards

1018.1 POLICY

The purpose of this order is to establish procedures for commending employees of the Department for acts that deserve departmental recognition. These awards shall be based upon:

- (a) A specific act
- (b) Outstanding performance to the public within the framework of community policing
- (c) Improvement in a service delivery system
- (d) Leadership activities

1018.1.1 DEPARTMENTAL AWARDS FOR BRAVERY

Medal of Valor

This award shall be awarded to employees who undertook an action willingly and with full knowledge of the grave risk to their own personal safety, performing a heroic deed with exceptional conduct involving unusual courage, and after having sufficient time to evaluate the objective, accomplished the feat. or was prevented from accomplishing the feat by incurring a disabling injury or death. (Entenmann-Rovin 1000 Medal/VB-1 red, white (V), blue Ribbon)

Award of Merit for Bravery

The eligible act, while of a lesser degree than that required for the Medal of Valor, must nevertheless have been accomplished with distinction. If no action had been taken, the employee, an innocent bystander, or the suspect may have been injured. The action taken should have been beyond the reasonable performance expectations of the employee's job responsibilities. The act was not foolhardy. The employee did not use poor judgment or procedures, thus creating the necessity of their acts. (Entenmann-Rovin 1100 Medal/AR-1 red, white, and blue Ribbon.)

Lifesaving Award

Woodland Police Department officers who perform actions or who apply techniques that result in saving or sustaining a human life are eligible to receive a Lifesaving award. (Entenmann-Rovin 1525 Medal /AR-1-LS white-blue "Life saving" Ribbon)

Purple Heart

Woodland Police Department officers who, while in the performance of enforcement duties, are seriously injured or killed are eligible to receive a Purple Heart Medal. The duties do not include accidental or reckless behavior by the officer. (Entenmann-Rovin AR-1-2 blue Ribbon)

1018.1.2 DEPARTMENTAL AWARDS FOR SERVICE

Police Meritorious Service Award

Woodland Police Department officers who have made truly outstanding achievements contributing to the efficiency and/or effectiveness of the Department by consistently performing their duties with outstanding skill, diligence, productivity, judgment, and responsibility are eligible to receive

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the Police Meritorious Service Award. These achievements must be beyond the requirements of the normal work assignment. (Entenmann-Rovin AR-1-5: red, white, black, white, red Ribbon)

Community Policing Award

This is awarded to Department personnel who have solved a significant community problem, included the community in the problem solving process, and/or shown a commitment to the Department's Community Policing philosophy. (Entenmann-Rovin AR-1-C: blue, white, blue "C", white, blue Ribbon)

1018.1.3 POLICE CHIEF'S UNIT CITATIONS (NON-COMMITTEE)

Distinguished Unit Citation

This is the Department's highest unit award and may be awarded to an organizational unit of the Department for outstanding service by its employees functioning as a team. (Entenmann-Rovin AR-1-6: black, blue, lt blue, blue, black Ribbon)

Meritorious Unit Citation

This may be awarded to an organizational unit of the department for action similar to, but to a lesser degree than required for the Police Chief's Distinguished Unit Citation. (Entenmann-Rovin AR-1-8: blue, black, blue, red, blue, black, blue Ribbon)

1018.1.4 INDIVIDUAL AWARDS (NON-COMMITTEE)

Police Chief's Leadership Award

Employees who exemplify and consistently demonstrate strong leadership skills shall be personally awarded a Leadership Commendation Award by the Chief of Police. Such skills shall include, but are not limited to the following:

- Challenging the status quo and fostering innovation and creativity in police device delivery
- Displaying enthusiasm and inspiring others through personal efforts toward the achievement of the Department's goals and vision
- Supporting the efforts and developing the talents of others
- Displaying a commitment to and becoming a model of the Department's values. (Entenmann-Rovin AR-1-3E: gold, blue, gold Ribbon)

Community Service Award

The Chief of Police may bestow the Community Service Award on employees who perform an outstanding service, within the City of Woodland and while off-duty, within the framework of community policing. Example of employees eligible for receipt of this award might include:

- An employee who annually donates 120 hours or more of personal time to community activities, e.g. tutoring school students, participating in a mentoring program, or the Community Care Car program. (Entenmann-Rovin AR-1-4: black, red, white, black Ribbon)

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Police Tactical De-Escalation Award

May be awarded to employees who, in the line of police duty, utilize exceptional tactical skills, verbal approaches and/or techniques to de-escalate a situation that could have resulted in the use of deadly force or used to sustain human life. This award focuses on the sound tactics (time, distance etc.) that led to a peaceful resolution. This award will be presented monthly to employees that meet the above criteria and will be recognized at the annual Awards Ceremony.

City of Woodland Service Award

Sworn employees shall receive an award based on the total time with the city. (Entenmann-Rovin AR-1-N: blue, white (5, 10, 15, 20, 25, 30), blue Ribbon)

Civilian employees shall receive an award based on the total time with the city.

1018.2 AWARD NOMINATION PROCEDURES - SELECTION AND PRESENTATION

An Award Review Committee will convene to consider those nominated for all awards except the Police Chief's Leadership Award and the Police Unit Citations. The committee will be chaired by the Deputy Chief and will include a Lieutenant, a representative of the WPSA, a representative of the WPPEA, a past Officer of the Year recipient, a past Employee of the Year recipient, and, if possible, a past Medal of Valor recipient. The committee shall serve a term of one year and shall meet as needed. The committee shall forward their recommendations to the Chief of Police for a final decision.

The Police Chief's Leadership Award shall be recommended to the Chief of Police by the immediate supervisor of the employee of the Woodland Police Department. The information will be verified, and the award will be issued in a ceremony decided upon by the Chief of Police.

Persons selected to receive an award will be presented such award at a time and location determined by the Chief of Police.

Posthumous Awards - The next of kin is entitled to receive any medals earned by a deceased employee of the Woodland Police Department. The next of kin, in order of precedence, are: widow/widower, eldest child, parents, eldest sibling, eldest grandchild.

Award order of Precedence

- (a) Medal of Valor
- (b) Award of Merit for Bravery
- (c) Purple Heart
- (d) Lifesaving Award
- (e) Police Chief's Distinguished Unit Citation
- (f) Police Chief's Meritorious Unit Citation
- (g) Police Meritorious Service Award
- (h) Community Policing Award

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- (i) Police Chief's Leadership Award
- (j) Community Service Award

Other Awards and Insignia

The department will authorize other identifiers to denote specialty assignments and awards. If the insignia denotes a specialty assignment it will be worn only while the officer is participating in that assignment. Authorized insignias include: SWAT, CNT, Shooting Award, Bike Patrol, CHP 10851, 23152, Honor Guard, Motor Officer Wings, and City of Woodland Service Pins.

1018.2.1 MANNER OF WEARING MEDALS, RIBBONS, AND INSIGNIA

Medals are to be worn only with the Class A uniform like jacket or long sleeved shirt with tie. The medals shall be centered on the right breast, in a single row, in order of precedence, from the sternum outward. The officer name badge shall be worn as stated in the uniform policy. The medal's suspension ribbon shall be above the name badge on the uniform.

Ribbons are optional on the long or short sleeve Duty Uniform Shirt. Up to four individual ribbons are worn in a single row. No more than four rows of ribbons are authorized. All ribbons shall be centered, with the bottom edge of the bar flush with the top edge of the lower row of ribbons. The bottom row will be affixed just above the name badge. If more than one ribbon is worn, it shall be affixed to the appropriate ribbon holder bar and will be in order of precedence, from the sternum outward.

A maximum of four (3) levels of awards or unit identifiers may be worn at any one time. Examples: 3 rows of ribbons, or; 1 row of ribbons and 1-10851 pin and 1-CNT pin, or; 2 rows of ribbons and 1-SWAT pin. Pins shall be vertically mounted, centered, and above any ribbons worn.

1018.2.2 MULTIPLE AWARDS

No limits shall be placed on the number of medals, commendation bars, certificates, or letters that an individual may be awarded.

Once a medal or commendation ribbon has been presented to an employee, a bronze oak leaf cluster shall be presented in lieu of additional awards of the same medal or bar. A silver oak leaf cluster shall be worn in lieu of 5 bronze clusters.

Fitness for Duty

1019.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1019.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each employee of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position. (See Policy 1020 Employee Fitness)
- (b) Each employee of this department shall perform their respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform their duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform their duties, such observations and/or belief shall be promptly reported to a supervisor.

1019.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform their duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform their duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Patrol Lieutenant or the Deputy Chief, a determination should be made whether or not the employee should be temporarily relieved from their duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1019.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

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1019.5 WORK RELATED CONDITIONS

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Patrol Lieutenant or unit supervisor and concurrence of the Deputy Chief (Second in Command), any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and, if appropriate.
- (b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1019.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Department of Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties (Civil Code § 56.10(c)(8)(A)). If the employee places their condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)(B)).
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

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- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume their duties.

1019.7 LIMITATION ON HOURS WORKED

Absent emergency operations employees should not work more than:

- 14.5 hours in one day (24 hour) period; or
- 29 hours in any 2 day (48 hour) period; or
- 84 hours in any 7 day (168 hour) period.

Except in very limited circumstances employees should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any employee who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1019.8 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

Employee Fitness

1020.1 PURPOSE AND SCOPE

The Woodland Police Department promotes and encourages the improved health and wellbeing of all department employees. Improved employee fitness is intended to reduce sick leave usage, on-duty injuries, disability retirements, and generally improve the physical and mental wellness of department employees.

1020.2 OFF-DUTY FITNESS ACTIVITIES

Employees are encouraged to participate in off-duty fitness activities designed to improve the employee's health and wellbeing. When participating in any off-duty fitness activity, employees are encouraged to utilize any safety equipment deemed appropriate for protection when engaged in that exercise or activity.

1020.3 USE OF THE POLICE DEPARTMENT EXERCISE EQUIPMENT

The Woodland Police Department will maintain an exercise equipment with assorted aerobic and weight equipment for use by its employees. The Department will provide a towel service for use by employees utilizing the exercise equipment.

Employees of other law enforcement agencies may use the exercise equipment upon approval of the Chief of Police.

Employees utilizing the exercise equipment:

- (a) are encouraged to have a spotter for any overhead lifts.
- (b) are encouraged to utilize any safety equipment deemed appropriate for protection when engaged in an exercise or activity.
- (c) should wipe down equipment and put weights away after use.
- (d) shall not throw or drop weights on the exercise room floor.
- (e) should limit their time on cardiovascular equipment to 15 minutes if others are waiting.
- (f) shall not use damaged equipment and report all damaged equipment to the Facilities CSO.
- (g) shall report to the on duty supervisor as soon as possible, any injury sustained while exercising with the exercise equipment.
- (h) shall not wear offensive clothing.
- (i) shall maintain the television/stereo volume at an acceptable level as not to disturb other employees elsewhere in the building.

Meal Periods and Breaks

1021.1 PURPOSE AND SCOPE

This policy insofar as possible will establish consistent procedures governing the time allowed for meal breaks.

1021.2 MEAL PERIODS

Employees subject to call back shall remain on duty during meal breaks. It is generally accepted that this meal break is 30 minutes.

Uniformed patrol and traffic officers shall request clearance from Dispatch prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed.

Employees subject to call back who miss their meal break are not entitled to overtime.

1021.3 15 MINUTE BREAKS

Full time employees are entitled to two paid 15 minute breaks per shift. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

1021.3.1 PART TIME EMPLOYEES

Part time employees are entitled to a 15 minute break every 4 hours of work. Part time employees shall also receive a 30 minute unpaid lunch break for shifts longer than 5 hours.

Lactation Break Policy

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child (Labor Code § 1034).

1022.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207; Labor Code § 1030).

1022.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify Dispatch or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1022.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207; Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

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1022.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.

1022.5.1 STATE REQUIREMENTS

Employees have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Employees who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).

Payroll Records

1023.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1023.2 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS

All non-exempt employees shall maintain their Calendar in PowerTime by accurately entering all overtime/CTO earned within five calendar days of the date worked.

- (a) Employees shall enter the type, and number of hours they worked. The entries should include some notation in the "Notes" section of the entry denoting the reason for the work (Case number XX-XXXXXX, sick call on Swings, Range training, etc.)
 - 1. When accounting for less than a full hour, time worked shall be calculated in 15 minute increments.
- (b) Employees shall notify their immediate supervisor, or the on-duty supervisor, of any overtime or time off requests entered in PowerTime.
- (c) Employees shall be responsible for the accuracy of all entries made in PowerTime.
- (d) Employees shall ensure their PowerTime calendar is complete for each pay period. Changes to PowerTime after the roster has been finalized will require supervisor's approval and reflect on the next month's payroll.
- (e) The employee shall ensure that they have sufficient hours accrued to cover any leave used. Failure to do so may result in disciplinary action.
- (a) Changes to Telestaff after the roster has been finalized will require a Command Staff member's approval.
- (b)

1023.3 SUFFICIENT LEAVE BALANCE NEEDED

Supervisors shall decide if employees shall be allowed to use any other accumulated time they have if they request a leave day and do not have enough accrued time to cover the absence.

- (a) If an employee requests a leave day and does not have enough hours to cover the time then the approval of any other leave time will fall under those leave rules.
- (b) This authorization from the supervisor shall occur before the end of the pay period and should be based on Department policy for taking time off.
- (c) If the leave rules would not authorize the time off then the employee will be on Leave Without Pay.
- (d) Employees shall not be allowed to use accumulated sick leave in order to cover a holiday, CTO or vacation day.

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1023.4 DENIED COMP TIME OFF REQUESTS

If a request by an employee to use accrued compensatory time off is denied due to reducing the staffing of the employee's shift more than one below minimum staffing or for being submitted too close to the requested time off, the employee can attempt to locate a replacement employee willing to work their shift.

- (a) A replacement employee cannot work more than 14.5 hours straight.
- (b) A replacement employee must have a minimum of an eight (8) hour break between work shifts.
- (c) A replacement employee must not work in excess of six (6) days straight without prior approval of the Division Commander.

If the employee locates a replacement employee, meeting the above criteria, who is willing to work their shift, the supervisor will approve the request to use accrued compensatory time off regardless if the replacement employee would be entitled to overtime compensation.

Once a replacement employee agrees to fill a vacancy due to the approval of a request for compensatory time off, the employee requesting the compensatory time off will not be allowed to retract their request without prior agreement from the replacement employee and original approving supervisor.

1023.5 TIMESHEET VERIFICATION

Employees shall verify their timesheet for each pay period to confirm that their timesheet accurately reflects all hours worked during that pay period. Pay periods are 14 days long, starting on a Sunday and ending on the Saturday 14 days later.

1023.6 SUPERVISOR RESPONSIBILITIES

- (a) Supervisors shall regularly check PowerTime's master calendar for any overtime/CTO earned or leave requests entered by their employees and respond to them within a reasonable time.
- (b) The supervisor who approves the PowerTimeentry shall verify that the entry is correct before approving the request.
- (c) If a request to use CTO is denied the supervisor will provide a written response to the employee explaining the reason for the denial through PowerTime.
- (d) Supervisors shall review PowerTimefor completeness and accuracy by the by the Monday after the pay period.
- (e) Late PowerTimeentries shall be reported to the Division Commander and reported to payroll as soon as possible. If a late PowerTimeentry is reported after paychecks have been issued, overtime, CTO, vacation, and sick leave corrections will be made in the following pay period.

1023.7 POLICY

The Woodland Police Department maintains timely and accurate payroll records.

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1023.8 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1023.9 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted as established by the City payroll procedures.

1023.10 RECORDS

The InvestigationsBureau Commander shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Outside Employment

1024.1 PURPOSE AND SCOPE

Outside Employment

In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1024.1.1 DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1024.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the chain of command to the Chief of Police for consideration.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1024.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance.

1024.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

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- (a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and their supervisor recommends reinstatement of the outside employment permit
- (b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline
- (c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status

1024.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient

1024.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

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Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

- (a) The applicant will be required to enter into an indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:
 - 1. The officer(s) shall wear the departmental uniform/identification.
 - 2. The officer(s) shall be subject to the rules and regulations of this department.
 - 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
 - 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
 - 5. Outside security services shall not be subject to the collective bargaining process.
 - 6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1024.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1024.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer's law enforcement status.

1024.4 DEPARTMENT RESOURCES

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

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1024.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide their personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide their personal financial records for review/audit. If the employee elects not to provide the requested records, their off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

1024.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

Outside Employment Change in Status If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1024.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Employees engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify their supervisor of their intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.

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- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Woodland Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

Police Trainee Financial Assistance

1025.1 PURPOSE AND SCOPE

This policy will establish a procedure to assist Police Trainees in fulfilling their P.O.S.T. Basic Academy education requirements by authorizing Police Trainees, on a case by case basis, to collect tuition reimbursement up to the allowable amount, to help offset the costs associated with attending the P.O.S.T. Basic Academy.

Procedure

Police Officer applicants who have successfully passed all phases of the testing process may be offered employment as a "Police Trainee" if they are within one (1) month of graduation from a local police academy, in accordance with the procedures established in Policy 1000.

Police Trainees must successfully complete the Basic Police Academy prior to being sworn in as a regular, full time, Police Officer.

Request Process

Police Trainees who are experiencing financial hardship may petition the Chief of Police (COP) for tuition reimbursement, up to the maximum allowable annual rate, while still enrolled in the academy. The Police Trainee shall:

submit a memorandum explaining the hardship and any exigent circumstances surrounding their request.

submit the Course Approval Request form, Tuition Reimbursement Request form and required supporting documentation to the COP.

The COP may authorize tuition reimbursement, at the current rate, to help offset the cost associated with attending the academy. This shall be determined on a case-by-case basis.

Occupational Disease and Work-Related Injury Reporting

1026.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

1026.2 POLICY

The Woodland Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

1026.2.1 INJURIES REQUIRING MEDICAL CARE

All work related injuries and work related illnesses requiring medical care must be reported to the Risk Management Office and a claim form shall be provided to the injured employee within 24 hours from the time the injury was discovered, excluding weekends and holidays.

1026.2.2 ACCIDENT DEFINED

Accident - is defined as any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur (e.g., exposure where no immediate injury is apparent).

1026.2.3 EMPLOYEE'S RESPONSIBILITY

Any employee sustaining any work-related injury or illness, as well as any employee who is involved in any accident while on duty shall report such injury, illness or accident as soon as practical to their supervisor.

Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to their immediate supervisor.

Any employee sustaining a work-related injury or illness that requires relief from duty is required to be examined/treated by a doctor.

Any employee sustaining a work-related injury or illness that requires relief from duty is also required to comply with departmental policies and directives relating to the duty to periodically call in during absences, as well as the duty to notify the Department of any change in condition or anticipated duration of the absence.

When appropriate, an employee being treated for an on-duty injury should inform the attending physician that a modified duty assignment may be available at the Department. Limited-service duty may be available for the employees whose injuries prevent resumption of regular duties.

An injured employee or employee who has suffered a work-related illness shall report as soon as practical to their immediate supervisor the medical findings concerning the injury and the extent

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and duration of any work restrictions if they are known. In addition, such employees are required to promptly submit all medical releases, whether partial or full releases, to their supervisor.

1026.2.4 SUPERVISOR'S RESPONSIBILITY

A supervisor learning of any work-related injury, illness or accident shall promptly prepare the appropriate forms as outlined under Policy Manual § 1026.2. Updated copies of forms with instructions for completion provided by Risk Management are kept in the Sergeant's office.

For work-related accidents, injuries or illness not requiring professional medical care, a Supervisor's Report of Injury form shall be completed. All copies of the completed form shall be forwarded to the Community Relations Sergeant.

When an accident, injury, or illness is reported initially on the Supervisor's Report of Injury form and the employee subsequently requires professional medical care, the State of California Employer's Report of Occupational Injury or Illness form shall then be completed. The injured employee shall also sign the form in the appropriate location.

Every injured employee must be provided with an Employee's Claim for Workers' Compensation Benefits Form (DWC-1) within 24 hours, regardless of the nature of illness or injury.

Copies of any reports documenting the accident or injury should be forwarded to the Community Relations Sergeant as soon as they are completed. The Community Relations Sergeant will insure copies of these reports are forwarded to the Deputy Chief (Second in Command), to the injured employee's evaluation file, and to Human Resources.

1026.3 INJURY NOT REQUIRING MEDICAL ATTENTION

Those injuries and illnesses not requiring medical attention shall be recorded on a Supervisor's Accident Investigation Report. This form shall be completed by the supervisor and signed by both the supervisor and the employee.

1026.4 SETTLEMENT OF INJURY CLAIMS

Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, for which the employee, the City, and/or other insurers are entitled to recover civilly. To ensure that the City's interests are protected and that the employee has the benefit of the City's experience in these matters, the following procedure is to be followed:

1026.4.1 EMPLOYEE TO REPORT INITIAL CONTACTS

When an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company, or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to their supervisor as soon as possible.

1026.4.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than ten (10) days prior to accepting and finalizing the settlement of any third party claim arising out of or related to an on duty injury, the employee shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the employee accept a

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settlement without first providing such written notice to the Chief of Police. The purpose of such notice to permit the City to determine whether or not the offered settlement will affect any claim the City may have regarding payment for damage(s) to equipment or reimbursement for wages against the person who caused the accident or injury and to protect the City's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.

Personal Appearance Standards

1027.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1027.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1027.2.1 HAIR

Hairstyles of all members shall be neat in appearance.

Sworn members shall wear their hair in such a style that it does not obscure vision and shall be no longer than (3) three inches below the back of the collar. Hair must be pulled away from the face and up using barrettes, combs, clips, rubber or elastic bands, etc. Examples of appropriate hairstyles include pony tail, bun, chignon, French or single braids, etc. Professional staff working indoors may wear their hair down in such a style that it does not obscure vision and shall be no longer than their waist.

Hair that is tinted or dyed must be of a natural human color.

1027.2.2 FACIAL HAIR

Members shall be clean-shaven when reporting for duty. The growing of mustaches, goatees, or beards may not occur while the member is at work. Members desiring to grow facial hair, meeting approved specifications, should do so while on training, vacation, time off or the first week of any new patrol rotation.

- (a) Mustaches - A short, neatly trimmed, mature mustache of natural color may be worn. Mustaches shall not extend below the vermilion border of the upper lip or the corners of the mouth and may not extend to the side more than one-half inch beyond the corners of the mouth, unless the mustache grows continuous to a goatee or beard. Handlebar mustaches are prohibited.
- (b) Beards - A mature, neatly trimmed beard of natural color may be worn. The hair shall not exceed $\frac{1}{4}$ inch in length. The beard shall have sharp, even edges and corners and shall not be grown on the upper cheeks or neck. A moustache is required if a beard is grown. The beard shall not interfere with the proper fit of any safety equipment.
- (c) Goatee - A short, neatly trimmed, mature goatee of natural color may be worn. The hair shall not exceed $\frac{1}{4}$ inch in length. The goatee shall have sharp, even corners and edges. The width of goatee shall not exceed outward more than $\frac{1}{2}$ inches from a vertical line that extends from the corner of the mouth down, nor shall it proceed

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under the jaw towards the neck more than 3/4 inches. The goatee shall not interfere with the proper fit of any safety equipment.

- (d) 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 un-flared width. The sideburn shall be trimmed and neat in appearance.

1027.2.3 FINGERNAILS

Fingernails shall be clean and trimmed.

Fingernails shall not have any ornamentation or 3D embellishments. Nail polish should look professional and should not detract from a uniform or professional appearance. The wearing of florescent or more than two colored polishes on nails is not allowed.

Sworn Personnel may grow their fingernails to a length not to exceed 1/4 inch beyond the fingertip.

Professional staff may grow their fingernails to a length not to exceed 3/8 inch beyond the fingertip.

1027.2.4 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by uniformed personnel, sworn or non-sworn, on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Approved jewelry is limited to the items listed below:

Wristwatch

Wedding ring/set, class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.

Medic Alert bracelets or magnetic medical bracelets

Sworn uniformed personnel may wear three matched sets of post earrings in the upper ear area of both ears.

Professional staff may wear stud earrings, small hoops, or earrings of a conservative design worn in the lobe of each ear, limited to three matched sets.

Professional staff, uniformed and non-uniformed, may wear a single nostril stud ring not to exceed 2mm.

Stud earrings only of a matched design, onethree studs maximumonly in the lobe of each ear for sworn personnel in uniform

Stud earrings, small hoops, dangle earrings of a conservative design worn in the lobe of each ear, limited to onethree matched sets, onethree per ear lobe for Professionalnon-sworn uniformed personnel. (Matched set of Post earrings in upper ear area of both ears for Professional staff, uniformed adnnon-uniformed.non-uniformed civilian personnel only)

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Necklaces, bracelets, ankle bracelets of a conservative design or special recognition bracelets i.e. MIA, Memorial bracelets

1027.3 TATTOOS

Visible tattoos may be worn except on the hands, neck, face and head. Permanent makeup, such as tattooed eyeliner or lip liner is permitted as long as it conforms to standards regarding makeup.

At no time while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. The agency prohibits body art that is gang related; conveys sexual, racial, religious, ethnic, or related intolerances; promotes a partisan political statement or expression; or portrays derogatory or offensive characterizations that are contrary to the values of the agency.

If the department receives complaints about a tattoo, the department may require any employee to cover it by uniform, clothes, approved cosmetics, or by any other means approved by the Chief of Police. Sleeves worn to cover tattoos must conform to the colors specified in the Uniform policy.

1027.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth
- (d) Branding or scarification.

1027.5 SPECIALTY ASSIGNMENTS (EXCEPTION)

Employees working in a Task Force capacity will comply with the grooming standards established by the governing agency (i.e. BNE for YONET). In the absence of governing agency established grooming standards, the following grooming standards will apply.

All facial hair will be short, well groomed and trimmed to the contour of the face, with the neck remaining clean shaven at all times.

Hair will be well groomed and no longer than shoulder length.

If a Task Force member must fill other duty assignments requiring more stringent grooming standards, the member will comply with those grooming standards for the duration of that assignment.

Uniform Regulations

1028.1 PURPOSE AND SCOPE

The uniform policy of the Woodland Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Department Owned and Personal Property

Body Armor

Personal Appearance Standards

No employee shall begin work until they are in compliance with this policy.

The Woodland Police Department will provide compensation for all employees required to wear a police uniform as agreed upon in the respective employee group's collective bargaining agreement. Major changes to the uniform policy require a meet and confer with the WPOA and WPSA.

1028.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and pressed.
- (b) All peace officers of this department shall possess and maintain at all times, a serviceable Patrol uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (e) While on duty civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (f) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.
- (g) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while they are off-duty.
- (h) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
- (i) Mirrored sunglasses will not be worn with any Department uniform.

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- (j) All uniformed employees are to wear uniforms unless excused by their respective Division Commander or designee. Modified uniforms may only be worn with approval by the appropriate Bureau Commander or designee.

1028.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by the Deputy Chief or designee.

1028.3 UNIFORM CLASSES

1028.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel.

The Class A uniform includes:

Pants LAPD Blue - Made of 100% wool or a polyester/wool blend. "Sap" pockets are allowed on uniform trousers, on either side of each leg, or to the rear. No cargo pockets are permitted on the trouser legs. Trouser legs are to be a length not above the top of the uniform dress shoe and not to extend below (1) one-inch of the top heel of the dress shoe. Trousers shall be cut at a taper not less than or more than (2) two inches in width difference between the knee and the cuff line.

Long sleeve shirts LAPD Blue - Made of 100% wool or a polyester/wool blend. Shirts must match the color of the pants and have pockets with scalloped flaps, military creases and shoulder epaulets.

Socks shall be solid black in color if visible in a sitting position.

Tie shall be plain black in color, fore-in-hand clip on type of contemporary width.

Shoes shall be of lace type, black leather or high gloss, plain rounded toe, low or high top design. Shoes will be maintained at a high gloss shine, and be of good repair. Boots may be Wellington style (not squared), high gloss and without ornamentation or stitching. They must be of sufficient height so trousers do not hang up on the top portion of the boot, and they may not be bloused. The boots shall be fitted with heels, which do not have a thickness greater than (1 ½) one-one half inches. No combat style boots, "Rocky" plain boot, or any shoe resembling that of a tennis shoe shall be worn.

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Safety equipment worn with the Class A uniform shall consist of only the holster, magazine pouch and a single handcuff case. The keepers shall have exterior nickle or brass snaps consistent with rank.

The shoulder patch will have the blue background.

Service Stripes on the long sleeved shirt will be royal blue with gold trim.

SPECIFIC UNIFORM ITEMS ACCORDING TO RANK

POLICE OFFICER CLASS A UNIFORM

The tie/tack bar shall be silver in color.

Belt shall be black leather, basket weave design, with a silver buckle.

Campaign style hat. The department will issue the hat and cap piece to be worn on the hat. The campaign hat will be black in color as manufactured by Stratton Hats Inc., style #F-40, felt composition, with silver color cords.

MOTORCYCLE OFFICERS CLASS A UNIFORM

Motorcycle officers are required to maintain a Class A Motorcycle Officer Uniform, at their expense.

Class A uniform for motorcycle officers will consist of:

- Approved motorcycle officer breeches LAPD Blue in Color, 100% Wool or a Wool/ Polyester blend and polished motorcycle boots, generally a Dehner motorcycle officer boot or equivalent. Motor boots will be provided by the department.
- Class A shirt
- Duty belt with radio
- Motorcycle helmet while riding
- Leather gloves while riding
- Safety glasses while riding
- Leather jacket or approved rain gear, when necessary
- Approved "Ike" style Class A jacket if entire motorcycle team wears the Ike jacket

COMMUNITY SERVICE OFFICER/RECORDS SPECIALIST/PARKING ENFORCEMENT CLASS A UNIFORM

Pants LAPD Blue - Made of 100% wool or a polyester/wool blend. "Sap" pockets are allowed on uniform trousers, on either side of each leg, or to the rear. No cargo pockets are permitted on the trouser legs. Trouser legs are to be a length not above the top of the uniform dress shoe and not to extend below (1) one-inch of the top heel of the dress shoe. Trousers shall be cut at a taper not less than or more than (2) two inches in width difference between the knee and the cuff line.

Shirt Light Blue - Made of 100% wool or a polyester/wool blend. Shirts must have pockets with scalloped flaps, military creases and shoulder epaulets.

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Socks shall be solid black in color, if visible in a sitting position.

Tie shall be plain black in color, fore-in-hand clip on type of contemporary width.

The tie/tack bar shall be silver in color.

Belt shall be black leather, basket weave design, with a silver buckle.

COMMAND STAFF CLASS A UNIFORM

The Class A jacket will be LAPD blue in color, C.H.P. style "Ike" jacket, with gold bands around the cuff of each sleeve 3" above the end of the sleeve. The bands will be one-half inch in width. Two (2) gold bands for Lieutenant, three (3) gold bands for Deputy Chief, and four (4) gold bands for Chief. The jacket will be 100% wool with elastique finish or polyester/wool blend with elastique finish. The buttons on the jacket will be gold metal type buttons with the letter "P".

Class A shirts shall have gold buttons on the epilates and front pockets.

The badge as specified in this order will be worn on the left side of the Class A jacket.

Garrison style hat, LAPD blue. The department will issue the hat and cap piece to be worn on the hat.

The tie/tack bar shall be gold in color.

Belt shall be black leather, basket weave design, with a gold buckle.

SERGEANT CLASS A UNIFORM

The tie/tack bar shall be gold in color.

Belt shall be black leather, basket weave design, with a gold buckle.

Campaign style hat. The department will issue the hat and cap piece to be worn on the hat. The campaign hat will be felt, black in color as manufactured by Stratton Hats Inc., style #F-40, felt composition, with gold color cords.

MOTOR SERGEANT CLASS A UNIFORM (Motor qualified Sergeant)

See Motorcycle Officer specifications listed above. Motor Sergeants are required to maintain a Class A Motor Sergeant uniform at their expense.

1028.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times. The Class B uniform will be the primary uniform worn by officers assigned to administrative positions within the police department. The Class B field uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

Long or short sleeve shirt in LAPD Blue - Made of 100% wool or a polyester/wool blend may be worn with the collar open. No tie is required. Shirts must match the color of the pants and have pockets with scalloped flaps, military creases and shoulder epaulets. A white, or black crew neck undershirt must be worn with the uniform. No turtleneck, mock turtleneck or dickey permitted with

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short sleeve shirt. All shirt buttons must remain buttoned except for the last button at the neck. Long sleeve shirts shall not have the sleeves rolled up.

Pants LAPD Blue - Made of 100% wool or a polyester/wool blend. "Sap" pockets are allowed on uniform trousers, on either side of each leg, or to the rear. No cargo pockets are permitted on the trouser legs. Trouser legs are to be a length not above the top of the uniform dress shoe and not to extend below (1) one-inch of the top heel of the dress shoe. Trousers shall be cut at a taper not less than or more than (2) two inches in width difference between the knee and the cuff line.

Socks shall be solid black in color if visible in a sitting position.

Shoes shall be of lace type, black leather or high gloss, plain rounded toe, low or high top design with heels. Shoes will be maintained at a high gloss shine, and be of good repair. Boots may be Wellington style (not squared), high gloss and without ornamentation or stitching. They must be of sufficient height so trousers do not hang up on the top portion of the boot, and they may not be bloused. The boots shall be fitted with heels, which do not have a thickness greater than (1 ½) one-one half inches. No shoe resembling that of a tennis shoe shall be worn.

A "baseball" style cap may be worn.

The black campaign hat may be worn. The felt hat is worn in the winter months (November 1 to May 1). The straw hat is worn in the summer months (May 1 to November 1).

Safety equipment will be worn.

Command Staff class B shirts shall have gold buttons on the epilates and front pockets.

COMMUNITY SERVICE OFFICER/RECORDS SPECIALIST/PARKING ENFORCEMENT

Long or short sleeve shirt in light blue - Made of 100% wool or a polyester/wool blend may be worn with the collar open. No tie is required. Shirts must have pockets with scalloped flaps, military creases and shoulder epaulets. A white, or black crew neck undershirt must be worn with the uniform. No turtleneck, mock turtleneck or dickey permitted with short sleeve shirt. All shirt buttons must remain buttoned except for the last button at the neck. Long sleeve shirts shall not have the sleeves rolled up.

Pants LAPD Blue - Made of 100% wool or a polyester/wool blend. "Sap" pockets are allowed on uniform trousers, on either side of each leg, or to the rear. No cargo pockets are permitted on the trouser legs. Trouser legs are to be a length not above the top of the uniform dress shoe and not to extend below (1) one-inch of the top heel of the dress shoe. Trousers shall be cut at a taper not less than or more than (2) two inches in width difference between the knee and the cuff line.

Socks shall be solid black in color if visible in a sitting position.

Field CSOs may wear a "baseball" style cap.

Shoe, optional, all black shoe, such as the Reebok "Fitness Walker" and the "Rocky" plain boot, may be worn.. No boots with pointed toes are permitted.

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Jackets for Non-sworn field personnel shall have a patch sewn above the shoulder patch to identify themselves as non-sworn employees. Authorized jackets will be Blauer, zip out liner, black or equivalent jacket. The department issued shoulder patches, nameplate, and badge will be affixed to the jacket, as directed by this regulation. An issued sew-on badge and name may be placed on the jacket in lieu of the issued badge and nameplate.

Jackets for Non-sworn office personnel shall be Eddie Bauer® Weather-Resist Soft Shell Jacket EB538 - black in color. (The discontinued Diamond Full Zip Jacket - black in color is still authorized). The Jacket will be embroidered with "Woodland Police Department" (left chest) and first initial and last name (right chest) with white thread

Personnel shall not wear shorts while assigned to office duty.

Safety equipment will be worn.

BASEBALL CAPS

Baseball caps shall not be worn with the Class A uniform. When worn the bill must be facing forward.

The following are the standards for the only authorized baseball style cap:

- (a) Navy Blue
- (b) Richardson brand Flexfit Pro Wool or equivalent
- (c) Embroidered Woodland Police Department badge on the crown. The badge will be silver for line personnel and gold for sergeants and above in rank.
- (d) No names or CAD numbers shall be embroidered on the back of the caps.

1028.3.3 CLASS C UNIFORM

The Class C uniform may be established to allow field personnel to wear shorts and associated attire during the summer months (May 1 to November 1) or special duty. The Operations Commander may modify the changeover date.

Short - LAPD Blue - Blauer Brand

Shirt LAPD Blue matching in color to the shorts - Blauer Brand

A baseball style cap.

Shoes - The only authorized shoe for the Class C Uniform (Shorts) are the black, low top, leather upper, with rubber sole, such as the Reebok "Fitness Walker" or similar type. No obtrusive visible brand names or colored laces are allowed.

Socks - socks will be black in color. Either crew or ankle design. Ankle design will terminate just above the shoe.

Safety equipment will be worn.

COMMUNITY SERVICE OFFICER/PARKING ENFORCEMENT CLASS C UNIFORM (SHORTS)

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Established to allow field related personnel to wear shorts and associated attire during the summer months or special duty (May 1 to November 1). The Operations Commander may modify the changeover date.

Shorts LAPD Blue - Blauer, 8101, LAPD blue short with hemmed leg, no cuff, bush style with bottom flaps on outside front pocket. The shorts will fit the wearer between 4" and 6" above the center of the knee.

Shirt Royal Blue Conerstone brand tactical, models CS410 and CS411, with the silver and blue badge and patches on the sleeves. The first initial and last name of the employee shall be embroidered in silver along with COMMUNITY SERVICES OFFICER below the name.

- (a) The polo shirt may be worn on duty as authorized by the Division Commander. The polo shirt may be worn in either long or short sleeve versions.
 - 1. Department's silver and blue embroidered badge affixed to the left chest area.
 - 2. Employee's last name and first initial embroidered on the right chest area in one half (1/2) inch "Block" style, all capital, black lettering.

Shoes - The only authorized shoe for the Class C Uniform (Shorts) are the black, low top, leather upper, with rubber sole, such as the Reebok "Fitness Walker" or similar type. No obtrusive visible brand names or colored laces are allowed.

Socks - socks will be black in color. Either crew or ankle design. Ankle design will terminate just above the shoe.

A "baseball" style cap may be worn by field CSOs.

1028.3.4 CLASS F UNIFORM AND SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize any other special uniforms to be worn by officers in specialized units such as the Canine Team, SWAT, Bicycle Patrol, Motor Officers, SRO, Patrol, or any other assignments.

CLASS F UNIFORM

Class F Uniform will be the primary uniform to officers assigned to Patrol, SRO, K-9, and Traffic positions not assigned to motors.

- (a) The pants and shirt will be dark navy in color, and may be one of the following brands:
 - 1. 5.11 brand PDU, Class B uniform in Taclite or Twill,
 - 2. Blauer Brand, Super Shirt, 8900 Series and Blauer Brand, Street Gear Pants, 8980 Series,
 - 3. Elbeco Brand, Duty Maxx, RN25214,
 - 4. Flying Cross LAPD Navy Vaporcore Hybrid Short Sleeve Patrol Shirt 75 %Poly/25% Wool – Style # 55VS84, Flying Cross LAPD Navy Hybrid Long Sleeve Patrol Shirt 75% Poly/ 25% Wool – Style #05VS84, Flying Cross LAPD Navy Justice Pants with Zipper cargo pocket 75% Poly/ 25%Wool – Style

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#47780, and Flying Cross LAPD Navy Justice Pants with outer cargo pocket flap - Item #47680

5. Flying Cross FX STAT 65-35 poly cotton mini ripstop Class B Shirt - Long and Short Sleeve, Flying Cross FX STAT 65-35 poly mini rip stop class B pants, Flying Cross FX STAT 65-35 poly mini rip stop hybrid shirt - Long and Short sleeve - LAPD Navy
- (b) The shoes as specified for the Class A and Class B uniform.
- (c) The belt and duty belt as specified for the Class B uniform.
- (d) The hat will be a "baseball" style cap.
- (e) Safety equipment will be worn. LBV may be removed when on break at the police department.
- (f) Class F shirts shall be embroidered with the officer's first initial and last name on the right chest area in one half (1/2) inch "Block" style, all capital lettering. Silver thread shall be used for officers and gold thread shall be used by Sergeants and above. Nameplates, specialty or award pins shall not be worn on the PDU.
- (g) CSOs will wear the PDU pants with the uniform polo shirt, long or short sleeve, Royal Blue Cornerstone brand CS410, CS411, or CS410LS, tactical polo shirt with the silver and blue badge and with patches on the sleeves
- (h) Canine officers may also wear the appropriate K-9 accessories necessary to deploy the K-9.
- (i) Officers may wear an optional shirt under the LBV with the Class F uniform. For the 5.11 PDU the 5.11 Rapid Shirt in Midnight Blue is authorized. For the Blauer Class F uniform with LBV, the Blauer Brand Armorskin shirt in Dark Navy is authorized. For the Elbeco Class F uniform with LBV, the Elbeco Brand Textrop under vest shirt in Dark Navy is authorized.
- (j) .

TRAFFIC MOTORCYCLE OFFICER UNIFORM

This will be the primary duty uniform for officers assigned to ride the police motorcycle.

- (a) Shirt Class B or Class F shirt (LAPD Blue). Optional - Motoport Field Duty Shirt and Motor Duty Shirt (SKU: 102.342), Dark Blue.
- (b) Pants -- Motoport Air Mesh Kevlar Street Jeans, SKU 102.508 LAPD Blue, as supplied by the department
- (c) Boots shall be plain toed, smooth black finish, service riding type boots.
- (d) Gloves will be black leather, form fitted gloves supplied by the Department. An optional set of gloves would be the black Gore-Tex gloves.
- (e) Helmet will be high trim, currently approved, motorcycle safety helmet, with silver Police Eagle Emblem as supplied by the Department (or Gold Police Eagle emblem dependent on rank). The helmet will be white in color with black, high trim.

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- (f) Motorcycle officers will also be equipped with remote microphone as supplied by the Department.
- (g) Motorcycle jacket -- Air Mesh Kevlar Jacket, SKU 102.299 Black, as supplied by the department.

BIKE PATROL UNIFORM

Bike patrol officers may wear any combination of these uniforms year round as they may transition from patrol vehicle to bicycle during their shift, with supervisor approval.

- (a) Shorts navy Mocean Tech or similar stretch twill bike short.
- (b) Pants navy Mocean Tech or similar bike patrol pants.
- (c) Shirt two tone royal blue and navy Mocean Tech or similar short sleeve reflective shirt. Bike patrol officers' uniforms will have their last name embroidered in ½" letters above the right pocket. Patches and badges will be cloth.
- (d) Shoes - plain black, high top style boot or athletic style shoe.
- (e) Socks - socks will be black in color. Either crew or ankle design. Ankle design will terminate just above the shoe.
- (f) Jacket Black and blue lightweight jacket with removable sleeves.
- (g) Safety Equipment - Safety equipment will be worn.
- (h) Bike Helmets - Officers shall be issued their own helmet fitted for their particular size. Helmets will be black, white or a combination of black and white.

SWAT UNIFORMS

Department members assigned to SWAT shall conform to uniform standards as outlined in the SWAT Policy and determined by the SWAT Commander.

RECORDS SPECIALIST UNIFORM

Records Specialist - long or short sleeve shirt Heather Grey 5.11 Polo, Manufacturer #61173 Utility Polo (short), #72057 Utility Polo (long) or First Tactical #122508 Heather Grey short/long sleeve Polo shirt.

- (a) Department's gold and blue embroidered badge affixed to the left chest area
- (b) Employee's first initial and last name embroidered on the right chest area in one half (1/2) inch "Block" style, all capital, black lettering

Pants Navy Blue - Made of a polyester/cotton blend Edwards Brand 8576 in Navy, 5.11 PDU Class A pant in Midnight Navy, or similar. No cargo pockets are permitted on the trouser legs. Trouser legs are to be a length not above the top of the uniform dress shoe and not to extend below (1) one-inch of the top heel of the dress shoe. Trousers shall be cut at a taper not less than or more than (2) two inches in width difference between the knee and the cuff line.

Jacket - Eddie Bauer #EB538, Black Weather-Resist soft shell jacket.

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PROPERTY & EVIDENCE COMMUNITY SERVICE OFFICER AND EVIDENCE TECHNICIAN UNIFORMS

Evidence technicians shall respond to incidents in their regular duty uniform and don appropriate protective attire as needed.

POLO SHIRTS

The polo shirt was established for all personnel as an OPTIONAL shirt to be worn with approved uniform pants, trousers, shorts, or jeans at police department functions, with the approval of the Bureau Commander, and to training, meetings, etc.

- (a) The polo shirt may be worn on duty as authorized by the Bureau Commander. Property & Evidence personnel may wear the polo shirt daily as part of their uniform. The polo shirt may be worn in either long or short sleeve versions.
 - 1. Department's embroidered badge affixed to the left chest area
 - 2. Employee's last name and first initial embroidered on the right chest area in one half (1/2) inch "Block" style, all capital, black lettering.
- (b) A department authorized pink Breast Cancer Awareness Polo may be worn from October 1st through October 31st each year.

1028.3.5 FOUL WEATHER GEAR

Rain Gear - Department Issued

- (a) Rain gear will be black in color with shoulder patches affixed. Officers may use their issued badge or an issued sew-on badge.
 - 1. Non-sworn field personnel shall have a rocker patch sewn above the shoulder patch to identify themselves as non-sworn employees.
- (b) Rain gear for motorcycle officers shall be WaterShed brand rain gear, or equivalent. This rain gear will be issued as safety equipment to the motorcycle officers and must meet ANSI safety requirements established for the department.

OPTIONAL Rain Gear (Not issued) Rain gear will be black in color with shoulder patches affixed. Officers may use their issued badge or an issued sew-on badge.

- (a) "Pro-Tuff" black in color rain jacket, or equivalent and;
- (b) "Pro-Tuff" 50" black in color rain jacket, or equivalent.
- (c) "Duster" black in color rain jacket (full length)
- (d) Black in color waterproof rain pants/chaps.

Jackets

- (a) Blauer, zip out liner, black, or equivalent jacket.
 - 1. The department issued blue shoulder patches, name plate, and badge will be affixed to the jacket, as directed by this regulation. A sew-on badge and nametag may be placed on the jacket in lieu of the issued badge and name plate; silver badge/silver lettering, gold badge/gold lettering.

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Watch Cap

- (a) When the outside temperature is below 50 degrees Fahrenheit (either ambient air temperature or wind chill), officers may wear a knit watch cap when the officer is exposed to the elements. If there is a question as to the temperature, the shift supervisor shall determine if the watch cap maybe worn.
- (b) The watch cap shall be a Blauer 125 or 125XCR wool blend cap, or similar, and shall be solid black in color. The watch cap shall not have any appendixes, patches or other decoration.
- (c) The watch cap shall not be worn indoors nor in a way that obscures the face of the wearer.

1028.3.6 LOAD BEARING VEST (LBV) - OPTIONAL

Officers may purchase and wear a department approved load bearing vest, ABA brand with front zipper, and MOLLE attachment loops, Point Blank Endeavor, Protech Oregon City 2.0, Safariland Model DN6566 or Safariland V1 Overt Carrier in midnight navy color.

- (a) A department approved load bearing vest in navy blue may be worn over a Class F uniform or Condor Elite Trident Battle Top.
- (b) All LBV shall have a badge tab affixed to the left front breast, a name tape affixed to the right breast, pouches may be affixed to the lower half of the LBV which carry items normally carried on a gunbelt.
 - 1. The name tape shall contain the officer's first initial and last name in one half (1/2) inch "Block" style, all capital lettering. Silver thread shall be used for officers and gold thread shall be used by Sergeants and above. Nameplates, specialty or award pins shall not be worn on the LBV.
- (c) LBV's shall not be used to conspicuously carry rifle magazines, fixed bladed knives, bandoleers of ammunition or any item not regularly carried on a gunbelt
- (d) "POLICE" name tapes, whether reflective or not, may be temporarily affixed to the LBV for officer safety considerations, but should be easily removed for routine functions
- (e) LBV's should not be worn in conjunction with a coat or jacket that restricts access to equipment

In addition to the load bearing vest, officers may purchase a tactical belt to be worn with the load bearing vest, The specifications for the belt are as follows:

Dealer: AARDVARK Tactical Brand: Project 7 Model #: B3X (Battle Belt) Color: Black/ Black
Option: IIIA Ballistic

CSOs are not eligible to wear LBV's.

1028.4 INSIGNIA AND PATCHES

- (a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, four-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

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1. Special Teams may wear a unit specific patch with prior approval from the Chief of Police.
 2. Pink Breast Cancer Awareness patches may be worn from October 1st through October 31st each year with approval from the Chief of Police.
- (b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only, and only on the Class A and Class B uniform.
1. Five Year Service stars - A star denoting five years of full time peace officer service will be worn on the Class A uniform jacket. The service stars will only be worn on the "Ike" and the Command Staff Class A $\frac{3}{4}$ length jacket. The stars will be centered one-quarter inch above the braid and will be yellow in color. When additional stars are added, they shall be evenly spaced by number, across the sleeve for the first 15 years. They shall then be stacked in a pyramid with four on the bottom row, two on the second row up and one on the top. The stars shall be embroidered and located on the left sleeve.
- (c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first and last name. If an employee's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of Police. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
- (e) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police. (See Policy § 1031)
- (f) Flag Pin - A flag pin may be worn, centered above the nameplate. (See Policy § 1031)
- (g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
1. The badge will be Department issued upon appointment or promotion. The badge will be a 7-point star, with scroll leaf, silver in color for officers. The State of California seal will be in color and located in the middle of the badge. Above the top of the seal the words "Police Officer" will be printed in blue. Under the seal the word "Woodland" will be printed in blue. On the bottom point of the star the badge number will be printed in blue. The badge for ranks of Sergeant and above is of the same design except it will be gold in color. Above the top of the seal the appropriate rank will be printed in blue, such as Sergeant, Lieutenant, and Deputy Chief. Under the seal the words, "Woodland Police" will be printed in blue. On the bottom point of the star the badge number will be printed in blue.

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2. Pink Breast Cancer Awareness badges may be worn from October 1st through October 31st each year with approval from the Chief of Police.
- (h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.
1. Chief of Police shall be four stars worn centered one-fourth inch from the edge of the collar with single point up on the uniform shirt. The stars shall be centered on the epaulet, one-half inch in from the outside edge of the uniform jacket. Deputy Chief's insignia shall be three gold stars. Lieutenant's insignia shall be a single gold bar. Bars shall be worn parallel to the bottom of the collar, one-fourth inch in from the outside portion of the uniform shirt. The Sergeant's insignia shall be three chevrons, blue in color with gold trim. The width of the stripe will be 5/32 of an inch. The width of the stripe will be 5/32 of an inch. The Corporal's insignia shall be two chevrons, blue in color with gold trim. The width of the stripe will be 5/32 of an inch. The width of the stripe will be 5/32 of an inch. The FTO's insignia shall be one chevron, blue in color with gold trim. The width of the stripe will be 5/32 of an inch. The width of the stripe will be 5/32 of an inch. Chevrons shall be machine sewn, five inches below the head seam of the sleeves of the uniform shirt and jacket. The chevrons will be centered on the pressed crease of the sleeve. a. On the foul weather jacket and the "Ike" jacket, the bars shall be attached in the center of the epaulets one-half inch in from the edge of the uniform jacket. 8. City Service Pin - The most current service pin may be worn on the right side of the uniform shirt, 1/4" to 1/2" above the nameplate and centered on the nameplate. 9. The wearing of insignias, awards, and specialty assignment pins shall conform to Policy 1031.
- (i) Nameplates
1. The regulation nameplate shall be silver or gold in colored with black enamel lettering displaying the employee's first and last name. The nameplate shall be 3/8" with 5/32" block lettering. If an employee's first and last name is too long to fit on the nameplate, then the initial of the first name will accompany the last name. If other than the legal first name (nickname) is desired by the employee, the employee must receive approval of the Bureau Commander. The gold nameplate will be worn by the rank of Sergeant and above. All others will wear the silver. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket. When a jacket is worn, the nameplate shall be affixed to the jacket in the same manner as the uniform.
- (j) Breast Cancer Awareness Pin - May be worn, centered above the name plate, from October 1st through October 31st each year. This pin shall be comparable in size to the flag pin.

1028.4.1 MOURNING BADGE

Uniformed employees shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

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- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from any California agency - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

1028.5 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, blouses, slacks or suits that are moderate in style or dresses.
- (c)
- (d) The following items shall not be worn on duty:
 - 1. T-shirt alone
 - 2. Flip flops, thongs or Birkenstock type sandal
 - 3. Swimsuit, tube tops, or halter-tops
 - 4. Spandex type pants or see-through clothing
 - 5. Distasteful printed slogans, buttons or pins
- (e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Woodland Police Department or the morale of the employees.

1028.5.1 INVESTIGATOR ATTIRE DETECTIVE ATTIRE

The regular uniform of the day shall consist of a navy blue polo shirt, khaki TDU cargo pants, and professional work boots. The polo shirt shall have an embroidered badge, embroidered name, and a velcro attachment on the sleeve for a department patch. Work style jackets are acceptable in inclement weather.

Detectives that are scheduled for court or another professional engagement such as a presentation shall wear professional clothing. Clothing shall be pressed, and pants should be

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similar to dress attire; no denim. Shoes should be dress style, no Gore-Tex hiker styles; lace-up boots work boots or tennis shoes. Cowboy boots are acceptable that are polished and not rough-out design. Shirts should be pressed, button up dress style. Shirts shall be tucked in unless square-cut or designed to be worn out and untucked. Solid colored polo shirts may be worn.

During court appearances, it is preferred that detectives wear appropriate dress attire. When a men's suit is worn a tie shall also be worn and drawn up to the neck.

Detectives shall wear an exposed badge when a weapon is visible.

Weapons should not be exposed when in the public while not on official duty.

Class A attire for detectives shall consist of dress slacks, tie and matching sports jacket or optional Class A uniform.

Detectives conducting street enforcement/call out duties may wear plain clothes as defined in this order or uniform items that are easily identifiable with Law Enforcement markings. This type of clothing may consist of a tactical vest with agency lettering and badge or any combination of identifiable Law Enforcement markings in accordance with the type of enforcement action to be taken.

SPECIAL TEAMS

Special Teams may choose a uniform (with Chief approval) that meets the necessities of their work.

SAFE STREETS TEAM ATTIRE

Members assigned to Safe Streets Team shall comply with the standards and practices of the Safe Streets Team related to attire.

1028.5.2 CASUAL FRIDAY ATTIRE

Sworn and non-sworn office personnel (those who are not assigned to patrol duties or any street enforcement capacity) can participate in Casual Friday. The following stipulations shall apply:

- (a) Casual Fridays will take place only on ACTUAL calendar Fridays weekly.
- (b) Personnel shall abide by Lexipol Policy 1046.5 which dictates civilian attire with the exceptions below:
 - 1. Notwithstanding the aforementioned policy, employees may also wear denim pants. The denim shall not be ripped, torn, faded, or cut.
 - 2. Employees may wear polo, blouse, or button down style shirts. No tank tops, t-shirts, or spaghetti strap shirts will be allowed.
 - 3. Tennis shoes, flip flops, or athletic footwear will not be permitted.
 - 4. Leggings may only be worn if under a skirt or dress.

1028.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Woodland Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a

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department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify themselves as an employee of the Woodland Police Department to do any of the following (Government Code §§ 3206 and 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1028.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 - 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Department Owned and Personal Property Policy).

1028.7.1 RETIREE BADGES

The Chief of Police may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Woodland Police Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Officer CCW Endorsement Policy in this manual.

A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words "Honorably Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Woodland Police Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1028.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Woodland Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

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Woodland Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Chief of Police or designee.

On-Duty Workout Program

1029.1 PURPOSE

The purpose of this policy is to establish guidelines for employees who are voluntarily choosing to participate in the Wellness Program.

1029.2 PROCEDURE

All employees are eligible to participate in the Wellness Program on their own time.

Full-time employees who receive a paid lunch due to their classification shall be allowed to participate while on-duty.

Full-time employees who do not receive a paid lunch shall be allowed to participate while on duty within the restrictions listed in 1029.2.2 (c).

Full-time, on-duty employees are permitted 120 minutes of workout time per week. The workout time includes the time required for the employee to shower and/or prepare for work.

1029.2.1 ON-DUTY WORKOUT ACTIVITY

- (a) Woodland Police Employees are encouraged to maintain a fitness level to reduce incidents of personal injury, promote good health and wellness, and to be able to meet the demands of the profession.
- (b) On-duty workouts shall occur at the Police Facility gym, cardio room or de-escalation room.
- (c) Cardiovascular workouts must begin and end at the Police Facility. The predetermined route should be provided to the immediate supervisor. Additionally, a cellular phone or police radio shall be carried in case of an emergency. Walking or running in groups is encouraged. Employees walking or running at night shall wear reflective clothing.
- (d) Bicycling to and from work or outside the police facility is not permitted as an on-duty workout.
- (e) Competitive sports or other dangerous activities are also not permitted as an on-duty workout.

1029.2.2 SCHEDULING

- (a) Patrol personnel will have two options for on-duty workouts:
 - 1. Personnel assigned to Day Shift or Swing Shift will use the last hour of their shift to workout twice a week for 60 minutes. Personnel assigned to Grave Shift will use the first hour of their shift to workout twice a week for 60 minutes. Personnel choosing this option will rotate days with others using the two-day option. The workouts will be in lieu of lunch and coffee breaks on the days where on-duty workouts are performed. When personnel choose this option no more than two employees may participate at any one time.
 - 2. Personnel assigned to Day Shift or Swing Shift will use the last half hour of their shift to workout four times a week for 30 minutes. Grave Shift personnel will use

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the first 30 minutes of their shift to workout four times a week for 30 minutes. With this option, officers will still have an opportunity for a 30 minute lunch or two 15-minute coffee breaks.

- (b) Auxiliary personnel will also have two options for on-duty workouts:
 - 1. Personnel will use any hour during their assigned shift, with supervisor approval, to work out twice a week for 60 minutes. This workout will be in lieu of lunch and coffee breaks. When personnel choose this option no more than two employees may participate at any one time.
 - 2. Personnel will use the first or last thirty minutes of their shift to work out four times a week. This option allows personnel to take a 30 minute lunch or two 15-minute coffee break.
- (c) Personnel who do not receive a paid lunch may work out at the beginning or end of their shift in lieu of their two 15-minute breaks for thirty minutes. The hour option is not available for these positions.

1029.2.3 RULES AND REGULATIONS

Supervisors have the final authority to grant or deny on-duty workout time with reasonable cause. Supervisors shall maintain minimum staffing levels at all times.

Under no circumstances will personnel use their paid time to workout when it will generate overtime. An example would be working out and then returning to complete reports on overtime. Supervisors will be responsible for monitoring their subordinates.

Workout time cannot be used for any other purpose. Employees cannot leave early or arrive late.

Personnel will sign in at a roster placed near the entry way to the gym.

Personnel will monitor the radio during their workout and respond to emergency calls for service as needed.

No overtime will be authorized for on-duty workout time.

Personnel will adhere to proper gym etiquette to include:

- (a) Wearing appropriate clothing that prevents excessive bodily fluids left on equipment, non-offensive clothing, and proper footwear.
- (b) Music will not be offensive or excessively loud so as to disturb others in the workplace.
- (c) Personnel will clean-up after themselves, replacing all equipment used to its proper storage place and wiping down equipment as necessary.
- (d) Avoiding unsafe or improper lifting techniques.
- (e) Maintaining a professional environment

Personnel abusing the program will immediately be suspended from the program for 30 days. An additional violation may result in a year suspension or permanent suspension.

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1029.2.4 MODIFIED DUTY STATUS

All modified duty employees shall be required to obtain a physician's note and clearance prior to entering or continuing with the Wellness Program. The physician must clearly define the restricted and allowable activities of the employee.

1029.3 OTHER WELLNESS OPPORTUNITIES

(a) Nutrition and Diet

1. From time to time, the department, at no cost to the employees, may provide nutrition and diet consultation. This service will be available to all employees on a sign-up basis.

(b) Mental Wellness

1. The department may provide additional mental wellness opportunities throughout the year. This may include online services through Cordico, peer support groups, other online services, or speakers.

(c) Fitness Consultation

1. From time to time, the department, at no cost to the employees, may provide fitness consultation. This service will be available to all employees on a sign-up basis.

Nepotism and Conflicting Relationships

1030.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1030.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1030.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940(a)):

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal relationship.

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1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
 - (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
 - (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
 - (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

1030.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify their uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify their uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

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1030.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

Department Badges

1031.1 PURPOSE AND SCOPE

The Woodland Police Department badge and uniform patch as well as the likeness of these items and the name of the Woodland Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1031.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity. If any non-probationary employee promotes or separates from service their badge number will be retired.

1031.2.1 FLAT BADGE

Sworn officers, with the written approval of the Chief of Police may purchase, at their own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

- (a) An officer may sell, exchange, or transfer the flat badge they purchased to another officer within the Woodland Police Department with the written approval of the Chief of Police.
- (b) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, they shall make the proper notifications as outlined in the Policy Manual 700.
- (c) An honorably retired officer may keep their flat badge upon retirement contingent on alterations as set forth in Policy Manual 1046.7.1.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1031.2.2 NON-SWORN PERSONNEL

Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Community Services Officer, Records Specialist).

- (a) Non-sworn personnel shall not display any department badge except as a part of their uniform and while on duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any department badge or represent themselves, on or off duty, in such a manner which would cause a reasonable person to believe that they are a sworn peace officer.

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Department Badges

1031.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1031.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan their department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1031.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Woodland Police Department. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

Temporary Modified-Duty Assignments

1032.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1032.2 POLICY

Subject to operational considerations, the Woodland Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

If light/limited duty is available and the employee is cleared by an attending physician, or a properly appointed City physician, to perform such work the employee shall accept light/limited duty. If the employee chooses to deny the temporary modified-duty assignment, the employee must use their leave banks to remain at home.

1032.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Woodland Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

Examples of modified-duty assignments include, but not limited to:

- Front desk assistance
- Data entry projects in Records and Investigations
- Case review projects
- Property & Evidence assistance

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- Purging files in Records

If the employee is at home due to a doctor's recommendation or the unavailability of temporary modified-duty assignments, they shall remain available by telephone between the hours of 9:00 AM and 5:00 PM Monday through Friday.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

Anytime a police officer is on temporary modified-duty for more than six months they shall be given Firearms and Arrest & Control training prior to redeploying into their normal assignment.

1032.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Bureau Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Bureau Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Bureau Commander, with notice to the Chief of Police.

1032.4.1 MODIFIED-DUTY SCHEDULES

The schedules of employees assigned to modified duty may be adjusted to suit medical appointments or Department needs at the discretion of the Bureau Commander.

The employee and their supervisors should be informed in writing of the schedule, assignment and limitations and restrictions as determined by the employee's health care provider.

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1032.4.2 ACCOUNTABILITY

The employee's supervisor shall coordinate efforts to ensure proper time accountability.

- (a) Employees on modified duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's sick leave.
- (b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to their supervisor no less than once every 30 days while the employee is on modified duty.
- (c) Supervisors shall keep the Bureau Commander apprised of the employee's status and ability to perform the modified-duty assignment. Modified-duty assignments that extend beyond 90 days will require a written status report and a request for an extension to the Bureau Commander with an update of the employee's current status and anticipated date of return to regular duty. Extensions require approval of the Chief of Police and Human Resources Department.
- (d) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the Bureau Commander. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

1032.4.3 MEDICAL EXAMINATIONS

The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1032.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Bureau Commander.

Every reasonable effort will be made to allow the employee to work light/limited duty on the same shift to which they are assigned. If the anticipated length of the light/limited/modified duty assignment is thirty (30) days or less, the employee can choose to work their normal work schedule. If the anticipated length of light/limited/modified duty is greater than thirty (30) days, the Department will make light/limited/modified duty assignments in accordance with the best interests of the Department and staffing needs.

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See attachment: Workers Compensation Temporary Modified Alternative Duty Agreement Form.pdf

1032.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Bureau Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1032.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Bureau Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Bureau Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1032.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1032.7 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided the certification, training or qualifications are not in conflict with any limitations or restrictions. Employees who are assigned

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to modified duty shall inform their supervisor of any inability to maintain any certification, training or qualifications.

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment. Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under Government Code § 12945.

1032.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1032.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

Police Department Social Media

1033.1 PURPOSE

The Woodland Police Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

1033.2 POLICY

Social media provides a valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy applies to on-the-job use of social media and may be updated or amended at any time. See attachment: Social Media Policy.pdf

1033.3 PROCEDURES

To accomplish our mission the department has committed to the following principles while maintaining a department sanctioned presence on social media.

1033.3.1 DETERMINE STRATEGY

- Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website.
- Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

1033.3.2 PROCEDURES

All department social media sites or pages shall be approved by the Chief of Police or his or her designee and shall be administered by personnel designated by the Chief of Police or administrator in charge of community outreach.

Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies.

Each sites administrator will screen shot all posts on social media sites on a regular basis and save the images to meet public records law requirements.

Comments from the public are welcome on social media sites but must be monitored regularly to ensure they meet the criteria below. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure. Publishers may only remove postings based on the guidelines in the City of Woodland Social Media Policy. Additionally, if a publisher plans to delete a comment, a screenshot of the topic and the offending comment must be saved for documentation purposes. A comment letting the poster know why the comment was removed

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should be sent. All social media sites that allow comments must contain the Content Policy Statement located in the City of Woodland Social Media Policy.

1033.3.3 RESPONSES

Employees are not required to respond to residents' comments or questions, however a response that provides useful information to other social media followers is encouraged. When applicable the site administrator will 'like' all positive comments, 'share' applicable status links, "tag" whenever applicable and 'friend' or "like" other local government agencies.

If a comment is made that is a complaint against an employee or the department a supervisor shall be notified and contact shall be made with the citizen.

If a comment with an issue or problem is made by a citizen, the administrator will respond as soon as possible with concern, providing a name and number of a supervisor and ask the person to contact supervisor immediately so the Woodland Police Department can address the concern.

1033.4 DEPARTMENT SANCTIONED USE

Department personnel representing the department via social media outlets shall do the following:

- Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
- Identify themselves as a member of the department.
- Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without permission.
- Not conduct political activities or private business.

1033.5 POTENTIAL USES

Social media is a valuable investigative tool when seeking evidence or information about:

- Missing persons;
- Wanted persons;
- Gang participation;
- Crimes perpetrated online (i.e., cyberbullying, cyberstalking); and
- Photos or videos of a crime posted by a participant or observer.

Social media can be used for community outreach and engagement by:

- Providing crime prevention tips;
- Offering online-reporting opportunities;
- Sharing crime maps and data;

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- Soliciting tips about unsolved crimes;
- Positive stories involving officers or positive arrests;
- Arrest updates on major cases;
- Crime series info (i.e. recent burglaries in the same area);and
- Promoting events and citizen outreach (i.e. County Fair, Almond Festival, Career Days).

Social media can be used to make time-sensitive notifications related to:

- Road closures;
- Special events;
- Weather emergencies, and
- Missing or endangered persons.

Persons seeking employment and volunteer positions use the Internet to search for opportunities, and social media can be a valuable recruitment mechanism.

Key principles of ethical social media conduct are as follows, but not limited to:

- Customer protection and respect are paramount;
- We will use every effort to keep our interactions factual and accurate;
- We will strive for transparency in our interactions;
- We will provide links to credible sources of information to support our interactions, when possible;
- We will publicly correct any information we have communicated that is later found to be in error;
- We are honest about our relationships, opinions, and identity;
- We respect the rules of the venue; and
- We protect privacy and permissions.

POST Command College/FBI Academy Selection

1034.1 PURPOSE AND SCOPE

This policy establishes the procedures for selecting qualified sworn personnel to attend the POST Command College and the FBI National Academy.

Applicants for the POST Command College shall be sworn officers holding the rank of Lieutenant or higher. Applicants will be recommended by their immediate supervisor and must have:

- (a) completed the POST management course.
- (b) a POST supervisory certificate.

Eligible Lieutenants applying for the POST Command College shall obtain an application from POST and submit the completed application to their immediate supervisor.

The supervisor shall attach a memo containing their recommendations, and forward the application to the Chief of Police (COP) via the chain of command. If more than one person applies, the COP shall select one applicant to attend.

The COP shall forward the application of the selected candidate to the Commission on POST. The COP shall notify the candidate who is selected and encourage contact with POST Command College graduates or participants so they become familiar with the Command College Assessment Center process

Due to the length of the program, generally there shall be no more than one (1) candidate selected per year.

Applicants for the FBI National Academy shall be sworn officers holding the rank of lieutenant and above, or sergeants who have attended POST's Supervisory Leadership Institute.

Eligible Command Staff members or qualified Sergeants wishing to apply for admission to the FBI National Academy shall submit a written request to their immediate supervisor.

The supervisor shall attach a memo containing their recommendations, and forward the application to the Chief of Police (COP) via the chain of command. If more than one person applies, the COP shall select one applicant to attend.

The COP shall notify the training coordinator for the FBI of the Department's request, and notify the candidate who is selected.

Due to the length of the program, there shall be no more than one (1) candidate selected per year.

Line-of-Duty Deaths

1035.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Woodland Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1035.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a non-sworn member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1035.2 POLICY

It is the policy of the Woodland Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1035.2.1 INELIGIBILITY CRITERIA

A department member whose death meets any of the following conditions shall be ineligible for honors.

- (a) Deaths caused by the intentional misconduct of the officer
- (b) Deaths attributed to an officer performing his/her duty in a grossly negligent manner at the time of death
- (c) Deaths attributed to voluntary alcohol or controlled substance abuse or while the victim officer is under the influence of alcohol or a controlled substance
- (d) Off-duty law enforcement officers serving as overseas peacekeepers, government contractors, or active-duty military

1035.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Patrol Supervisor and Dispatch.

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1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Patrol Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Patrol Supervisor or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1035.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Patrol Supervisor or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as

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timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Woodland Police Department members may be apprised that survivor notifications are complete.

1035.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1035.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should

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be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1035.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1035.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Bureau Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

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- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information—sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1035.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Woodland Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.

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- Documenting his/her actions at the conclusion of his/her duties.

1035.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Bureau Commander. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
 1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

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- (g) Working with the Wellness Support Liaison to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services, or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1035.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
 - 1. Members involved in the incident.
 - 2. Members who witnessed the incident.
 - 3. Members who worked closely with the deceased member but were not involved in the incident.

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- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive wellness support.
- (c) Ensuring that wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available wellness support and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

1035.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
 - 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 - 2. Bagpipers/bugler
 - 3. Uniform for burial
 - 4. Flag presentation
 - 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

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1035.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Woodland Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform the coordinator's duties in accordance with the Outside Agency Assistance Policy.

1035.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 - 1. Public Safety Officers' Benefits (PSOB) Programs.
 - 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 - 3. Social Security Administration.
 - 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits, such as:
 - 1. Education benefits (Education Code § 68120).
 - 2. Health benefits (Labor Code § 4856).
 - 3. Worker's compensation death benefit (Labor Code § 4702).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs. (COPS Survivor Benefits, California Peace Officer Memorial Foundation, 100 Club Solano/Yolo)
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

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- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1035.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1035.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.

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1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1035.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1035.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1035.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

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1035.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

1035.11.1 DEPARTMENT SUPPORT

Level I - LODD of Sworn Officer - As written in this policy.

Level II - Death of Active Officer - The death of sworn personnel whose death is not a result of a duty-related incident.

- The event may be private or public depending on the wishes of the family.
- Assist in Notification (if necessary)
- *Assist in Initial Funeral Planning*
- Death and Funeral notices are placed on Department's Social Media channels
- Transportation/ Parking Control - Motors
 - Handle outside agency Notification for assistance (if applicable)
 - Family escort from residence or staging area to service(s)
 - Church parking plan
 - Cemetery parking plan
 - Escort family package to the reception following service
- Honor Guard Detail
 - Rifle Volley
 - Taps
 - Flag folding and presentation
 - Bagpipe player - only graveside
- Develop EOW Broadcast
- Secure a photographer

Level III - Death of Civilian Departmental Employee - This is a private family event with limited department involvement.

- General notifications to the department
- Transportation/ Parking Control - Motors
 - Handle outside agency Notifications for assistance (if applicable)
 - Family escort from residence or staging area to service(s)
 - Church parking plan
 - Cemetery parking plan

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- Escort family package to a reception following service
- Honor Guard Detail
 - Static presence at memorial services
 - Presentation of the city flag
 - Departmental presentation of a shadow box
- Secure a photographer

Level IV - Death of Retired Employee (except a Chief of Police)- This is a private family event with limited department involvement.

- General notifications to the department
- Death and Funeral notices placed on Department Social Media channels (if approved by family members)
- Honor Guard Detail
 - Static presence at memorial services
 - Presentation of the city flag
 - Departmental presentation of a shadow box

Level V - Family Member Death

- General notifications to the department
- Transportation/ Parking Control - Motors
 - Handle outside agency Notifications for assistance (if applicable)
 - Family escort from residence or staging area to service(s)
 - Church parking plan
 - Cemetery parking plan
 - Escort family package to the reception the following service

Employee Speech, Expression and Social Networking

1036.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1036.1.1 APPLICABILITY

This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

1036.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Woodland Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1036.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Woodland Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family, or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

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- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1036.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Woodland Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Woodland Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Woodland Police Department or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Woodland Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Woodland Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police or authorized designee.

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- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 - 2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.
- (i) Posting, transmitting or disseminating data from criminal or administrative investigations including photographs of suspects, arrestees, or evidence, videos, or audio recordings without express authorization of the Chief of Police or authorized designee.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1036.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Woodland Police Department or identify themselves in any way that could be reasonably perceived as representing the Woodland Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Woodland Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

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However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1036.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require an employee to disclose a personal user name or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1036.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1036.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Peer Support Program

1037.1 PURPOSE AND SCOPE

The Woodland Police Department recognizes the value of providing an "in-house" resource for employees and their family members to support them in managing both professional and personal crisis. The purpose of this policy is to establish an in-house Peer Support Program and implementation of a Peer Support Team for Department employees and their families.

1037.1.1 DEFINITION

The Peer Support Program is a program that offers assistance and appropriate support resources to members when personal or professional problems negatively affect their work performance, family unit, or self. This communication is confidential, providing it does not violate any law or department regulation. This program is designed to:

- (a) Provide emotional support during and after times of personal or professional crisis.
- (b) Promote trust, allow anonymity, and preserve confidentiality for members using Peer Support within the guidelines of the program.
- (c) Develop Peer Support personnel who can identify personal conflicts and provide guidance or referral to professional/alternate resources as required.
- (d) Maintain an effective Peer Support training and response program.
- (e) Check on the status of member's illnesses, on duty injuries, or family loss and provide support where desired and needed.

1037.2 RESPONSIBILITIES AND STRUCTURE

The Chief will assign a Lieutenant or other designee the responsibility of managing the Peer Support Program

Peer Support Structure:

- (a) Peer Support Steering Committee
 - 1. The Peer Support Steering Committee will act as the policy setting board for the Peer Support Program. The Designated Lieutenant will serve as the Peer Support Program Administrator. The Steering Committee, in addition to the designated Lieutenant, will have membership from the Sergeant's Association, Officer's Association, mental health professionals, and the Chaplain program.
- (b) Peer Support Coordinator
 - 1. Maintain an accounting of resources utilized by the program.
 - 2. Maintain a confidential file of reported contacts by Peer Supporters for statistical purposes.
 - 3. Coordinate training.
 - 4. Recruit and coordinate the screening of the Peer Support applicants.

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5. Maintain and coordinate liaison between Peer Supporters, resource persons, and the Department.
- (c) Peer Support Personnel
 1. Provide support during times of stress and crisis.
 2. Provide trust, anonymity, and assure confidentiality within guidelines to employees who seek assistance from the Peer Support Program.
 3. Attend Peer Support seminars and training.
 4. Provide assistance and support to members and their family, referring him/her to the appropriate resource when necessary
 5. Be available to the individual for additional follow-up support.
 6. Agree to be contacted and, if practical, respond at any hour.

1037.3 PROGRAM PARTICIPATION REQUIREMENTS

Peer Supporters are selected from all ranks of sworn, civilian, and volunteer personnel. The criteria used to select an employee for participation in the program as a Peer Supporter is:

- (a) An expressed desire to be a Peer Supporter.
- (b) Meets standards of performance in evaluation reports.
- (c) No work restrictions involving psychological stress.
- (d) Not the object of a serious investigation of misconduct or suffering serious personal problems.
- (e) Meet or exceed the minimum qualifications as determined by the Steering Committee.

1037.3.1 SERVICE AGREEMENTS

- (a) Members may withdraw from participation at any time. They are however required to notify the Coordinator.
- (b) Members may be removed from participation in the program for conduct inconsistent with program policy and objectives.
- (c) Negative performance by a Peer Supporter, in their peer support role, must be reported by the Peer Supporter's supervisor to the Program Coordinator for discussion and resolution.
- (d) Members can be removed from participation in the program for a pattern of failing to attend group meetings and training.

1037.4 TRAINING PROGRAM

Training consists of programs offered by a professional psychological organization and other outside sources, which are overseen by the Program Coordinator. Basic Peer Support (POST Peer Counseling) training is required for all new members and eight (8) hours of continuing education is required annually.

- (a) Initial training should include the following elements:

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1. Crisis Identification
 2. Crisis Intervention and Counseling
 3. Active Listening Skills
 4. Assessment Skills
 5. Referral Skills
- (b) Follow-up Training:
1. Problem-solving Workshops
 2. Referral Workshops
 3. Advanced Skills
 4. Supporter Fellowship
 5. Alcohol and Substance Abuse Workshops

1037.5 CONFIDENTIALITY

One of the most important responsibilities of a Peer Supporter is the promotion of trust, anonymity, and confidentiality for employees who seek the assistance of the Peer Support Program.

Communication between a Peer Supporter and those being counseled shall be considered privileged by the Department except for those matters which involve violations of law or serious misconduct, or 5150 W&I situations where a person is a danger to self, danger to others, or unable to care for self.

The following situations are required to be reported:

- (a) Where child or elder abuse is involved.
- (b) Where the person seeking support is involved in a felony crime.
- (c) Where there is a reason to believe the person seeking support intends to seriously injure another person and a duty to warn exists.
- (d) Where the person seeking support is a clear and present danger to self, citizens, or fellow employees; i.e. substance abuse, mental illness.

No member of the Department or the City can order a Peer Supporter to divulge confidential information.

"Confidential communication" does not include a communication in which the law enforcement personnel discloses the commission of a crime or a communication in which the law enforcement personnel's intent to defraud or deceive an investigation into a critical incident is revealed. (Government Code 8669.3(a))

1037.6 USE OF DEPARTMENT EQUIPMENT, FACILITIES, AND ON-DUTY TIME

Peer Supporters may use Department facilities, vehicles, and on-duty time with prior notification of the immediate supervisor responsible for the involved equipment, facility, or personnel. The phrase of "Acting as a Peer Supporter" is sufficient notification.

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Peer Support Program

1037.7 OVERTIME COMPENSATION

In most cases, Peer Supporters counsel individuals while on duty. However, in the event that overtime is requested, advance approval of the assigned Lieutenant or designee, is required.

1037.8 ACCESSING PEER SUPPORT

The Peer Support Team is available 24 hours a day, 7 days a week to all employees. There are Peer Support Team brochures available at several locations in the building, including briefing, records, and the break room.

Corporal Assignment

1038.1 CORPORAL ASSIGNMENT

Officers shall be required to meet minimum passing standards in any written or oral performance in the sergeants testing process, prior to appointment as a corporal. The department will hold a sergeants test at a minimum of every two years, the sergeants eligibility list shall be good for a minimum of one year.

The Corporal assignment is a 5-year assignment period and 4-year minimum assignment period. At the conclusion of an employee's assignment as Corporal the employee may be reconsidered for another assignment as Corporal if the employee is on a valid sergeant's eligibility list.

1038.2 DUTIES OF A CORPORAL ASSIGNMENT

The primary duty of the corporal assignment is to act as the supervisor in the absence of the sergeant. When both a sergeant and corporal are on duty, within the same Patrol shift, the corporal should be assigned to work as a cover officer. Sergeants shall avoid using the corporal as the primary supervisor on a shift as a matter of routine and should whenever possible delay performing tasks that remove the sergeant from the street until the previous or next shift's sergeant is present on the street. Based on staffing shortages or department need, supervisors may assign corporals to a patrol beat.

- (a) If the shift falls below minimum staffing, the supervisor should assign the Corporal to fill the vacancy.
- (b) In those cases where a shift, to include the corporal, only has minimum staffing assigned (as opposed to minimum staffing due to officers taking time off), the corporal will be included in the minimum deployment and assigned to a beat unless a specific and identified shift need requires the corporal to function in a supervisory role.
- (c) With the exception of team overlap days, in those cases where a shift has minimum staffing plus a corporal, that corporal will be included in the field deployment at the direction of the sergeant such as a cover unit or to supplement a busy beat.
- (d) With the exception of team overlap days, corporals assigned to patrol will only utilize the "F" Frank identifier while supervising in the absence of a sergeant.

A corporal may be assigned as a field training officer if the corporal holds a current FTO certification.

The corporal shall not be assigned primary responsibility for internal investigations beyond the preliminary investigation of citizen complaints.

Corporals may be given responsibility for completion of annual performance evaluations when they are acting as a primary supervisor or in situations where they supervise an employee on a regular basis. Oversight responsibility for personnel evaluations remains with the sergeant.

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Corporal Assignment

Corporals shall be considered part of department supervisory staff and shall be included in applicable staff level department meetings. Corporals are part of the Chain of Command when they are acting as a primary supervisor.

When a Corporal performs the duties of a sergeant for three or more consecutive days they shall receive acting pay.

1038.3 TRAINING AND SCHEDULE

The Patrol Lieutenant has the discretion to assign new corporals to the sergeant that best suits the training needs of the corporal. Officers assigned as corporals shall be sent to the POST Supervisor's course, as soon as practical after their assignment. Corporals shall also be considered for attendance at other supervisory training programs. These courses may be at their own request or at the department's direction.

Corporals will sign-up for shift schedule by appointment date to the rank of Corporal. Only one Corporal will be assigned to each Patrol Team. Corporals will sign-up for Annual Vacation by hire date and are not authorized to sign-up for vacation while the Shift Sergeant is on vacation.

1038.4 VEHICLE AND INSIGNIA

When assigned to the Patrol Division and performing duties as a supervisor, the corporal should drive the vehicle assigned for the corporal position. The corporal may also drive the sergeant's vehicle (if not in use). When in uniform, a corporal shall wear a double chevron on each sleeve of their uniform shirt.

Wellness Program

1039.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1039.1.1 DEFINITIONS

Definitions related to this policy include:

Critical incident – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

Peer support – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

1039.2 POLICY

It is the policy of the Woodland Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1039.3 WELLNESS COORDINATOR

The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed psychotherapist, qualified health professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.

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Wellness Program

2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
 1. Peer support member selection and retention.
 2. Training and applicable certification requirements.
 3. Deployment.
 4. Managing potential conflicts between peer support members and those seeking service.
 5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
 1. Defining the types of incidents that may initiate debriefings.
 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
 1. Obtaining a written description of the program services.
 2. Providing for the methods to obtain program services.
 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.
 5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.

1039.4 DEPARTMENT PEER SUPPORT

1039.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

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- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

1039.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Presenting department members with periodic training on wellness topics, including but not limited to:
 - 1. Stress management.
 - 2. Suicide prevention.
 - 3. How to access support resources.
- (c) Providing referrals to licensed psychotherapists and other resources, where appropriate.
 - 1. Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

1039.4.3 PEER SUPPORT MEMBER TRAINING

A department peer support member should complete department-approved training prior to being assigned.

1039.5 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law, or a valid court order.

Attendance at the debriefing should only include peer support members and those directly involved in the incident.

1039.6 PEER SUPPORT COMMUNICATIONS

Although the Department will honor the sensitivity of communications with peer support members, there is no legal privilege to such communications, unless authorized by law (e.g., peer support communications pursuant to a Law Enforcement Peer Support and Crisis Referral Service Program).

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1039.7 PHYSICAL WELLNESS PROGRAM

The coordinator is responsible for establishing guidelines for an on-duty physical wellness program, including the following:

- (a) Voluntary participation by members
- (b) Allowable physical fitness activities
- (c) Permitted times and locations for physical fitness activities
- (d) Acceptable use of department-provided physical fitness facilities and equipment
- (e) Individual health screening and fitness assessment
- (f) Individual education (e.g., nutrition, sleep habits, proper exercise, injury prevention) and goal-setting
- (g) Standards for fitness incentive programs. The coordinator should collaborate with the appropriate entities (e.g., human resources, legal counsel) to verify that any standards are nondiscriminatory
- (h) Maintenance of physical wellness logs (e.g., attendance, goals, standards, progress)
- (i) Ongoing support and evaluation

1039.8 WELLNESS PROGRAM AUDIT

At least annually, the coordinator or the authorized designee should audit the effectiveness of the department's wellness program and prepare a report summarizing the findings. The report shall not contain the names of members participating in the wellness program, and should include the following information:

- Data on the types of support services provided
- Wait times for support services
- Participant feedback, if available
- Program improvement recommendations
- Policy revision recommendations

The coordinator should present the completed audit to the Chief of Police for review and consideration of updates to improve program effectiveness.

1039.9 TRAINING

The coordinator or the authorized designee should collaborate with the Training Manager to provide all members with regular training on topics related to member wellness, including but not limited to:

- The availability and range of department wellness support systems.
- Suicide prevention.
- Recognizing and managing mental distress, emotional fatigue, post-traumatic stress, and other possible reactions to trauma.

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- Alcohol and substance disorder awareness.
- Countering sleep deprivation and physical fatigue.
- Anger management.
- Marriage and family wellness.
- Benefits of exercise and proper nutrition.
- Effective time and personal financial management skills.

Training materials, curriculum, and attendance records should be forwarded to the Training Manager as appropriate for inclusion in training records.

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Attachments

Social Media Policy.pdf



POLICY AND PROCEDURE

Policy No: 33-100
Division: City Manager
Related Policies:

Effective Date: January 18, 2012
Distribution: All Departments
Last Revision: December 13, 2011

Subject: SOCIAL MEDIA POLICY

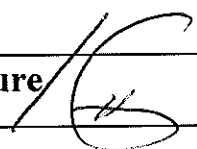
This policy establishes guidelines for the establishment and use by the City of Woodland ("City") of social media sites (including but not limited to Facebook, Twitter, MySpace, Google+) as a means of conveying City information to its citizens.

The intended purpose behind establishing City social media sites is to disseminate information from the City, about the City, to its citizens.

The City has an overriding interest and expectation in deciding what is "spoken" on behalf of the City on City social media sites.

For purposes of this policy, "social media" is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples of social media include Facebook, blogs, MySpace, RSS, YouTube, Second Life, Twitter, LinkedIn, Delicious, and Flickr.

For purposes of this policy, "comments" include information, articles, pictures, videos or any other form of communicative content posted by the public on a City social media site.

APPROVALS	
Name: Kevin O'Rourke	Signature  Date 2-13-12
Title: Interim City Manager	

General Policy

1. The establishment and use by any City department of City social media sites are subject to approval by the City Manager or his/her designees. All City social media sites shall be administered by City Technology Services ("IT") staff.
2. Each department will have a department-designated coordinator who will monitor content on the department's social media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City.
3. The City will approach the use of social media tools as consistently as possible, City wide.
4. The City's website at <http://www.cityofwoodland.org> will remain the City's primary and predominant internet presence.
5. Wherever possible, City social media sites should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.
6. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies.
7. City social media sites are subject to the California Public Records Act. Any content maintained in a social media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
8. The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Comments containing inappropriate content, as described under "Comment Policy," are subject to removal and/or restriction by the department's coordinator or his/her designees, or the City's IT staff. Any content removed based on these guidelines must be retained by the department's social media coordinator for a period of two years, including the time, date and identity of the poster, when available. The department shall follow the requirements of the City's document retention policy for retaining content.
9. City social media sites shall make clear that they are maintained by the City and that they follow the City's Social Media Policy.
10. The "Comment Policy" element of this Social Media Policy must be displayed to users or made available by hyperlink.
11. Employees representing the City government via City social media sites must conduct themselves at all times as a representative of the City and in accordance with all City policies.
12. This Social Media Policy may be revised at any time.

Comment Policy

1. As a public entity, the City must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing City social media sites is to disseminate information from the City, about the City, to its citizens.

3. Comments containing any of the following inappropriate forms of content shall not be permitted on City social media sites and are subject to removal and/or restriction by the City:
 - a. Comments not related to the original topic, including random or unintelligible comments;
 - b. Profane, obscene, or pornographic content and/or language;
 - c. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, ancestry, marital status, sexual orientation, medical condition, political or union affiliation, physical or mental disability, or any other basis protected by statute;
 - d. Threats to any person or organization;
 - e. Comments in support of, or in opposition to, any political campaigns or ballot measures;
 - f. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
 - g. Conduct in violation of any federal, state, or local law;
 - h. Encouragement of illegal activity;
 - i. Information that may tend to compromise the safety or security of the public or public systems; or
 - j. Content that violates a legal ownership interest, such as a copyright, of any party.
4. A comment posted by a member of the public on any City social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City, nor do such comments necessarily reflect the opinions or policies of the City.
5. The City reserves the right to deny access to City social media sites for any individual who persistently and/or gravely violates the City's Social Media Policy. To the extent possible, the City shall provide the offending individual with one or more warnings prior to him or her denying access to City social media sites.
6. Departments shall endeavor to monitor their social media sites for comments requesting responses from the City and for comments in violation of this policy. However, the City makes no warranty or representation that its social media sites shall remain free from offending conduct. All persons use City social media sites at their own risk.
7. All comments posted to any City Facebook site are bound by Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the City reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsive action.

Employee Use Policy

1. At the outset, each employee must be aware that he or she has no privacy rights with respect to work-related social media conduct or to personal information placed on or with City-owned equipment.

2. When a City employee responds to a comment, in his/her capacity as a City employee, the employee's name and title shall be made available, and the employee shall not share personal information about himself or herself, or other City employees.
3. All employees who utilize social media concerning the City shall also comply with this policy. This includes social media use on and off City-compensated time. Therefore, employees utilizing social media on their own time, but on topics concerning the City, are expected to comply with this policy. For example, a City employee who contributes to a blog concerning the City on personal time and personal equipment is expected to comply with this policy. It is not the intent of the policy to interfere with any personal rights but it is the intent of the City to protect its interests.
4. Employees should exercise great care while accessing social media sites on their own time and own equipment if the topic concerns the City or it is known on the sites that the Employee is associated with the City. If this situation occurs, the employee is expected to comply with this policy with the knowledge that the City will protect its interests.

Hate Crime Checklist.pdf

HATE CRIME CHECKLIST

Page _____ of _____

VICTIM	<u>Victim Type:</u> ☐ Individual Legal name (Last, First): _____ Other Names used (AKA): _____ ☐ School, business or organization Name: _____ Type: _____ (e.g., non-profit, private, public school) Address: _____ ☐ Faith-based organization Name: _____ Faith: _____ Address: _____	<u>Target of Crime (Check all that apply):</u> ☐ Person ☐ Private property ☐ Public property ☐ Other _____ <u>Nature of Crime (Check all that apply):</u> ☐ Bodily injury ☐ Threat of violence ☐ Property damage ☐ Other crime: _____ Property damage - estimated value _____
BIAS	<u>Type of Bias</u> <u>(Check all characteristics that apply):</u> ☐ Disability ☐ Gender ☐ Gender identity/expression ☐ Sexual orientation ☐ Race ☐ Ethnicity ☐ Nationality ☐ Religion ☐ Significant day of offense (e.g., 9/11, holy days) ☐ Other: _____ Specify disability (be specific): _____ _____	<u>Actual or Perceived Bias – Victim’s Statement:</u> ☐ Actual bias [Victim actually has the indicated characteristic(s)]. ☐ Perceived bias [Suspect believed victim had the indicated characteristic(s)]. <i>If perceived, explain the circumstances in narrative portion of Report.</i> <u>Reason for Bias:</u> Do you feel you were targeted based on one of these characteristics? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Do you know what motivated the suspect to commit this crime? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Do you feel you were targeted because you associated yourself with an individual or a group? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)? ☐ Yes ☐ No <i>Describe in narrative portion of Report.</i> Are there Indicators the suspect is affiliated with a criminal street gang? ☐ Yes ☐ No <i>Describe in narrative portion of Report.</i>
	<u>Bias Indicators (Check all that apply):</u> ☐ Hate speech ☐ Acts/gestures ☐ Property damage ☐ Symbol used ☐ Written/electronic communication ☐ Graffiti/spray paint ☐ Other: _____ <i>Describe with exact detail in narrative portion of Report.</i>	
HISTORY	<u>Relationship Between Suspect & Victim:</u> Suspect known to victim? ☐ Yes ☐ No Nature of relationship: _____ Length of relationship: _____ <i>If Yes, describe in narrative portion of Report</i>	☐ Prior reported incidents with suspect? Total # _____ ☐ Prior unreported incidents with suspect? Total # _____ Restraining orders? ☐ Yes ☐ No <i>If Yes, describe in narrative portion of Report</i> Type of order: _____ Order/Case# _____
WEAPONS	Weapon(s) used during incident? ☐ Yes ☐ No Type: _____ Weapon(s) booked as evidence? ☐ Yes ☐ No Automated Firearms System (AFS) Inquiry attached to Report? ☐ Yes ☐ No	

HATE CRIME CHECKLIST

Page _____ of _____

EVIDENCE	Witnesses present during incident? ☐ Yes ☐ No		Statements taken? ☐ Yes ☐ No	
	Evidence collected? ☐ Yes ☐ No Photos taken? ☐ Yes ☐ No Total # of photos: _____ D#: _____ Taken by: _____ Serial #: _____		Recordings: ☐ Video ☐ Audio ☐ Booked Suspect identified: ☐ Field ID ☐ By photo ☐ Known to victim	

OBSERVATIONS	<u>VICTIM</u>	<u>SUSPECT</u>
	☐ Tattoos ☐ Shaking ☐ Unresponsive ☐ Crying ☐ Scared ☐ Angry ☐ Fearful ☐ Calm ☐ Agitated ☐ Nervous ☐ Threatening ☐ Apologetic ☐ Other observations: _____	☐ Tattoos ☐ Shaking ☐ Unresponsive ☐ Crying ☐ Scared ☐ Angry ☐ Fearful ☐ Calm ☐ Agitated ☐ Nervous ☐ Threatening ☐ Apologetic ☐ Other observations: _____
	<u>ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):</u>	
	Has suspect ever threatened you? ☐ Yes ☐ No Has suspect ever harmed you? ☐ Yes ☐ No Does suspect possess or have access to a firearm? ☐ Yes ☐ No Are you afraid for your safety? ☐ Yes ☐ No Do you have any other information that may be helpful? ☐ Yes ☐ No	
<u>Resources offered at scene:</u> ☐ Yes ☐ No Type: _____		

MEDICAL	<table style="width: 100%;"> <tr> <th style="width: 10%;"><u>Victim</u></th> <th style="width: 10%;"><u>Suspect</u></th> <th></th> </tr> <tr> <td>☐</td> <td>☐</td> <td>Declined medical treatment</td> </tr> <tr> <td>☐</td> <td>☐</td> <td>Will seek own medical treatment</td> </tr> <tr> <td>☐</td> <td>☐</td> <td>Received medical treatment</td> </tr> </table> Authorization to Release Medical Information, Form 05.03.00, signed? ☐ Yes ☐ No	<u>Victim</u>	<u>Suspect</u>		☐	☐	Declined medical treatment	☐	☐	Will seek own medical treatment	☐	☐	Received medical treatment	<u>Paramedics at scene?</u> ☐ Yes ☐ No Unit # _____ Name(s)/ID #: _____ Hospital: _____ Jail Dispensary: _____ Physician/Doctor: _____ Patient #: _____
	<u>Victim</u>	<u>Suspect</u>												
☐	☐	Declined medical treatment												
☐	☐	Will seek own medical treatment												
☐	☐	Received medical treatment												

Officer (Name/Rank)	Date
Officer (Name/Rank)	Date
Supervisor Approving (Name/Rank)	Date

Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf



POST HATE CRIMES MODEL POLICY



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

2019

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The background of the page features a large, faint, light-brown watermark of the official seal of the Peace Officer Standards and Training (POST) Commission. The seal is a seven-pointed star. At the top point is a torch with a flame. The central circle of the star contains a detailed scene: a Minuteman soldier stands in the center, holding a long rifle. To his left is a sailing ship on the water, and to his right is a plow. In the foreground, a dog is depicted. The words "PEACE OFFICER STANDARDS AND TRAINING" are written in a circular border around the central scene. The points of the star are decorated with stylized floral or leaf patterns.

POST Mission Statement

The mission of the California Commission on Peace Officer Standards and Training is to continually enhance the professionalism of California Law Enforcement in serving its communities

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FOREWORD

Hate Crimes (i.e. crimes motivated by bias) convey a message of terror and exclusion, not just to the immediate victims but to entire communities. They often target victims who are least able to defend themselves. They cause trauma that is more extreme and longer lasting than similar crimes committed for other motivations. They can spark retaliatory crimes, escalating the cycle of crime and violence. If not addressed professionally and thoroughly they may undermine public confidence in law enforcement.

The 2018 California State Auditor's Report, titled "Hate Crimes in California," found that California law enforcement has not taken adequate action to identify, report, and respond to hate crimes. The report found that agencies did not properly identify some hate crimes, and underreported or misreported hate crimes as well. The report also noted that hate crimes are on the rise in California, increasing in both 2015 and 2016.

California Penal Code (CPC) 422.87 added new language and requirements to any newly created or updated agency hate crimes policy. Effective January 1, 2019, any local law enforcement agency that updates an existing hate crimes policy, or adopts a new one, shall include the content of the model policy framework provided in this document as well as any revisions or additions to the model policy in the future.

These guidelines are the primary elements that law enforcement executives are now required to incorporate into their hate crimes policy if an agency creates a new hate crimes policy or updates an existing one. The guidelines are designed for department-wide application and are intended to reflect a values-driven "top-down" process. They are intended to assist with the development and delivery of training and ensure proper identification, investigation, and reporting of hate crimes within each agency's jurisdiction.

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POLICY GUIDELINES

GUIDELINE #1

Develop the foundation for the agency's hate crimes policy.

The law enforcement executive is responsible for providing leadership, communicating organizational values to the department and the community, paying attention to hate crime trends and current events that could trigger hate incidents and/or hate crimes in the community, and providing education and training to establish the foundation for the agency's hate crimes policy. Employees' ability to respond appropriately to hate crimes and hate incidents is maximized when the executive effectively establishes and communicates the foundational values of the organization.

GUIDELINE #2

Develop a hate crimes policy for the agency.

- I. An agency's hate crimes policy shall include the statutory definition of a hate crime, and its policy and programs should minimally include the following:
 - A. Response
 - B. Training
 - C. Planning and Prevention
 - D. Reporting

The law enforcement executive is responsible for the initial development of the policy and should be actively involved in its implementation. See the appendix for the exemplar "Message from the Agency Chief Executive".

GUIDELINE #3

Develop expertise to identify and investigate hate crimes.

The law enforcement executive is responsible for ensuring that the agency possesses expertise to identify and investigate hate crimes, as well as ensuring compliance with state and federal

reporting and public information requirements. Agencies should assign identified personnel to appropriate training to develop expertise and knowledge to investigate hate crimes.

Hate crimes are low-frequency events with high-risk consequences for the agency and community. Agencies shall provide a checklist to first responders to provide direction for the investigation of all hate crimes as mandated by CPC 422.87.

GUIDELINE #4

Develop and implement cooperative hate crimes plans with other law enforcement agencies.

- I. Coordinate cooperative efforts among regional, state, federal, and tribal law enforcement agencies to share information and training, and develop strategies to prevent hate crime activity.
- II. Develop and/or participate in law enforcement intelligence networks to enhance the agency's ability to anticipate potential hate crime targets. This interaction should include sharing intelligence information with other jurisdictions and cooperative investigations, arrests, and prosecutions if appropriate.

GUIDELINE #5

Develop and implement cooperative hate crime plans with the community and related governmental and non-governmental organizations, as appropriate.

- I. Collaborate with the community, including human relations/civil rights organizations, advocacy groups, service organizations, neighborhood associations, religious institutions, local schools and colleges, to do the following:
 - Develop a network to build rapport with community groups

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- Develop a protocol for response to hate crimes
 - Obtain witness and victim cooperation
 - Provide support services to victims
 - Collect demographic information about specific communities
 - Identify hate crime trends based upon current events and activity (hate crimes and/or hate incidents)
 - Identify periods of increased vulnerability based on significant dates and events for affected communities
- II. Law enforcement should identify and seek out cultural diversity training and information from/about specific communities within its jurisdiction (immigrant, Muslim, Arab, LGBTQ, Black or African American, Jewish, Sikh, disability, etc.) to strengthen agency awareness.
- V. Annual outreach to the community including human relations/civil rights organizations, advocacy groups, service organizations, neighborhood associations, religious institutions, local schools, and colleges assessing the agency's responsiveness to hate crimes.

GUIDELINE #6

Conduct an annual assessment of the agency's hate crimes policy and its ongoing implementation.

The assessment should include:

- I. A review to ensure compliance with the POST Hate Crimes Model Policy and California law.
- II. A review and analysis of the agency's data collection, policy, and annual mandated reporting of hate crimes.
- III. A review and updating of the agency's hate crimes brochure to ensure compliance with CPC 422.92.
- IV. A review of any existing or available data or reports, including the annual California Attorney General's report on hate crimes, in preparation for, and response to, future hate crime trends.

MINIMUM LEGAL REQUIREMENTS FOR AN AGENCY'S HATE CRIMES POLICY

CPC 13519.6, effective January 1, 2005, minimally requires:

1. A message from the law enforcement agency's chief executive officer to the agency's officers and staff concerning the importance of hate crime laws and the agency's commitment to enforcement.
2. The definition of "hate crime" in Penal Code section 422.55.
3. References to hate crime statutes including Penal Code section 422.6.
4. A title-by-title specific protocol that agency personnel are required to follow, including, but not limited to, the following:
 - a. Preventing and preparing for likely hate crimes by, among other things, establishing contact with persons and communities who are likely targets, and forming and cooperating with community hate crime prevention and response networks.
 - b. Responding to reports of hate crimes, including reports of hate crimes committed under the color of authority.
 - c. Accessing assistance, by, among other things, activating the Department of Justice hate crimes rapid response protocol when necessary.
 - d. Providing victim assistance and follow-up, including community follow-up.
 - e. Reporting

CPC 422.87, effective January 1, 2019, states and minimally requires:

Each local law enforcement agency may adopt a hate crimes policy. Any local law enforcement agency that updates an existing hate crimes policy or adopts a new one shall include, but not limited to, the following:

1. The definitions in Penal Code sections 422.55 and 422.56.
2. The content of the model policy framework that the Commission on Peace Officer Standards and Training developed pursuant to Section 13519.6 (above) and any content that the commission may revise or add in the future, including any policy, definitions, response and reporting responsibilities, training resources, and planning and prevention methods.
3. Information regarding bias motivation
 - a. For the purposes of this paragraph, "bias motivation" is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 422.55. Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including, but not limited to, disability or gender.
 - i. In recognizing suspected disability-bias hate crimes, the policy shall advise officers to consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as, but not limited to, dislike of persons who arouse

fear or guilt, a perception that persons with disabilities are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

- ii. In recognizing suspected disability-bias hate crimes, the policy also shall advise officers to consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the perpetrator’s motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.
- b. Information regarding the general underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes *and a plan for the agency to remedy this underreporting* (emphasis added).
- c. A protocol for reporting suspected hate crimes to the Department of Justice pursuant to Penal Code section 13023.
- d. A checklist of first responder responsibilities, including, but not limited to, being sensitive to effects of the crime on the victim, determining whether any additional resources are needed on the scene to assist the victim or whether to refer the victim to appropriate community and legal services, and giving the victims and any interested persons the agency’s hate crimes brochure, as required by Section 422.92.
- e. A specific procedure for transmitting and periodically retransmitting the policy and any related orders to all officers, including a simple and immediate way for officers to access the policy in the field when needed.
- f. The title or titles of the officer or officers responsible for assuring that the department has a hate crime brochure as required by Section 422.92 and ensuring that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.
- g. A requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the chief, sheriff, director, or other chief executive of the law enforcement agency or other command-level officer to whom the chief executive officer formally delegates this responsibility.
- h. Any local law enforcement agency that updates an existing hate crimes policy or adopts a new hate crimes policy may include any of the provisions of a model hate crime policy and other relevant documents developed by the International Association of Chiefs of Police that are relevant to California and consistent with this chapter.

MODEL POLICY FRAMEWORK

Purpose

This model policy framework is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow up, and reporting as related to law enforcement's role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how law enforcement agencies may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy.

Policy

It is the policy of this agency to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This agency will employ necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this agency should attend to the security and related concerns of the immediate victims and their families as feasible.

The agency policy shall include a requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the chief, sheriff, director, or other chief executive of the law enforcement agency or other command-level officer to whom the chief executive officer formally delegates this responsibility.

The agency policy shall provide a specific procedure for transmitting and periodically retransmitting the policy and any related orders to all officers, including a simple and immediate way for officers to access the policy in the field when needed.

Response, Victim Assistance and Follow-up

Initial response

First responding officers should know the role of all department personnel as they relate to the agency's investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance, and working with supervision and/or investigations, access needed assistance if applicable. Responding officers should ensure the crime scene is properly protected, preserved and processed.

At the scene of a suspected hate or bias crimes, officers should take preliminary actions deemed necessary, to include, but not limited to, the following:

1. Use agency checklist (per CPC 422.87) to assist in the investigation of any hate crime (see appendix, page 21, for exemplar checklist based on the Los Angeles Police Department Hate Crimes Supplemental Report with the agency's permission).

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2. Stabilize the victim(s) and request medical attention when necessary.
 3. Ensure the safety of victims, witnesses, and perpetrators.
 - a. Issue a Temporary Restraining Order (if applicable).
 4. Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
 5. Ensure that the crime scene is properly protected, preserved, and processed and that all physical evidence of the incident is removed as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to ensure that it is removed or covered up as soon as possible. Agency personnel should follow-up to ensure that this is accomplished in a timely manner.
 6. Collect and photograph physical evidence or indicators of hate crimes such as:
 - a. Hate literature.
 - b. Spray paint cans.
 - c. Threatening letters.
 - d. Symbols used by hate groups.
 7. Identify criminal evidence on the victim.
 8. Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.
 9. Conduct a preliminary investigation and record pertinent information including, but not limited to:
 - a. Identity of suspected perpetrator(s).
 - b. Identity of witnesses, including those no longer at the scene.
 - c. The offer of victim confidentiality per Government Code (GC) 5264.
 - d. Prior occurrences, in this area or with this victim.
 - e. Statements made by suspects; exact wording is critical.
 - f. The victim's protected characteristics and determine if bias was a motivation "in whole or in part"¹ in the commission of the crime.
 1. "Bias motivation" is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 422.55. Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including, but not limited to, disability or gender.
 - (a) In recognizing suspected disability-bias hate crimes, the policy shall advise officers to consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as, but not limited to, dislike of persons

¹See Appendix, page 15, for definition

who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

- (b) In recognizing suspected disability-bias hate crimes, the policy also shall advise officers to consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the perpetrator’s motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

10. Adhere to CPC 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.
11. Provide information regarding immigration remedies available to victims of crime. (U-Visa, T-Visa, S-Visa, etc.).
12. Provide the agency’s Hate Crimes Brochure (per CPC 422.92) if asked, if necessary or per policy (if applicable).
13. Utilize proper techniques for interviewing people with disabilities and being aware of and providing appropriate accommodations (such as ADA standards, Braille, visuals, translators for the deaf or hard of hearing, etc.).
14. Report any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer (TLO), or assigned designee, and direct the TLO/ designee to send the data to the Joint Regional Information Exchange System.

Investigation

Investigators at the scene of or while performing follow-up investigation on a suspected hate or bias crimes (or hate incident if agency policy requires it) should take all actions deemed necessary, including, but not limited to, the following:

1. Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).
2. Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.
3. Utilize proper techniques for interviewing people with disabilities and being aware of and providing appropriate accommodations (such as ADA standards, Braille, visuals, translators for the deaf or hard of hearing, etc.).
4. Fully investigate any report of hate crime committed under the color of authority per CPC 422.6 and CPC 13519.6.

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5. Collect and photograph physical evidence or indicators of hate crimes such as:
 - a. Hate literature.
 - b. Spray paint cans.
 - c. Threatening letters.
 - d. Symbols used by hate groups.
 - e. Desecration of religious symbols, objects, or buildings.
 6. Request the assistance of translators or interpreters when needed to establish effective communication.
 7. Conduct a preliminary investigation and record information regarding:
 - a. Identity of suspected perpetrator(s).
 - b. Identity of witnesses, including those no longer at the scene.
 - c. Offer of victim confidentiality per GC 5264.
 - d. Prior occurrences, in this area or with this victim.
 - e. Statements made by suspects; exact wording is critical.
 - f. Document the victim's protected characteristics.
 8. Provide victim assistance and follow-up.
 9. Canvass the area for additional witnesses.
 10. Examine suspect's social media activity for potential evidence of bias motivation.
 11. Coordinate the investigation with agency, state, and regional intelligence operations. These sources can provide the investigating officer with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.
 12. Coordinate the investigation with the crime scene investigation unit (if applicable) or other units of the agency.
 13. Determine if the incident should be classified as a hate crime.
 14. Take steps to ensure appropriate assistance is provided to hate crime victim(s), including the following measures:
 - a. Contact the victim periodically to determine whether he/she is receiving adequate and appropriate assistance.
 - b. Provide ongoing information to the victim about the status of the criminal investigation.
 - c. Provide the victim and any other interested person the brochure on hate crimes per CPC 422.92 and information on any local advocacy groups (if asked).
 15. Report any suspected multi-mission extremist crimes to the agency TLO, or assigned designee, and direct the TLO or designee to send the data to the Joint Regional Information Exchange System.
 16. Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents (if directed by policy), and determine if organized hate groups are involved.

Supervision

The supervisor shall confer with the initial responding officer(s) and ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

1. Provide immediate assistance to the crime victim by:
 - a. Expressing the law enforcement agency's official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.
 - b. Expressing the department's interest in protecting victims' anonymity (confidentiality forms GC 6254) to the extent possible. Allow the victim to convey his/her immediate concerns and feelings.
 - c. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy or departmental chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per CPC 422.92).
2. Ensure that all relevant facts are documented on an incident and/ or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.
3. Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
4. In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning an officer at specific locations that could become targets).
5. Ensure hate crimes are properly reported, including reporting to the Department of Justice, pursuant to CPC 13023.
6. Ensure adherence to CPC 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime. (U-Visa, T-Visa, S-Visa, etc.)
7. Respond to and investigate any reports of hate crimes committed under the color of authority.
8. Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For information see the California Department of Justice webpage or use following link: <https://oag.ca.gov/sites/all/files/agweb/pdfs/civilrights/AG-Rapid-Response-Team-Protocol-2.pdf>
9. Report or ensure any suspected multi-mission extremists crimes are reported to the agency TLO, or assigned designee, and direct the TLO/ designee to send the data to the Joint Regional Information Exchange System.
10. Make a final determination as to whether the incident should be classified as a hate crime.

Training

All staff, including dispatch, desk personnel, volunteers, records, support staff, officers, supervisors, and managers shall be properly trained on the department's hate crimes policy. The agency will follow all legislatively mandated training requirements.

POST offers training and video courses to assist law enforcement in the identification, investigation, documentation and reporting of hate crimes. These courses provide officers with information and skills necessary to effectively identify, investigate, document and report hate crimes. Various training programs include the history and definitions of hate crimes, recognition of hate groups, international terrorism, legal considerations, victims' considerations, initial response duties, victim interviewing and care, suspect identification and interrogation, evidence identification, report writing, the role of law enforcement, investigative strategies, intelligence collection, supervisory roles, community relations, media relations and local program training development, and other topics such as proper use of computer systems and methods for reporting. POST also maintains an extensive array of training videos on applicable topics such as working with those with mental illness and intellectual disabilities, hate crimes, and working with minority communities.

For more information on POST training opportunities and available videos, visit the POST website at www.post.ca.gov. In conjunction with POST training opportunities, trainers may utilize other state and federal agencies that offer training courses, such as the U.S. Department of Justice.

Planning and Prevention

The general underreporting of hate crimes is an identified issue in California. Underreporting is caused by victims not reporting hate crimes or hate incidents due to a number of factors, including fear of reprisal and the belief that law enforcement will not properly investigate them. A report by the State Auditor in 2018 determined that California law enforcement has not taken adequate action to identify, report and respond to hate crimes. There is also an extreme underreporting of anti-disability and anti-gender hate crimes. The agency's plan to remedy this underreporting *shall be inserted into the policy* (emphasis added).

In order to facilitate the recommendations contained within this policy, it is strongly recommended that agencies build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Agency personnel are also encouraged to learn about the inherent issues concerning their communities in relation to hate crimes. Assigned personnel should perform the following:

1. Meet with residents in target communities to allay fears; emphasize the agency's concern over this and related incidents; reduce the potential for counter-violence; and provide safety, security, and crime prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.
2. Provide direct and referral assistance to the victim and his/her family.
3. Conduct public meetings on hate crime threats and violence in general.
4. Establish relationships with formal community-based organizations and leaders.
5. Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.

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6. Review the Attorney General's latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab/Middle Eastern and Islamic communities.²
 7. Provide orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, Black or African-American, Jewish, Sikh, disabled persons, etc.

Hate crimes are not only a crime against the targeted victim(s) but also have impacts on the victim's family and community. Working constructively with segments of this larger community after such crimes is essential to help reduce fears, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to step forward and report such crimes. This is particularly important if an upward trend has been identified in these crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Most California law enforcement agencies do not track hate incidents. It is recommended that hate incidents be investigated and documented, if directed by policy, as part of the overall planning to prevent hate crime.

Tracking social media is also another identified area to find indicators of, or precursors to, hate crimes. It is recommended that agencies assign personnel to find, evaluate and monitor public social media sources to identify possible suspects in reported hate crimes, or to determine suspects or suspect groups in future hate crimes or hate incidents affecting the identified individuals, groups or communities that may be victimized, and planned hate-based events.

Release of Information

Agencies should have procedure and/or policy on public disclosure of hate crimes. Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure would assist greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

1. Dissemination of correct information.
2. Assurance to affected communities or groups that the matter is being properly and promptly investigated.
3. The ability to request information regarding the commission of the crime(s) from the victimized community.

Agencies should provide the supervisor, public information officer, or designee with information that can be responsibly reported to the media. When appropriate, the law enforcement media spokesperson should reiterate that the hate crimes will not be tolerated, will be taken seriously, and will be prosecuted to the full extent of the law.

Agencies are encouraged to consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

²As described in CPC 13519.6(b)(8)

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1. Informing community organizations in a timely manner when a community group has been the target of a hate crime.
 2. Informing the community of the impact of these crimes on the victim, the victim's family, and the community, and the assistance and compensation available to victims.
 3. Informing the community regarding hate crime law and the legal rights of, and the remedies available to, victims of hate crimes.
 4. Providing the community with on-going information regarding hate crime and/or hate incidents (if policy requires it).

Reporting

The agency policy shall require development of a procedure for data collection, documentation, and mandated reporting requirements. The agency shall:

1. Ensure that hate crimes are properly investigated, documented and reported.
2. During documentation, ensure hate crimes are flagged properly to allow for required reporting to the California Department of Justice. This is typically indicated by the title/penal code section identifying the report as a hate crime. Some agencies have added a check box specifically indicating a hate crime that could, if required by the agency policy, require a secondary review by an investigator/detective, supervisor or other identified party. It is the agency executive's responsibility to determine the form of documentation and type of indicators on crime reports.
3. The agency head or their designee (identified in the agency policy) should make a final determination as to whether the incident should be classified as a hate crime by the agency.
4. Agencies shall develop procedures to comply with legally mandated reporting, including the California Department of Justice, pursuant to CPC 13023.

Checklist for the agency's policy creation

- ☐ Message from the law enforcement's agency's chief executive is included
 - ☐ The updated existing policy or newly adopted policy includes the content of the model policy framework from POST.
 - ☐ Definition of "hate crime" included from:
 - ☐ CPC 422.55
 - ☐ CPC 422.56
 - ☐ CPC 422.6
 - ☐ Title by title specific protocol regarding:
 - ☐ Prevention
 - ☐ Is contact is established with identified persons and/or communities who are likely targets?
 - ☐ Have we formed and/or are we cooperating with hate crime prevention and response networks?
 - ☐ Has a plan for the agency to remedy underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes been created?
 - ☐ Response
 - ☐ Requirement that all hate crimes be properly investigated and supervised
 - ☐ Requirement that any hate crimes committed under the color of authority are investigated
 - ☐ Accessing Assistance
 - ☐ Information provided for activating the Department of Justice hate crime rapid response protocol when necessary
 - ☐ Victim assistance and follow-up
 - ☐ Reporting
 - ☐ Protocol for reporting suspected hate crimes to the Department of Justice per CPC 13023
 - ☐ Training
 - ☐ Has a checklist for first responders been created and provided personnel (see exemplar officer checklist in appendix)
 - ☐ Does the checklist include first responder responsibilities include:
 - ☐ Determining the need for additional resources if necessary?
 - ☐ Referral information for appropriate community and legal services?
 - ☐ The requirement to provide the agency's hate crimes brochure per CPC 422.92?
 - ☐ Information regarding bias motivation from CPC 422.87
 - ☐ Information regarding the general underreporting of hate crimes and the more extreme underreporting of anti-disability and anti-gender hate crimes
- ☐ Definitions of terms used in the policy are listed
- ☐ Specific procedure for transmitting and periodically retransmitting the policy and any related orders to officers is included.
 - ☐ Procedure shall include a simple and immediate way for officers to access the policy in the field when needed
- ☐ Title or titles of the officer or officers responsible for assuring the department has a hate crime brochure (per CPC 422.92) and ensuring that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.
- ☐ A requirement that all officers be familiar with the policy and carry out the policy at all times unless directed by the law enforcement chief executive or the chief executive's designee.

APPENDIX

Definitions and Laws

In accordance with CPC sections 422.55, 422.56, 422.6, and 422.87, for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Hate crime

“Hate crime” means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) “Hate crime” includes, but is not limited to, a violation of Section 422.6.

“Association with a person or group with these actual or perceived characteristics” Includes advocacy for, identification with, or being on the ground owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of “hate crime” under paragraphs 1 to 6, inclusive, of CPC 422.55 subdivision (a).

Note: A “hate crime” need not be motivated by hate but may be motivated by any bias against a protected characteristic.

Hate Speech

The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally not protected: fighting words, true threats, perjury, blackmail, incitement to lawless action, conspiracy and solicitation to commit any crime.

Hate incident

A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling
- Insults and epithets
- Distributing hate material in public places
- Displaying hate material on your own property

Bias Motivation

Bias motivation is a preexisting negative attitude toward actual or perceived characteristics referenced in Section 422.55. Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including, but not limited to, disability or gender.

Disability Bias

In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as, but not limited to, dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore "deserving victims," a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the perpetrator's motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

Disability

Disability includes mental disability and physical disability as defined in GC 12926, regardless of whether those disabilities are temporary, permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Gender

Gender means sex and includes a person gender identity and gender expression. Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the persons assigned sex at birth. A person's gender identity and gender related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

In Whole or In Part

"In whole or in part because of" means that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that crime would not have been committed but for the actual or perceived characteristic.

Nationality

Nationality includes citizenship, country of origin, and national origin.

Race or Ethnicity

Race or ethnicity includes ancestry, color, and ethnic background.

Religion

Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

Sexual orientation

Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Victim

Victim includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public

Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions

CPC 422.55 - Provides general definition of hate crimes in California.

CPC 422.56- Provides definitions of terms included in hate crimes statutes.

GC 12926- Disability-related definitions applicable to some hate crime statutes.

Felonies

Hate Crimes

CPC 422.7 - Commission of a crime for the purpose of interfering with another's exercise of civil rights.

Related Crimes

CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.

CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.

CPC 288(b)(2) - Sexual assault of dependent person by caretaker

CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.

CPC 594.3 - Vandalism of places of worship.

CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.

CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors

Hate Crimes

CPC 422.6 - Use of force, threats, or destruction of property to interfere with another's exercise of civil rights.

CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes

CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.

CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.

CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.

CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.

Enhancements

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim's race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

Reporting

CPC 13023- Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

Training and Policy Requirements

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

Miscellaneous Provisions

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.

HATE CRIME CHECKLIST

Page _____ of _____

VICTIM	<u>Victim Type:</u> ☐ Individual Legal name (Last, First): _____ Other Names used (AKA): _____ ☐ School, business or organization Name: _____ Type: _____ (e.g., non-profit, private, public school) Address: _____ ☐ Faith-based organization Name: _____ Faith: _____ Address: _____	<u>Target of Crime (Check all that apply):</u> ☐ Person ☐ Private property ☐ Public property ☐ Other _____ <u>Nature of Crime (Check all that apply):</u> ☐ Bodily injury ☐ Threat of violence ☐ Property damage ☐ Other crime: _____ Property damage - estimated value _____
BIAS	<u>Type of Bias</u> <u>(Check all characteristics that apply):</u> ☐ Disability ☐ Gender ☐ Gender identity/expression ☐ Sexual orientation ☐ Race ☐ Ethnicity ☐ Nationality ☐ Religion ☐ Significant day of offense (e.g., 9/11, holy days) ☐ Other: _____ Specify disability (be specific): _____ _____	<u>Actual or Perceived Bias – Victim’s Statement:</u> ☐ Actual bias [Victim actually has the indicated characteristic(s)]. ☐ Perceived bias [Suspect believed victim had the indicated characteristic(s)]. <i>If perceived, explain the circumstances in narrative portion of Report.</i> <u>Reason for Bias:</u> Do you feel you were targeted based on one of these characteristics? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Do you know what motivated the suspect to commit this crime? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Do you feel you were targeted because you associated yourself with an individual or a group? ☐ Yes ☐ No <i>Explain in narrative portion of Report.</i> Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)? ☐ Yes ☐ No <i>Describe in narrative portion of Report.</i> Are there Indicators the suspect is affiliated with a criminal street gang? ☐ Yes ☐ No <i>Describe in narrative portion of Report.</i>
	<u>Bias Indicators (Check all that apply):</u> ☐ Hate speech ☐ Acts/gestures ☐ Property damage ☐ Symbol used ☐ Written/electronic communication ☐ Graffiti/spray paint ☐ Other: _____ <i>Describe with exact detail in narrative portion of Report.</i>	
HISTORY	<u>Relationship Between Suspect & Victim:</u> Suspect known to victim? ☐ Yes ☐ No Nature of relationship: _____ Length of relationship: _____ <i>If Yes, describe in narrative portion of Report</i>	☐ Prior reported incidents with suspect? Total # _____ ☐ Prior unreported incidents with suspect? Total # _____ Restraining orders? ☐ Yes ☐ No <i>If Yes, describe in narrative portion of Report</i> Type of order: _____ Order/Case# _____
WEAPONS	Weapon(s) used during incident? ☐ Yes ☐ No Type: _____ Weapon(s) booked as evidence? ☐ Yes ☐ No Automated Firearms System (AFS) Inquiry attached to Report? ☐ Yes ☐ No	

HATE CRIME CHECKLIST

Page _____ of _____

EVIDENCE	Witnesses present during incident? ☐ Yes ☐ No		Statements taken? ☐ Yes ☐ No	
	Evidence collected? ☐ Yes ☐ No Photos taken? ☐ Yes ☐ No Total # of photos: _____ D#: _____ Taken by: _____ Serial #: _____		Recordings: ☐ Video ☐ Audio ☐ Booked Suspect identified: ☐ Field ID ☐ By photo ☐ Known to victim	
OBSERVATIONS	<u>VICTIM</u>		<u>SUSPECT</u>	
	☐ Tattoos ☐ Shaking ☐ Unresponsive ☐ Crying ☐ Scared ☐ Angry ☐ Fearful ☐ Calm ☐ Agitated ☐ Nervous ☐ Threatening ☐ Apologetic ☐ Other observations: _____		☐ Tattoos ☐ Shaking ☐ Unresponsive ☐ Crying ☐ Scared ☐ Angry ☐ Fearful ☐ Calm ☐ Agitated ☐ Nervous ☐ Threatening ☐ Apologetic ☐ Other observations: _____	
	<u>ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):</u>			
	Has suspect ever threatened you? ☐ Yes ☐ No Has suspect ever harmed you? ☐ Yes ☐ No Does suspect possess or have access to a firearm? ☐ Yes ☐ No Are you afraid for your safety? ☐ Yes ☐ No Do you have any other information that may be helpful? ☐ Yes ☐ No			
	<u>Resources offered at scene:</u> ☐ Yes ☐ No Type: _____			
MEDICAL	<u>Victim</u> <u>Suspect</u> ☐ ☐ Declined medical treatment ☐ ☐ Will seek own medical treatment ☐ ☐ Received medical treatment Authorization to Release Medical Information, Form 05.03.00, signed? ☐ Yes ☐ No		<u>Paramedics at scene?</u> ☐ Yes ☐ No Unit # _____ Name(s)/ID #: _____ Hospital: _____ Jail Dispensary: _____ Physician/Doctor: _____ Patient #: _____	
	Officer (Name/Rank)		Date	
Officer (Name/Rank)		Date		
Supervisor Approving (Name/Rank)		Date		

swatstandards.pdf

Tactical Response and Operations Standard for Law Enforcement Agencies



National Tactical Officers Association

Published April, 2018



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NTOA SWAT Standards

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National Tactical Officers Association

Published April, 2018

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NTOA MISSION STATEMENT

The mission of the National Tactical Officers Association is to enhance the performance and professional status of law enforcement personnel by providing a credible and proven training resource, as well as a forum for the development of tactics and information exchange. The Association's ultimate goal is to improve public safety and domestic security through training, education and tactical excellence. The National Tactical Officers Association operates in accord with the principles of *Veritas Probitas et Virtus* (Truth, Honesty and Integrity).



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The National Tactical Officers Association also gratefully acknowledges the hard work and leadership of many of the state and national law enforcement association partners. This document and the critical work of these pioneers, served as a guide for this document.

In addition, the NTOA Standard Review Committee recognizes the work done by the International Association of Chiefs of Police, Patrol and Tactical Operations Sub-Committee (IACP/PTO) on the SWAT Concepts and Issues Paper, October 2010, as well as the 2011 SWAT Glossary document developed by members of the California Association of Tactical Officers (CATO).



Introduction and Objective

This document is the result of extensive efforts by the National Tactical Officers Association to provide guidance to association members involved in tactical law enforcement operations. The intent of this standard is to better prepare law enforcement to respond not only to emergency and high-risk incidents on a daily basis, but also to respond to a terrorist attack.

It is the position of the NTOA that the decision to form a tactical law enforcement resource, specifically a SWAT team, carries with it the responsibility to provide the ongoing training, equipment, leadership and financial support necessary to create and maintain an effective response capability. Integral to this responsibility is the obligation to deploy and operate these resources in a manner that is consistent with Constitutional principles, with an emphasis on professional deportment under all circumstances.

Where size and/or demographics limit the capabilities of an agency, this standard recommends that multi-jurisdictional resources be combined and coordinated in a manner which is consistent with reliable and safe operations. Over the past 35 years, the National Tactical Officers Association has assisted many law enforcement agencies in developing multi-jurisdictional teams by providing references, documentation and training to facilitate their efforts. The NTOA remains committed and available to any law enforcement agency or its members who require such assistance.

The objective of this document is to establish a basic set of standards for the association's member agencies and to serve as an efficient core set of concepts and principles that improve standardization within the profession of tactical law enforcement services. Any agency that chooses to use this standard as a benchmark for performance and operations does so voluntarily. The NTOA does not mandate compliance with this standard or attach such compliance as a prerequisite for any benefit granted under membership.



1.0

SCOPE OF STANDARD

- 1.0 The scope of this standard includes concepts and principles that relate to the organization, training, operational tactics, personnel management and equipment of tactical law enforcement teams. The standard will not dictate how member agencies will write and apply any specific policies as it relates to such operations, but rather provide guidance based upon the terminology and collective viewpoint of the NTOA organization and its stakeholder partners.



2.0 DEFINING TACTICAL LAW ENFORCEMENT OPERATIONS

- 2.1 The NTOA recognizes that there are many types of specialized tactical teams utilized in law enforcement and they are identified by a number of commonly accepted names. The NTOA offers this set of team titles and corresponding metrics as guidance for its members.
- 2.1.1 Based upon the need to protect the public and ensure the safe delivery of tactical law enforcement services, the NTOA believes that a SWAT Tier 1 team must be mission capable in ALL of the following areas: hostage rescue, barricaded gunman, sniper operations, high-risk warrant service and high-risk apprehension, high-risk security operations, terrorism response, special assignments and other incidents which exceed the capability and/ or capacity of an agency's first responders and/or investigative units. The most resource demanding of these missions is clearly planned deliberate hostage rescue operations. An appropriate number of personnel is necessary to rapidly and effectively dominate a structure and have an adequate number of operators in place for a failed breach. As an example, during a hostage situation occurring at a common residential structure, this would typically require a Team Commander (1) and Team Leader or Tactical Operations Coordinator (1) to run a command post, two Sniper/Observer Teams (4) to cover all sides of the structure, at least four Operators for containment (4), an Immediate Reaction Team of one Team Leader and seven operators (8) and a comparable team of the same size (8) who is given time to plan and rehearse a deliberate rescue plan. Recognizing of course that containment and immediate reaction functions can be shared responsibilities. This is also with the assumption that all team members arrive and the incident can be resolved in one operational period. Those teams that do not possess the appropriate number of personnel, but maintain all of the necessary mission capabilities, are defined as SWAT Tier 2 teams. SWAT Tier 2



teams may be faced with conducting emergency hostage rescue operations if circumstances require it.

2.1.2 Tactical Response Teams are typically formed to address one or more mission capabilities other than deliberate hostage rescue operations, such as warrant service, barricaded subject or some type of high-risk security operations.

2.1.3 Perimeter Control and Containment Teams are typically formed as an immediate response to an ongoing incident and primarily responsible for containing the incident, evacuations and establishing incident command.

Figure 1

TYPE	CAPABILITIES	PERSONNEL*
SWAT Tier 1 – a single agency team, multi-jurisdictional team, regional team or through an MOA.	All mission capabilities in Section 3.0 of this standard and is capable of serving as a primary SWAT mutual aid team to another Tier 1 or 2 team.	26 members 1 Team Commander 3 Team Leaders 4 Snipers 18 Operators
SWAT Tier 2 – a single agency team, multi-jurisdictional team, regional team or through an MOA.	All mission capabilities in Section 3.0 of this standard, except planned deliberate hostage rescues. Emergency hostage rescue operations only.	19 members 1 Team Commander 2 Team Leaders 4 Snipers 12 Operators
Tactical Response Team	Can conduct any single or combination of capabilities listed in Section 3.1.2 – 3.1.6.	15 members 1 Team Commander 2 Team Leaders 12 Operators
Perimeter Control and Containment Team	Can conduct all capabilities of Section 2.3 of this standard.	Any number of appropriately trained personnel.

** The personnel allocations depicted in Figure 1 represent recommended minimums based upon typical residential applications. They were promulgated as a guideline with input and the concurrence of local, federal and international*



partners. Jurisdictional conditions including, but not limited to, topography, operational tempo and anticipated mission requirements may necessitate modifications to these configurations.

- 2.2 Special Weapons and Tactics (SWAT) and Tactical Response (TRT) teams are designated law enforcement teams, whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents involving a threat to public safety, which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units. SWAT and TRT are accepted titles for teams with specialized training, expertise and equipment as defined above and further defined within this standard. The primary characteristic of such teams that distinguishes them from other units is the focus of effort. Such teams are focused on incident resolution, as opposed to other functions, such as investigation. Their purpose is to increase the likelihood of safely resolving critical incidents. Nothing in this standard is intended to preclude agencies from utilizing specially trained units in areas such as narcotics investigations, felony apprehension and other tasks. However, agencies that do not have their own SWAT team and instead utilize specially trained units should have a Memorandum of Agreement (MOA) with a SWAT team that recognizes and operates within the guidelines as set forth by this standard. This SWAT team can be a full-time, collateral-duty, multi-jurisdictional or regional team. The agreement should specify that the named SWAT team is the designated entity to be activated for SWAT-specific incidents such as hostage situations, barricade incidents or other high-risk situations requiring specialized capabilities.



SWAT and TRT teams should have the following elements available when appropriate:

- Tactical Command: typically consists of the commander, team leader and command post support personnel such as tactical dispatchers, intelligence officer and incident recorder.
- Containment Team: typically consists of a two-person (or more) element capable of utilizing either lethal or less-lethal force, per area of responsibility. This may also include the use of tactical canine teams.
- Entry Team (either emergency or deliberate): members required will be based upon the mission type, complexity of operational environment and ability to adhere to officer safety priorities.
- Sniper Team: typically consists of a two-person element per area of responsibility.

2.3 Until the arrival of the requested SWAT team, it is recommended that those agencies that do not have SWAT team response capability and currently utilize a Perimeter Control and Containment Team, should focus on engaging in the following activities as time permits:

Establish an effective perimeter, which *may include*:

- Coordinating containment/isolation security teams
- Deploying patrol rifle teams
- Deploying canine handlers
- Confirming traffic/pedestrian control
- Deploying aviation support unit
- The deployment and staging of EMS, fire suppression, Haz Mat and decon units.



Establish a tactical command, which *may include*:

- Identify safe routes of travel for specialized vehicles (ambulances, armored rescue vehicles, etc.)
- Identify a staging area
- Identify an appropriate incident command post location (consider stand-off distances, required security and other hazards)
- Gather essential tactical elements of information
- Provide a complete and accurate description of suspect(s) and hostage(s) as soon as they are available
- Develop a threat assessment
- Conduct reconnaissance
- Obtain floor plan
- Initiate building labeling/diagramming
- Conduct breach point analysis
- Identify tactical approach routes
- Identify potential sniper hides
- Utilize electronic intelligence
- Make appropriate notifications
- Initiate emergency rescues of “person down” and “officers down”
- Conduct evacuations of innocents and police that may actively or predictably be in danger of being killed or seriously injured
- Initiate a medical threat assessment and establish a liaison with local EMS Services. An initial medical threat assessment should include an estimated number of casualties, identify locations for casualty collection points and medical staging areas, and consider the operational and environmental conditions that may affect operator performance and mission success.



- In the absence of acts of active violence, first responding police officers should be able to perform basic medical care and coordinate with responding EMS units. In an effort to reduce the number of potentially preventable deaths, first responding units should triage casualties for the presence of immediate life-threatening injuries, apply tourniquets and pressure dressings, initiate basic airway maneuvers, and extract casualties to a collection point where they can be handed off to EMS for further care.
- Preserve a crime scene as needed

2.3.1 Once a perimeter is set, law enforcement units should establish an Immediate Action Team in the event that the situation suddenly changes requiring officers on scene to take immediate action. Primary responsibilities of the “Immediate Action Team” are to prevent escape and to take the suspect into custody if surrender occurs. This team should continuously assess and identify its limitations and assist in scene transition to SWAT when appropriate. In the event of a dynamic or rapidly escalating incident such as an active killer situation or one that exigent circumstances may require immediate intervention to save lives, the Immediate Action Team, or a single officer if necessary, will track and move to stop the threat before the suspect kills or seriously injures victims.

2.3.2 Timely request of specialized units such as SWAT and CNT is critical and will greatly increase safety and contribute to a successful resolution. When possible, commence with negotiations once perimeter and Immediate Action Teams are established. This may result in a safe surrender, assist with gathering intelligence and slow the suspect actions, allowing time for SWAT resources to arrive.



- 2.3.3 Any action taken during a high-risk incident before SWAT is able to respond, should be reasonable and necessary. Such decisions should be based on the totality of the circumstances and the safety priorities model. There may be a need for a single officer intervention to a violent event in order to stop an active on-going threat. The above-listed considerations are not mandates, nor all inclusive, and any decision to implement or not implement them should be based upon the training, equipment and capabilities of the officers on scene.



3.0 TACTICAL LAW ENFORCEMENT CAPABILITIES

3.1 Each agency should develop the tactical law enforcement capabilities of its team based upon a reasonable threat assessment, a risk analysis and clear direction from the organization's leadership. A vision of what the team will be expected to do will help define the type of team that is needed for the agency and subsequently will help determine what capabilities are necessary. Developing the capabilities of a tactical team begins with a sound training management and budgeting plan. Contemporary training management philosophy encourages a building block approach that begins with individual, element or unit, and then team competencies. Once acceptable levels of competency are achieved, a team is considered capable of performing that specific tactical operation. Such teams should be capable of performing these mission capabilities during both daytime and nighttime lighting conditions and all weather conditions relevant to the team's local environment.

3.1.1 SWAT teams conducting **hostage rescue operations** should train and equip their personnel in the following competencies:

- Mission analysis and threat assessment
- Intelligence gathering techniques
- Reconnaissance techniques
- Technology support (robotics, electronic surveillance)
- Tactical planning (timing and transition of crisis, deliberate, contingency phases and rehearsals)
- Adherence to safety priorities model
- Communication skills to include basic negotiation techniques
- Breaching capability that includes mechanical, thermal and ballistic. **(Tier 1 team must include explosive)**



- Tactical communication techniques
- Containment and surveillance
- Sniper support roles
- Use of armored rescue vehicle and other specialized vehicles
- Officer/victim rescue procedures
- Failed breach tactics
- Diversionary device tactics
 - Fire suppression equipment and tactics
- Chemical agent applications
- Less-lethal applications
- Window porting
- Compromise procedures
- Communication procedures
- Integration of negotiators
- Post incident debriefing and documentation
- Floor plans, photographs
- Unusual incidents (damage, use-of-force, injuries)
- Arrest and control procedures
- Environments
- Open air - sniper initiated
- Stronghold – dynamic and covert
- Vehicle, vessel, aircraft

3.1.2 SWAT teams conducting **barricaded subject operations** should train and equip their personnel in the following competencies:

- Mission analysis and threat assessment
- Determination of criminal offense
- Determination of mental illness



- Consideration of local requirements for search warrant prior to entry
- Intelligence gathering techniques
- Reconnaissance techniques
- Technology support (robotics, electronic surveillance)
- Tactical planning (timing and transition of crisis, deliberate, contingency phases)
- Adherence to safety priorities model
- Officer/victim rescue drills
- Breach point analysis (mechanical, explosive, thermal, ballistic)
- Tactical communication techniques
- Containment and surveillance
- Sniper support roles
- Use of armored rescue vehicle and other specialized vehicles
- Failed breach tactics
- Diversionary device tactics
 - Fire suppression equipment and tactics
- Chemical agent applications
- Less-lethal applications
- Window porting
- Communication procedures
- Integration of negotiators
- Post incident debriefing and documentation
 - Floor plans, photographs
- Unusual incidents (Damage, Use of Force, injuries)
- Arrest and control procedures
- Tactics
- Open air/stronghold
- Vehicle, vessel, aircraft



- EOD/entry integration

3.1.3 SWAT teams conducting **sniper operations** should train and equip their personnel in the following competencies*:

- Mission analysis and threat assessment
- Intelligence gathering and reconnaissance
- Firearm nomenclature and capabilities
- Shooting through mediums (*i.e.*, vehicles, glass, Lexan, and wood)
- Concealment and camouflage techniques
- Data books and record keeping
- Surveillance and communication
- Ballistics (internal, external and terminal)
- Operational sniper tactics specific to your jurisdiction
- Counter sniper operations
- Hide construction and management
- Individual movement skills
- Observation skills – positive target identification
- Position shooting – standard and unorthodox
- Stress shooting
- Discretionary shooting
- Low light shooting
- Weapon maintenance
- Post shot communication protocols



- Post incident debrief and documentation
- Countering hard target threats

***Reference is made to the *American Sniper Association, Sniper Training Matrix*.**

3.1.4 SWAT teams conducting **high-risk warrant service and high-risk apprehension operations** should train and equip their personnel in the following competencies:

3.1.4.1 High-risk warrant service

- Mission analysis and threat assessment
- Intelligence gathering techniques
- Reconnaissance techniques
- Tactical planning
- Breach point analysis
- Briefing techniques
- Containment
- Pre-event surveillance
- Failed breach tactics
- Officer/victim rescue procedures
- Diversionary device tactics
- Fire suppression equipment and tactics
- Less-lethal applications
- Window porting
- Compromise procedures
- Communication procedures
 - Announcement procedures
 - Tactical communications
- Post incident documentation



- Floor plans
- Unusual incidents (damage, use of force)
- Arrest and control procedures
- Warrant service options
 - Contain and call out
 - Deliberate search techniques
- Transitional tactics
- Aggressive animal mitigation
- Bomb squad/entry integration
 - Explosive device recognition and mitigation

3.1.4.2 High-risk apprehensions

- Mission analysis and threat assessment
- Stronghold takedowns (see HRWS above)
- Open air environments
 - Tactical tracking (to include coordination with canine)
 - Land navigation
- Multi-Assault Counter Terrorism Action Capabilities (MACTAC)
- Officer/victim rescue drills
- Vehicle takedowns
- Surveillance
 - Air/ground
- Containment/vehicle blocking
- Rear takedowns
- Frontal takedowns
- Side takedowns
- Long gun support
- Canine support



3.1.5 SWAT teams conducting **high-risk security operations** should train and equip their personnel in the following competencies as resources allow:

- Mission analysis and threat assessment
- Dignitary protection support
- Special event security to include additional SWAT personnel and resources
- Prisoner and witness security

3.1.6 SWAT teams conducting **terrorism response operations** should train and equip their personnel in the following competencies:

3.1.6.1 Tactical operations in a contaminated environment

- Mission analysis and threat assessment
- Personal Protective Equipment (PPE) selection, use, nomenclature, donning, doffing and decontamination procedures
- Adherence to OSHA 1910.132 and 1910.120 (or state equivalent), as well as NFPA 472 Standard for *Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents*
- Familiarization of the NIOSH Emergency Response Resource Guides (<http://www.cdc.gov/niosh/topics/emres/ppe.html>)
- Incident Command System and multi-level integration of line level supervisors and managers into a larger command structure

3.1.6.2 Tactical operations integrating SWAT and Bomb Squad

- Mission analysis and threat assessment
- Improvised Explosive Device component and HME (Homemade Explosive) identification and chemical precursor recognition



- Destructive capabilities and scene consequences of tactically deployed IEDs
- IED threat stream planning and intervention/response tactics to include suicide bombers and VBIEDs
- Overview of bomb squad deployment, RSP (render safe procedures) and operational capabilities
- Suicide bomber planning and response tactics

3.2 SWAT and Tactical Response Teams should be equipped appropriately for the mission capabilities they are tasked with. The following lists provide guidance to teams regarding the minimum levels of equipment that are necessary for both SWAT and Tactical Response Teams.

3.2.1 Any officer assigned to either a SWAT Team (Tier 1 or 2) or a Tactical Response Team should be equipped with the following items **assigned to that officer**:

- National Institute of Justice (NIJ) rated Ballistic Vest and/or Plate Carrier
 - Misc. Gear Pouches
- NIJ rated Ballistic Helmet
- Weapon System(s)
- Handgun
 - Holster/Light/Magazines
- Rifle/Sub-gun/Shotgun
 - Optics/Slings/Accessories/Magazines
- Communications Equipment
- Radio, Headset, Ear Piece, PTT (push to talk) switches
- Protective Eyewear/Goggles (Impact Resistant)
- Hearing Protection
- Elbow & Knee Pads



- Protective gloves
- Level D ensemble (Deployment Uniform) appropriate for the local climate and hazards
- Air Purifying Respirators (APR) with National Institute for Occupational Safety and Health (NIOSH) approved filters for the hazards they potentially could be exposed to
- Individual First Aid Kit (IFAK)/Tourniquet etc.
- Restraint devices
- Less lethal option unless supported by team equipment

3.2.2 SWAT Teams (Tier 1 or 2) and Tactical Response Teams should be equipped with the following items as **general team equipment** based on mission capabilities:

- Level III/Level IV Ballistic Shield(s), Bunkers and/or Blankets
- Short & Long Range Less Lethal Munitions and Delivery Systems
- Chemical Munitions & Delivery Systems
 - Hand delivered
 - Launch-able
- Precision rifle systems
 - Optics
 - Night vision
- Fire suppression device
- Distraction Devices
 - FSDDs
 - Bang Poles
- Manual Breaching Equipment
 - Ramming Tools
 - Pry Tools
 - Sledge/Bolt Cutter Tools



- Rake and Brake Tools
- Straps and Hooks
- Deployment Vehicle(s)

3.2.3 Tier 1 SWAT Teams, conducting **planned deliberate hostage rescue operations** should be equipped with the following items:

- Armored Rescue Vehicle(s) (ARV)
- Tactical Robot(s)
 - Large Robot Platforms
 - Medium Robot Platforms
 - Small Robot Platforms
- Unmanned Aerial Vehicle(s) (UAV)
- Technical Support/Surveillance Equipment
 - Video/Audio/Fiber Optic Equipment
 - Pole Cameras
 - Under Door Cameras
 - Pinhole Cameras
 - Monitors & Accessories
- Explosive Breaching Equipment
- Specialized Breaching Equipment
 - Ballistic
 - Mechanical
 - Thermal
 - Hydraulic
- Navigation Equipment
 - Night Vision Goggles/Optics
 - Global Positioning System (GPS)



3.2.4 Tier 1 SWAT Teams also conducting these **advanced mission capabilities** may require additional corresponding specialized equipment:

- Tactical Operations in a Contaminated Environment
 - CBRNE (Chemical, Biological, Radiological, Nuclear, Energetic) and Hazardous Material Detection Equipment
 - Level A, B and C Protective Ensembles
 - Level A, B and C Respiratory Protective Equipment
 - Decontamination Equipment
- Airborne Operations
 - Airship Mounted Shooting Platforms
 - Airship Mounted Rope Insertion Systems
 - Safety Harnesses
- Waterborne Operations
 - Personal Flotation Devices (PFD's)
 - Personal Swim Gear
 - Waterproof Containers
- High Angle or Elevated Entry/Rescue Operations
 - Rappelling Equipment
- No/Low Light Rescue Operations
 - Night Vision Goggles/Optics w/IR Illuminators
 - Thermal Imaging Devices

3.3 Law enforcement specialized tactical teams often deploy to high-risk, large-scale, and extended operations and under conditions that place hostages, bystanders, police officers, and suspects at increased risk for injury or illness. The risk profile calls for incorporating a medical element into all phases of these operations. In addition to rendering immediate medical care, properly trained medical



providers assigned to law enforcement teams are able to assist commanders with developing pre-deployment medical risk assessment, implementing risk-reduction strategies, providing logistic support, and serve as a liaison to coordinate medical operations with local emergency medical services (EMS).

- Specialized tactical teams should train and equip medical providers to deploy routinely with specialized tactical teams in a manner appropriate to the threat, the mission objectives, and in accordance with respective team protocols. TEMS elements should operate under protocols that permit the rapid access to casualties, the opportunity to provide medical countermeasures, and in a manner that directly supports tactical operations.
- TEMS providers should be involved in all aspects of law enforcement special operations. They should serve as consultants to law enforcement commanders on all stages of planning and operations in matters of mission planning, team health and safety, and serve as the liaison between law enforcement operations, EMS services, and other state and local health care services.
- Law enforcement agencies are encouraged to incorporate TEMS providers into non-operational roles such as training agency personnel in first-responder medical care, and managing health and safety matters such as maintaining team health and immunization records.
- The selection, training, and operational role of TEMS personnel should occur under written policies and procedures that include guidelines that establish clearly defined chains of operational and medical command, and scope of practice.
- TEMS providers should practice under the medical direction of a physician trained and experienced in tactical medical care. The duties of



the medical director should include the oversight of training, determining clinical competencies, authorizing the scope and competencies for medical procedures, and directing a quality assurance program.

- Law enforcement agencies should advocate for state and local EMS guidelines that define the scope of practice for Emergency Medical Technicians and Paramedics supporting law enforcement operations.
- Medical care providers supporting law enforcement operations should undergo TEMS specific didactic and skills training that provides for a working competency of medical best practices and tactics. Once trained, programs should validate ongoing provider competency through periodic retraining and skills reviews. Training should conform to established core competencies and be evidence-based. TEMS skills should include, but not be limited to, tactical theory and techniques, use of specialized medical equipment, tactical emergency casualty care (TECC), and casualty extraction.
- Medical providers expected to provide emergency care when operating in high-stress environments should be provided opportunities to remain highly proficient in their technical and clinical decision-making skills. Maintaining clinical proficiency requires that EMTs and paramedics supporting law enforcement operations continue have ongoing experience as field EMS providers.

3.4 Operational support functions may also include, but are not limited to, the following mission specific elements:

Tactical Bomb Squad Support: Bomb technicians to provide direct and general support to SWAT in high-risk incidents involving explosive



hazards. Refer to *Guide to Writing Standard Operating Procedures for Operations Involving the Combined Resources of Bomb Squads and SWAT Teams*. (www.nbscab.org)

Hazardous Material (Haz Mat) Support Unit: Haz Mat technicians to provide direct support in decontamination, hazard detection, air monitoring, etc.

Tactical Canine Support: Canine handlers that assist with perimeter control and high-risk search operations.

Aviation Support (both manned and unmanned aircraft systems): Fixed wing aircraft for surveillance, rotary aircraft for team insertion/rescue and aerial shooting platforms and Unmanned Aircraft Systems for surveillance and intelligence collection.



4.0 AGENCY POLICY GOVERNING SWAT TEAMS

- 4.1 Law enforcement agencies should develop and maintain written policies designed to meet the needs of their operational environment and consistent with this standard.
- 4.2 The policy topics listed below are not all inclusive, but do provide the minimum basis for the sound management of any tactical team. Team commanders are strongly encouraged to explore any and all topics that may need to be established through a specific policy.
 - 4.2.1 Policy that identifies team organization and function which includes an organizational diagram. Command relationships between the SWAT or TRT team, incident commander, Crisis Negotiation Team (CNT) and any other joint or support elements that ensure clear lines of responsibility and compliance with the protocols of the National Incident Management System and the Incident Command System. If applicable, Mutual Aid Agreements and/or governmental support requests shall be incorporated into this policy.
 - 4.2.2 Personnel management policy that addresses selection, retention, mandatory physical and tactical competency and other appropriate personnel management processes to include the development of protocols and processes for the selection of team members. This policy should also address appropriate behavior and acceptable language when interacting with the public. Such policies should also address minimum training and experience requirements for tactical leadership positions before they assume command.
 - 4.2.3 Policy that outlines training requirements as designated by tasks. Minimum time periods should be established to develop and maintain assigned critical skills.
 - 4.2.3.1 Team command should facilitate the development of appropriate annual training plans, lesson plans, schedules, and management protocols for the conduct of



training that are consistent with the NTOA TROS. This should include, but is not limited to, designation and delineation of critical skills and the required internal certification processes as well as development of minimum training hour requirements based on the critical skills identified and the team's unique operational tempo. The training program should include a documentation and verification process.

4.2.3.2 Training should incorporate current NTOA standards relating to safe conduct and the development of scenario-based exercises.

4.2.3.3 Based upon the mission competencies of a SWAT Tier 1 or Tier 2 team previously described in this standard, it would be difficult for most collateral-duty or full-time teams to maintain operational readiness without meeting the following training recommendations:

- New member initial training: Minimum 40-hour Basic SWAT course that introduces new operators to the fundamental skill sets required for most mission capabilities. Successful completion of an introductory course is not meant to be all encompassing and should not suggest that an operator is fully competent. Basic SWAT courses should be followed by a formal competencies-based field training program, supervised by a senior SWAT trainer.
- Monthly / Annually: 16-40 hours monthly and/or 192-480 hours annually of regular, reoccurring, and documented critical skills training that is dynamic and realistic. It is recommended that critical skills training be based upon mission capabilities and current operational requirements as identified by the individual agency.
- Specialty assignments: Critical skill training such as sniper, tactical emergency medical support, explosive breaching, etc. should be in addition to the above-listed hours, if cross trained as an entry team



operator. These additional training hours should be based upon the specialized assignment of the operator and any state requirements or certification process that is required of them,

- Annual: Training attended by all members to address consistency in tactics and procedures, that may consist of lecture, drills and exercises for a minimum of 40 hours. It is recommended that this block of training be scheduled in addition to the regular monthly/annual critical skills maintenance training, although in certain situations it can be blended together.
- The training program should require an operational risk assessment for all training activities.

- 4.2.4 Policy that explains the activation and deployment approval process of the team. Teams operating through an MOU, should include an automatic notification and activation system to ensure the appropriate resources are deployed for the significance of the event.
- 4.2.5 Policy that addresses the appropriation, care, maintenance and inventory of team equipment. It should also address normal life-cycle wear and removal of obsolete or faulty team equipment.
- 4.2.6 Policy that explains the design, activation and implementation of an appropriately staffed command post, which may include a Tactical Operations Center, Crisis Negotiation Center, Media Relations Center, etc.
- 4.2.7 The development of appropriate protocols and procedures for the conduct of long-term or extended operations. Protocols shall include, at a minimum, processes for relief and rotation of personnel and proper staffing and training of a supplemental incident command center.



- 4.2.8 Policy requiring a threat/risk assessment for team deployments, specifically for pre-planned events such as high-risk warrant service. The operational threat/risk assessment should include an appropriate medical response plan.
- 4.2.9 Policy requiring after-action reports (AARs) which capture tactical and incident debriefing information for training purposes. SWAT command should review all AARs, critiques, tactics and actions taken by all elements during the critical incident. Documentation should be retained in accordance with agency policy and state statute.
- 4.2.10 SWAT command should be capable of producing a written annual report, which should include a summary of all activations, nature of incident, resolution, injuries occurred, use of force and other critical information. Agencies should consider entering relevant data into the FBI Hostage Barricade System (HOBAS) database (<http://www.cjis.gov/>). Username and password are required.
- 4.3 Agency policies and Standard Operating Procedures (SOPs) should be reviewed and approved annually and any changes shall include a risk assessment based on, but not limited to, the following criteria;

Case law review: Implications of national and jurisdictional rulings and precedents on current training, operations and policy.

Training updates: Ensuring agency policy and SOP correspond with latest training received. Compliance with applicable law as well as an ongoing assessment of risk management processes.

Operational practices: Ensuring actual operational tactics are reflective of policy and a risk assessment of team assignments and tactical incident responses are consistent with the safety priorities model.

All prior versions of SOPs should be archived for historical and potential litigation purposes.



5.0 Crisis Negotiation Teams

- 5.1 A Crisis Negotiations Team (CNT) responds to high-risk, high-profile cases of hostage-taking, suicide where the means of suicide represents a risk to the public or public order, barricaded criminals, as part of a pre-planned operation for large-scale civil unrest where the actors are open to a negotiated surrender or when there is a likelihood for a barricade or hostage situation as in a high-risk warrant service. A capable CNT can develop actionable intelligence regarding any negotiations or tactical problem, provide a risk assessment, open lines of communication with a suspect, and use active listening and bargaining techniques to negotiate a surrender. At the heart of the CNT response to a crisis is a belief that time is a precious commodity. The CNT works to buy time for the calming of emotion, the development of the best tactical plan, the creation of rapport between negotiator and suspect, to serve as a distraction of the suspect during SWAT activity and the statistically best chance for a safe resolution.
- 5.2 A CNT should be composed of at least three negotiators. Every member of the team is a trained negotiator filling a specific assigned role in an incident. The Primary Negotiator communicates directly with the suspect(s). The Secondary Negotiator supports, critiques, and serves as a buffer for the primary. A CNT should also have a designated Team Leader that develops strategies for the negotiation, monitors the effectiveness of the Primary/Secondary pairing, manages intelligence production and coordinates with the tactical and command elements. Where possible, additional trained negotiators can be added to this basic structure to serve as intelligence officers, tactical liaisons, technical equipment officers and scribes. Optimally, a qualified mental health professional should be added to a team as the Mental Health Liaison, to serve as an advisor



on mental health issues, coordinate information gathering from health care providers, and monitor negotiator wellness.

5.3 Just as the SWAT component of any operation has their own Tactical Operations Center (TOC), so does the Crisis Negotiation Team. The Negotiations Operations Center (NOC) should be close to or collocated with, but not within the TOC, to allow both components to carry out their functions efficiently and without interference. A NOC can be a dedicated vehicle or temporary space within a structure if allowed by the circumstances. A dedicated communications system that provides a listening only option (headset, speakers) for the tactical commander is advisable.

5.4 As recommended by the National Council of Negotiations Associations (www.ncna.us), individuals selected to become negotiators should receive training which includes:

- A minimum of 40 hours in a qualified course
- Training should include basic concepts and techniques, abnormal psychology, assessment, crisis/suicide intervention, active listening skills, case studies, meaningful role-playing drills, and an incident management overview

As with all critical law enforcement skills, such as firearms, negotiators should periodically receive updated training and practice in order to maintain proficiency. It is recommended negotiators annually attend a minimum of 40 hours of training in order to stay proficient. Additionally, it is highly recommended that they attend regional or national conferences, learning from case study presentations, and conduct joint training with tactical teams.



5.5 Negotiations teams should at a minimum be equipped with reliable and diverse methods to communicate with suspects in a wide variety of environments and to record these communications. At a minimum:

- Throw phone capable of being introduced into a barricaded area
- Cellular device capable of voice, data, text, and video
- Public address system.
- An internet capable-device with the ability to run social media applications.

If negotiators are sworn law enforcement officers, they should be armed and equipped with industry standard ballistic armor. Those sworn negotiators should consider carrying intermediate weapons (Taser, baton, OC spray) as they will invariably interact with the emotional friends and families of barricaded subjects in the process of gathering intelligence. If sworn negotiators are tasked with negotiating from within threat areas (i.e. an armored rescue vehicle, from behind cover or while wearing an APR in a chemical agent environment), they should be trained and equipped appropriately to do so. Such training should include movement with tactical operators, familiarization with deployment vehicles and proper donning and use of relevant personal protective equipment.



6.0 Operational Planning

- 6.1 Appropriately trained and designated personnel should develop an operational plan in a consistent format for pre-planning purposes. The planning processes should include location scouting, development of detailed written operations orders, detailed operations order briefings, operation rehearsals and pre-mission inspections. Final approval for all operational planning documents should rest on the team commander or a designee.
- 6.2 All SWAT team members should be trained in and capable of demonstrating proficiency in operational planning concepts.
- 6.3 Documentation should be retained in accordance with agency policy and state statute.
- 6.4 All personnel shall have thorough knowledge of the “Deadly Force” or force continuum for their agency, State and Federal law.



7.0 MULTI-JURISDICTIONAL AND REGIONAL SWAT

OPERATIONS

- 7.1 The SWAT team (refer to Section 2.0 Team Typing) should develop appropriate agreements, protocols and procedures for support relationships between and among neighboring teams. By establishing formal relationships with supporting teams, agencies will be better prepared to handle incidents which exceed the capabilities and resources of the primary jurisdictional team. Where SWAT teams have access to additional supporting elements, they may also establish internal Standard Operating Procedures (SOPs) and/or external Memorandums of Understanding (MOUs), Memorandums of Agreement (MOAs) or Inter-Governmental Agreements (IGAs) in compliance with any local, state or federal law. At a minimum, these agreements shall clearly delineate, establish and specify law enforcement chain of command, operational control, duties and responsibilities of supporting units and joint training requirements. Agreements shall also specify which agency is charged with jurisdiction in the event of a criminal investigation involving the actions of a SWAT member, such as an officer-involved shooting.



8.0

Glossary

Active killer	An armed suspect who is actively killing or attempting to kill civilians and/or law enforcement and continues to do so while having access to additional victims.
After-action report	A document to be completed following a debriefing or after-action review of a planned or spontaneous operation to include the actions taken (or failures to act and omissions) by personnel, mission results and any pertinent and relevant information related to same operation including lessons learned and any training recommendations identified. Documentation should be supported with the operational plan, related reports, and any other written or photographic material associated with the operation.
After-action review	A structured process for analyzing a particular operation or exercise and usually includes subject matter experts or superiors, not assigned to the team, specifically tasked with identifying areas for improvement.
Armored rescue vehicle	A vehicle that is or has been hardened to protect the occupants from small arms fire and fragmentation. Also known as an "ARV."
Arrest team	A team of operators established to contact, control and detain suspect(s). Primary function is to safely and effectively receive anyone exiting a location. May also serve as the Immediate Reaction Team or Emergency Reaction Team depending on personnel available.
Barricaded subject	A barricade situation may be defined as the standoff created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with lawful orders for surrender.
Breach and hold	A tactical technique by operators to maintain and hold their positions in close proximity of the entry point of a incident location after breaching that entry point. Also known as "breach and delay."
Brief back	The formal process after an operational briefing (or as part of that process) wherein an operator will recite back to the team leader or operational leader his/her specific assignment/s and tactical/equipment responsibilities for a pending operation.



Casualty collection point	Designated secure location for the collection of injured persons.
Chemical agents	Any liquid, solid, or gas compound that works psychologically and/or physiologically to create discomfort in humans.
CNT	Crisis Negotiation Team. Responsible for developing actionable intelligence regarding any negotiations/tactical problem, contribute to a risk assessment, open lines of communication with a suspect, and use active listening and bargaining techniques to negotiate a surrender.
Command and control	The exercise of authority and delegated by a properly designated commanding officer over law enforcement personnel in the accomplishment of the mission.
Compromise authority	Direct action authority granted by the Incident Command/Tactical Commander to a team leader authorizing the initiation of specific action and or series of actions in response to actions taken by the suspect(s).
Containment	Pre-designated perimeter positions of incident location(s) to control and contain suspect movements.
Contain and call out	A technique associated with a tactical element surrounding and establishing containment of an incident location before contact with occupants to facilitate a subsequent callout of those occupants in a controlled manner to a secured and safe area. Also known as "Surround and Call Out."
Diversion	A physical or psychological tactic used to draw a suspect away from the principal point of contact, used to draw attention away from the primary action.
Dynamic tactics	Tactics comprised of a group of techniques that are characterized by continuous productive activity and not specifically by the speed of movement.
Emergency entry/rescue	Making an emergency entry into a location with little or no intelligence when there is an imminent threat of death or serious bodily injury to civilians or law enforcement personnel.
Entry	Any procedure to gain entrance to any tactical threat environment, such as structures, conveyances or property.



Explosive breaching	Use of explosives to breach entry/access points and porting. The precise application of measured amounts of explosive compounds in order to affect an opening.
Flash Sound Diversionary Device (FSDD)	A device creating a bright flash and loud report designed to temporarily divert the attention of persons in the immediate vicinity, giving tactical teams a window of opportunity to exploit to their advantage. May also be referred to as a Noise Flash Diversionary Device (NFDD).
Hard target weapon system	A weapon system, that due to its unique kinetic energy and terminal penetration qualities, is capable of defeating armored locations and/or vehicles that pose a threat to public safety.
High-risk apprehension	A search for or arrest of a suspect in any environment that is characterized by known or suspected hazards and risks to such a degree that the service of which exceeds the capabilities of the normal patrol and investigative functions.
High-risk warrant	A search or arrest warrant characterized by known or suspected hazards and risks to such a degree that the service of which exceeds the capabilities of the normal patrol and investigative functions.
Hostage	A person held by force or fear by a hostage taker who intends to harm the person or as security that specified terms or an ultimatum will be met.
Hostage rescue	Deployment of a tactical team in defense of life to save and rescue hostages.
Improvised Explosive Device (IED)	A homemade explosive device.
Immediate reaction team	A team prepared to respond to unplanned events at the crisis site. This team may also be tasked with Arrest Team responsibilities based upon personnel available.
Incident commander	The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.
Incident command	The field location at which the primary tactical-level, on-scene incident



post/ICP	command functions are performed.
Inner perimeter	A close proximity boundary maintained initially by first responding officers, later transferred to the tactical team and designed to contain the situation and suspect(s) to the smallest possible area and control access to the area of operation.
Knock & announce entry	Verbal notice, to include identity and purpose, required by law before entering a building during service of a search or arrest warrant.
Last Cover and Concealment (LCC)	A specific area in relation to the operational sight that provides the team or individuals from the team cover and concealment prior to being exposed to specific threats while on approach.
Limited penetration	A tactical maneuver where forward access by an entry team is limited to a measured and partial entry into an incident location rather than fully entering the location. Suspects and other occupants can be detained at the point of the entry and/or be called out from other places within the location to the area controlled by the entry team.
Linear takedowns	A planned approach to clear a linear-shaped confined space conveyance or elongated area such as a bus, train, subway, airplane or close-quarter hallways.
Limit of exploitation (LOE)	A separation of areas within the operational site where team members can advance to but not cross. Also known as Limit of Advancement (LOA).
MACTAC	Multi-Assault, Counter Terrorism Action Capabilities. Multiple deadly force incidents occurring simultaneously or concurrently; a terrorist attack involving explosives (IED), high-powered weapons; or a hostage siege where the armed persons have used deadly physical force or are preparing to use deadly force on other persons, and it is an ongoing dynamic incident.
Multi-casualty violence	An act or acts of violence resulting in multiple casualties when committed by a subject or subjects (active killer) by any means that may or may not be conventionally classified as a weapon.
No-knock entry	Any tactical operation in which law enforcement officers have been legally exempted from the usual requirements of knocking, identifying themselves and demanding entry. Circumstances and justifications must



	be documented.
Objectives	The desired result or final outcome of a tactical operation. Used to provide a focal point for directing the efforts to attain it without requiring excessive instructions or meticulous supervision.
Operator	A sworn law enforcement officer trained, equipped and assigned to a tactical law enforcement operations unit or team.
Operational plan	Any plan, written or unwritten, which seeks to achieve an acceptable resolution by allocating resources and affixing responsibility to members of the organization.
Performance standards	Levels of performance required for planning and carrying out missions or tasks, used to evaluate individual and team performance, serve as a guide for evaluating a training session and as a basis for debriefing an operation.
Personal protection detail	Perform duties associated with providing protection to dignitaries, VIP's, witnesses, or other protectees.
Port and cover	Breaching and/or removal of all obstructions/barriers within a window, door or wall and/or similar opening to allow operators to enter location, deploy FSDD and/or safely observe and cover a room's interior and any occupants from outside the location after porting.
Rapid deployment	The immediate deployment of law enforcement resources to life-threatening situations where the delay in such deployment could result in death and/or great bodily harm to persons.
Reactionary authority	Unless otherwise specified during a SWAT mission, SWAT officers should react to deadly threats according to their agency policy governing the use of force. Officers are cautioned that the use of the sound tactical judgement is to be utilized when reacting to deadly threats and the safety of innocent victims is paramount.
Reconnaissance	The systematic observation and documentation of the physical characteristics of an objective and the surrounding area.
Risk assessment	The process of evaluating and determining the presence of any or all potential hazards or dangerous conditions to law enforcement personnel and the public that may be present or may occur during an operation or training to determine the appropriate risk level of that pending action.



Ruse	A psychological tactic which is intended to distract or deceive someone to gain a tactical advantage.
Safety priorities	A decision-making process which provides the framework for making tactically sound decisions, utilizing objective criteria based on an individual's current or likely risk of suffering serious bodily injury or death and their direct ability to remove themselves from that danger. Those exposed to the greatest potential of injury with the least ability to escape the situation are placed at the top of the priorities, i.e. a hostage is at grave danger of injury when held against their will and has little ability to control their situation. On the other end of the continuum is the suspect, who has little threat of injury and absolute control over the situation. The safety priorities value all life and its sole intent is to assist law enforcement in making tactical decisions to assist in saving lives.
Slow and deliberate	Movement technique characterized by stealth and without regard for time.
SMEAC	Acronym used for operational planning: Situation, Mission, Execution, Administration/Logistics and Command/Signal.
Sniper	A highly-trained operator who's missions include intelligence gathering, observation and the capability of delivering precision fire with a rifle. Operator with long rifle capability; long rifle marksman.
Sniper-initiated takedown	The tactic of initiating a coordinated approach on a building or vehicle immediately after the sniper takes a dedicated pre-planned or spontaneous precision shot.
Standard Operating Procedures/SOPs	Established or prescribed methods followed routinely for the performance of designated operations or in designated situation in accordance with agency policy.
SWAT	Acronym for Special Weapons and Tactics team. A designated law enforcement team whose members are recruited, selected, trained, equipped and assigned to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.
Tactical medic	A tactical medic is a licensed medical practitioner with specialized training and a demonstrated ability to work in and provide medical care within an



	active law enforcement operation.
Target-specific directed fire	Controlled gunfire that is directed at the suspect, reducing the suspect's ability to return fire while a tactical team, element or individual movement is conducted. Also known as "suppressive fire," "cover fire," "return fire" and "weapons fire."
Team commander	The designated individual(s) responsible for the management, operation and deployment of a tactical team.
Team leader	A team member, regardless of rank, with an appropriate level of experience and competence who works directly with team members. Acts in an administrative, tactical and operational capacity under the Team Commander to coordinate and supervise training, planning and deployment activities.
TEMS	The mission-preplanning, preventative care and medical treatment rendered during mission-driven, high-risk, large-scale, and extended law enforcement operations. The TEMS scope of practice includes medical interventions that further the health and safety of all law enforcement personnel and are intended to reduce the incidence of injury, illness, disability, and death associated with police operations. TEMS adapts and incorporates sound medical practices with police tactics for use in operations characterized by competing mission objectives, diagnostic uncertainty, limited resources, and performance decrement under stress to permit the delivery of effective medical care in an unfolding law enforcement mission. The needs and operating environment of the SWAT team determine the medical capabilities of the TEMS element.
Terrorism	The calculated use of violence or the threat of violence to create fear, intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious or ideological.
Tactical operations center (TOC)	The location that supports Tactical Command decision-making processes by analyzing, assessing and evaluating information on, and activities of, the suspect(s). In doing so, the TOC documents activities and processes of the Commander and Team Leader(s). The four primary activities of the TOC include operations, intelligence, negotiations liaison and sniper control.



NTOA TROS 2018

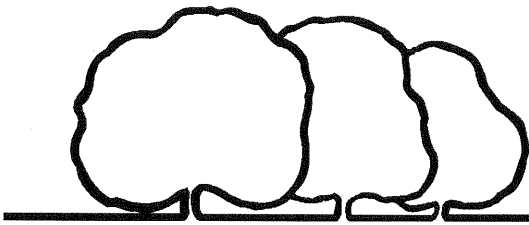
Vehicle takedown	Perform duties associated with approaching an armed suspect contained within a stationary vehicle. Also known as "high-Risk vehicle takedown."
Warrant service	Performing or carrying out an arrest or search warrant on a location.
Window of opportunity	A set of favorable circumstances that offer an advantage during a tactical operation if appropriately exploited in a timely manner.



9.0 SUPPORTING DOCUMENTS

For further sample documents, please refer to the [NTOA website's](#) File Sharing area which is available to members only.

Employment (rev 11.1.07).pdf



City of Woodland

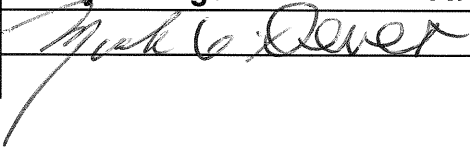
POLICY AND PROCEDURE

Policy No: 16-103 Effective Date: April 8, 2002
Division: Human Resources Distribution: All Departments
Replaces Personnel Policies: 1, 2, 3, 4 & 10

SUBJECT EMPLOYMENT

POLICY It is policy of the City of Woodland to have a fair and impartial recruitment and selection process for all position vacancies within the City. In this endeavor, the City shall strive to seek and employ the best qualified person or persons available. The City shall also evaluate new employees to ensure they are well suited for their position, and because retention of quality employees is desired, the City shall, upon the resignation or retirement of an employee, explore the reasons for their departure.

APPLICABILITY This Policy shall be applicable to employees of and applicants to the City of Woodland.

APPROVALS			
Name	Date	Name	Rev. Date
Senior Management	1/14/02	City Manager	11/01/07
Associations	4/08/02		

1.0 INITIATION OF RECRUITMENT

- 1.1 The Department Director or his/her designee will contact Human Resources to request the commencement of recruitment for any vacant authorized position.
- 1.2 Human Resources will meet with the hiring authority to plan the dates of the recruitment, discuss outreach methods and selection criteria. The job category of the vacancy, combined with the prevailing job market and the needs of the Department Director will determine the scope of advertising and outreach efforts.

2.0 JOB ANNOUNCEMENTS

- 2.1 Job announcements shall be displayed in the Human Resources Department and sent for posting to all City departments.
- 2.2 Each recognized employee association president will be sent a copy of all recruitment job announcements.
- 2.3 Job announcements may be sent to local community organizations, post-secondary schools, job training agencies, public/government agencies and individuals as may be deemed appropriate by the Human Resources Manager or the affected Department Director.

3.0 NEWSPAPER ADVERTISING

- 3.1 All open recruitments are normally advertised at least once in the local newspapers. Human Resources will determine advertising need in consultation with the hiring authority and based on previous recruiting history.
- 3.2 Human Resources will discuss the placement of ads in appropriate specialized trade publications with the Department Director or designee and that department will normally be responsible to pay for these special advertisements.
- 3.3 The Human Resources Department may take other steps to advertise recruitments as deemed appropriate.

4.0 INTEREST CARD PROGRAM

- 4.1 In lieu of accepting applications between recruitments, the Human Resources Office maintains an interest card program for people interested in employment with the City.
- 4.2 Interested persons will self-address a Job Interest/Transfer Card identifying a City position they may be interested in.
- 4.3 One card should be completed for every position in which the person has an interest and the individual may complete as many postcards as he/she wishes.

- 4.4 Upon the commencement of a recruitment, the City shall mail the postcard to the individual stating the recruitment for that position is open. If interested, the individual may then contact Human Resources for an application.

5.0 SELECTION METHODS

- 5.1 There are several selection methods used to determine the knowledge, skill, and ability of applicants. At least one method must be used per recruitment, however multiple assessments are encouraged. Such methods may include screening applications for training and experience, supplemental applications, written examinations, writing proficiency tests, oral interviews, physical agility tests and performance/practical testing.
- 5.2 Human Resources will discuss examination methods with the Department Director or designee and will work with Department Director or designee to develop the best method(s) for the specific recruitment.

6.0 ELIGIBILITY LISTS

- 6.1 An Eligibility List is a listing of all the names of candidates who qualify for a job classification through an examination process.
- 6.2 Upon completion of the examination of applicants, Human Resources will develop the eligibility list. Candidates are rated from highest to lowest based on ratings. The list is valid for one (1) year or until exhausted. The eligibility list will be sent to the hiring authority to conduct final interviews.
- 6.3 The hiring authority may select anyone from the eligibility list for further consideration.

7.0 FINAL SELECTION

- 7.1 The hiring authority may schedule and conduct a final department interview with candidates from the eligibility list. It is the department responsibility to provide a response to all candidates receiving a final interview.
- 7.2 Once a candidate has been selected, it is the responsibility of the department to investigate the candidate's education and employment history. Safety candidates and candidates with access to public safety confidential information are subject to in-depth background investigations.
- 7.3 The department may request that the candidate provide a recent DMV printout, if the position requires the candidate to drive on the job.
- 7.4 Conditional job offers will be made by the hiring authority contingent upon successful completion of a pre-employment physical examination, psychological examination (if determined necessary by the department), and criminal history check (fingerprinting).
- 7.5 In-depth background investigations and psychological exams will be scheduled and expensed by the hiring department.

- 7.6 Physical examinations and criminal history checks will be scheduled and expensed by the Human Resources Department.
- 7.7 Upon successful completion of the final selection process, the department will notify the candidate of the hire date.

8.0 NEW EMPLOYEE ORIENTATION

- 8.1 Human Resources shall conduct a general orientation for new employees within the first three days of employment. Each new employee will receive information regarding an overview of the City's organizational structure, working conditions, compensation, job description, benefit programs, City Policies and a Memorandum of Understanding. Human Resources will provide an identification card to new employees.
- 8.2 It is the responsibility of the Department Director or his/her designee, to conduct a department orientation for new employees. Each new employee should be informed of specific job requirements, work schedule, safety regulations, department policies, practices, and procedures applicable to the job including vacation leave request; sick leave call-in; and time card procedures, issuance of necessary tools, equipment, and material; outline of specific uniform requirements and the introduction of employee to immediate supervisor and fellow employees.

9.0 PROBATIONARY PERIOD

- 9.1 The probationary period shall be regarded as a continuation of the selection process. This trial period shall be utilized for closely observing, evaluating and documenting the new employee's work.
- 9.2 The probationary period shall be twelve (12) months of actual service.
- 9.3 Performance evaluations should be completed quarterly during the probationary period.
- 9.4 Upon completion of the twelve (12) month probationary period, the hiring authority shall file a final evaluation with Human Resources stating whether or not the new employee has passed probation.
- 9.5 With the concurrence of the Personnel Officer, the hiring authority may extend a probationary period for up to an additional six (6) months.
- 9.6 The selection process is considered finished when a new employee has passed probation.

10.0 EXIT INTERVIEW

- 10.1 The Human Resources Manager or his/her designee, shall schedule a meeting with every classified employee separating from employment with the City. The purpose of the meeting is to complete the necessary separation documents, identify the reasons for the employee's separation

(if applicable), provide the employee an opportunity to suggest changes in the employee's job, department or the City as a whole which, in the employee's opinion, would improve the efficiency of that unit and for Management or Mid-Management employees, remind them to file a Statement of Economic Interest form with the City Clerk.

- 10.2 The exit interview should be held in private. The employee may decline to participate in the interview. All issues discussed in the interview will be kept confidential with the exception that the Human Resources Manager may convey information he/she considers constructive criticism to the appropriate Department Director and, if necessary, to the Assistant City Manager.
- 10.3 The Human Resources Manager or his/her designee, shall complete a report of the pertinent information discussed in the interview. The report shall be placed in the employee's permanent file.

11.0 PERSONNEL OFFICER AND EMPLOYEE RELATIONS OFFICER

- 11.1 The authority of the Personnel Officer and the Employee Relations Officer pursuant to Section 2 of the Personnel Ordinance and Article 3, Section 7, of City Council Resolution No. 3299 (Employer-Employee Relations Policy) shall be delegated to the Director of Administrative Services.

Death-Serious Injury Procedure.pdf



WOODLAND POLICE DEPARTMENT
1000 LINCOLN AVENUE, WOODLAND, CA 95695

ATTEMPT SUICIDE, DEATH OR SERIOUS INJURY PROCEDURE

PURPOSE

This procedure is intended to outline the steps for dealing with attempted suicides, death or serious injuries while in temporary custody at the Woodland Police Department.

PROCEDURE

In the event that an officer/staff member discovers that an arrestee has or appears to have died while in temporary custody, they will immediately:

- 1) Begin life saving measures such as first aid and CPR.
- 2) Summon paramedics and ambulance response.
- 3) Notify the Watch Commander.
- 4) Preserve evidence.

The following will be completed by the end of shift:

- 1) Complete an Incident Report.
- 2) Complete a memorandum to a Patrol Lieutenant.
- 3) Notify the City Attorney.
- 4) Notify the Yolo County Coroner.
- 5) Notify the Yolo County District Attorney's Office.

In the case of a death or attempted suicide in temporary custody, the following information must be included in the Incident Report:

- 1) Time of last check when the arrestee was alive and who made the check.
- 2) Time the arrestee was found in the present condition and who found the arrestee in such condition.
- 3) Time first aid/CPR was started and by whom.
- 4) Time paramedics/ambulance was called and when they arrived.
- 5) Names of medical personnel on scene.

As in other in-custody death investigations, the death investigation of an arrestee in a temporary holding cell will be turned over to an outside agency. The Incident Report will identify who that agency is.

PROCEDURAL AND MEDICAL REVIEW

Within 30 days, the Chief of Police or their appointee will initiate a procedural and medical review of the incident. The Chief will appoint a team to conduct this review. The review team shall include a local health administrator, a physician, supervision staff

who are relevant to the incident, and other relevant medical or health care staff. This team will provide a written report with findings, recommendations, and proposals to the Chief of Police.

Deaths shall be reviewed to determine the appropriateness of clinical care, whether changes to policies, procedures, or practices are warranted, and to identify issues that require further study.

Per California Government Code section 12525, the Chief of Police will report in writing to the California Attorney General within 10 days after the death, all the facts in their possession concerning the death. This written report may include incident reports, coroner reports, death certificates, and any other reports relating to the death. An additional copy of the report will be forwarded to the California Correctional Standards Authority within 10 days at the following address:

Bureau of Criminal Statistics
Statistical Data Center
PO Box 903427
Sacramento, CA 94203-1170

Abandoned Property Post Seizure Notice.rtf

Fire.pdf



Woodland Police Department

Fire, Natural Disaster and Mass Arrest Procedure

FIRE PROCEDURES

- A. Fire Suppression Pre Plan
 - 1. Facility manager shall consult with the local fire agency to develop a fire suppression pre plan for the facility. This collaboration shall include an annual review of the plan to ensure suitability to the facility.
- B. In the event of a fire in the detention area the discovering employee should immediately:
 - 1. Notify the Fire Department, Watch Commander and on-duty patrol personnel simultaneously through Dispatch
 - 2. Initiate movement of all prisoners to an area of safety through the utilization of the evacuation plan
 - 3. Begin fire suppression procedures as applicable, in addition to the fire suppression system incorporated into the building (e.g. sprinklers, alarms)
- C. Responding patrol officers under the direction of the Watch Commander should be responsible for:
 - 1. The evacuation of prisoners
 - 2. Obtaining medical services as needed
 - 3. Securing prisoners in a temporary holding area
 - 4. Arranging emergency housing/transportation of prisoners to the County Jail or other Temporary Holding Facility as necessary
 - 5. Initiating an investigation in conjunction with the Fire Department concerning the origin of the fire along with filing necessary reports.
- D. The Facility Manager shall:
 - 1. Ensure monthly fire and life safety inspections occur and are maintained for 2 years.
 - 2. Fire and life safety and evacuation plan training annually including use of fire extinguishers
 - 3. The Fire Marshal shall conduct the required fire inspections at least once every two years. (H&S 13146.1(a)/13146(b)).

NATURAL DISASTERS

- A. Natural disasters may occur without warning and are managed according to the issue at hand. Safety of staff and prisoners shall be of the utmost importance in the event of a natural disaster. The following shall be considered in the event of an evacuation of the Temporary Holding Facility due to fire, natural disaster, or other emergency,
 - 1. Medical needs
 - 2. Safety needs
 - 3. Notifications



Woodland Police Department

MASS ARRESTS EXCEEDING TEMPORARY HOLDING FACILITY CAPACITY

- A. In the event of a group arrest that would exceed the maximum capacity of the Woodland Police Department Temporary Holding Facility, the excess arrestees shall be transferred, as soon as possible, to a Yolo County Sheriff's Department County Jail, or released on a written promise to appear, if applicable. If a pre-planned event involving an anticipated high number of arrestees is scheduled, the Watch Commander or Incident Commander should arrange for additional staffing, and or facilities to accommodate booking and additional transportation needs.

**OFFICER INVOLVED CRITICAL
INCIDENTS PROTOCOL - MAY 2020.pdf**

Yolo County Protocol for Response to Officer Involved Critical Incidents



Participating Agencies

California Highway Patrol – Woodland

Davis Police Department

UC Davis Police Department

West Sacramento Police Department

Winters Police Department

Woodland Police Department

Yolo County District Attorney's Office

Yolo County Probation Department

Yolo County Sheriff's Office

A. PURPOSE AND SCOPE

The purpose of this protocol is to establish uniform procedures for the investigation of Officer-Involved Critical Incidents.

This protocol recognizes the need for timely independent review of Officer-Involved Critical Incidents and considers available investigative resources while maintaining a best-practice approach of having an independent, outside agency investigate the incident.

While this protocol is generally recommended for use by all Yolo County law enforcement agencies, and other local, federal or state law enforcement agencies operating in Yolo County, each individual agency retains the discretion to adopt, reject, or modify any portion of this protocol in accordance with existing rules and regulations of that agency.

Additionally, this protocol can be used for the investigation of any incident involving the death of, or great bodily injury to a law enforcement officer or when a law enforcement officer is being investigated for committing a crime.

Finally, the provisions of this protocol shall be considered only as guidelines. It is recognized that police work is not always predictable and circumstances may arise which warrant departure from this protocol. This protocol is solely for the purpose of guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable by law by any party in any matter, civil or criminal, nor do they place any limitations on otherwise lawful investigative or litigative prerogatives of any signatory agency.

B. DEFINITIONS

1. Officer-Involved Critical Incident (OICI):
 - An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
 - An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury.
 - Any incident resulting in death or great bodily injury which a Primary Agency or Jurisdictional Agency deems to be critical in nature, including but not limited to: vehicle pursuits and collisions; where a person was in police custody; and physical altercations with a police employee.
2. Great Bodily Injury: For the purpose of this protocol, great bodily injury includes any gunshot wound or any injury that, upon initial assessment, is likely to lead to death, paralysis, or other permanent change to a person's physical capability.
3. Jurisdictional Agency: The law enforcement agency with primary jurisdiction over the physical location of an incident. If an incident spans multiple jurisdictional areas, the Jurisdictional Agency will be determined as the location where the actual OICI took place or as otherwise agreed to by the Involved Agencies.
4. Primary Agency: The employing agency(ies) of the officer(s) involved in the actual OICI force application and/or the agency(ies) employing the officer(s) that suffered great bodily injury or death as the result of an OICI.

5. **Involved Agency:** Any agency involved in the OICI, whether or not its officers were directly involved in activities that precipitated a death or great bodily injury.
6. **Uninvolved Agency:** A law enforcement agency that had no involvement in the OICI and has the capacity to conduct an independent investigation related to an OICI.
7. **Investigating Agency:** the Uninvolved Agency that conducts a criminal investigation of the involved officer's actions. The Investigating Agency is responsible for preparing investigative reports and submitting them to the District Attorney for review.

C. TYPES OF INVESTIGATIONS

OICIs generally involve multiple, separate and often overlapping investigations. They typically include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation to determine policy compliance by involved officers.
- A civil investigation to determine potential liability.

D. CONTROL OF INVESTIGATIONS

1. Criminal Investigation of Suspect Actions

The investigation of any possible criminal conduct by the suspect is generally investigated by the Jurisdictional Agency, absent some other agreement to the contrary. The Jurisdictional Agency is responsible for working with the District Attorney's Office for the charging of any involved suspect(s).

2. Criminal Investigation of Officer Actions

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the Jurisdictional Agency's protocol. As a general rule, when the Primary Agency and the Jurisdictional Agency are the same, the Jurisdictional Agency is encouraged to relinquish criminal investigative control of their employee's actions to an Uninvolved Agency for an independent investigation.

The OICI Protocol is activated by the head of the Primary Agency, or their designee, contacting the Chief Investigator of the Yolo County District Attorney's Office, or their designee, to request an independent criminal investigation of their employee. The two will determine which Uninvolved Agency should be contacted. The head of the Uninvolved Agency, or their designee, should be contacted directly to determine whether they can accommodate the request. If not, another Uninvolved Agency should be contacted until an agency agrees to conduct the investigation. The Uninvolved Agency that agrees to conduct the investigation becomes the Investigating Agency.

3. Administrative and Civil Investigation

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by their respective employing agency.

E. PROTOCOL

1. Agencies are expected to work cooperatively to carry out this agreement.
2. The Jurisdictional Agency is responsible for maintaining the crime scene and any perimeters unless relieved by another agency.
3. Although not ideal, crime scene investigators and other resources from the Primary Agency can be used to assist the Investigating Agency.
4. The coroner shall be promptly notified of any confirmed death. Agencies are expected to work cooperatively to assist the coroner in their duties.
5. Other State and federal resources can be used to support and/or conduct independent investigations of OICIs.
6. Officer Interrogations
 - a. Agencies will honor the legal rights of involved officers pursuant to California Government Code 3300-3313 (Public Safety Officers Procedural Bill of Rights) and any other applicable State and/or federal law.
 - b. Interrogations shall be coordinated by the Primary Agency(ies) and be in compliance with any applicable Memorandum of Understanding affecting the officer's employment.
 - c. It is recognized that there are times when officer(s) legal counsel will advise against making a voluntary statement. Any compelled statements will be obtained exclusively by the Primary Agency for use in any administrative investigation and shall not be shared with an Investigating Agency.
7. Review and Use of Video/Audio Recordings
 - a. Critical incidents, or portions/aspects of critical incidents, may be captured on a variety of video/audio recording devices including, but not limited to: in-car cameras, body-worn cameras, surveillance cameras, traffic cameras, cell-phone cameras, media cameras and/or other similar devices. Furthermore, recordings may come from a variety of sources including those that are agency controlled; or they may come from private devices that are made available to the public and/or law enforcement.
 - b. Each agency should adopt policies/procedures regarding the ability of their employees to review recordings prior to providing a voluntary statement. Recognizing that agencies may have different policies/procedures regarding their employees reviewing recordings prior to providing initial voluntary statements, it is the responsibility of the Investigating Agency to be aware of any applicable policies/procedures prior to conducting interviews of employees that are under investigation. Officers may review recordings consistent with their employing agency policies.
 - c. It is acknowledged and understood that recordings taken during critical incidents do not necessarily reflect the full extent of the nature of the event, or the experience, analysis, training, threat assessment, or state of mind of the individual officers(s) in a given incident. Moreover, recordings, especially video, have limitations and may depict events differently than as honestly recalled by the involved officer(s). Specifically, it is

understood that recording devices may capture information that may not have been heard or observed by the involved officers, and that officers may see and hear things not captured by recording devices.

- d. In such cases where the involved officer(s) will be permitted to view a video recording of the incident prior to providing an initial voluntary statement, they shall be provided the following admonishment:

“Although you’ve had an opportunity to review video/audio recordings prior to providing this voluntary statement, it is important to understand that recordings have limitations and may depict the events differently than you recall, and may not depict all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The “frame rate” of video may limit the camera’s ability to capture movements normally seen by the human eye. Lighting as seen on video may be different than what is seen by the human eye. Videos are a two dimensional medium and may not capture depth, distance, or positional orientation as well as the human eye. Remember, video evidence is intended to assist your memory and ensure that your initial statement explains your state of mind at the time of the incident.”

- e. In such cases where the involved officer(s) will be permitted to view a recording of the incident only after they provide an initial voluntary statement, they shall be provided the following admonishment:

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

8. Investigative Reports

- a. The Primary Agency shall cooperate fully with the Investigating Agency by providing copies of all criminal investigative reports and evidence including, but not limited to, car and body-worn camera footage, involved uniforms and police equipment, and crime scene video and photos.
- b. The Primary Agency will not furnish any confidential administrative reports, civil reports containing attorney work-product, or compelled statements to the Investigating Agency.
- c. Upon conclusion of the investigation, the Investigating Agency will provide a full investigative report to the Primary Agency. The Primary Agency may use the criminal investigative report pursuant to their individual policies relating to administrative investigations.

F. CORONER'S OFFICE

Information obtained from the incident investigators or from the Involved Agencies will not be released by the Coroner's Office without prior clearance from those agencies.

Release of information from the coroner will generally be limited to the following:

- Autopsy findings, including the condition of the deceased, the cause of death, and toxicology test results (after the involved agencies have received this information).
- The general role of the Coroner's Office in the investigation of any death.

The Coroner's Office will not release any information to the media when there is pending criminal prosecution.

G. DISTRICT ATTORNEY'S OFFICE

1. During an OICI Investigation the District Attorney's Office will:

- Assist and advise criminal investigators regarding the various legal issues that may arise, including but not limited to search and seizure, taking of statements, identification procedures, arrests, elements of crimes, immunity, and voluntariness.
- Monitor the criminal investigations.
- Provide investigative process and procedure consultation.
- Ultimately determine if criminal charges will be filed.

2. The District Attorney reserves the right to conduct a criminal investigation of the involved officer(s) actions. The District Attorney will notify the Primary Agency if an independent investigation is being conducted, except if such notification would compromise the integrity of the independent investigation. A District Attorney Investigator assigned to participate as an incident investigator assisting or teamed with the Investigating Agency will not be a member or participant of an independent District Attorney investigation unless the Primary Agency is notified of such a dual role.

3. If the District Attorney's Office is a Primary Agency due to a District Attorney Investigator or District Attorney becoming directly involved in an OICI, the role of the District Attorney should be carried out by requesting the assistance of the Attorney General. If the Attorney General declines to participate, a designated Investigating Agency should be sought. The designated Investigating Agency should seek assistance and consultation from another District Attorney's Office.

4. All reasonable efforts should be made for the Officer-Involved Critical Incident investigation to be completed and all reports submitted to the Office of the District Attorney within 120 days of the incident, if possible, and absent unusual circumstances.

5. At the conclusion of the investigation, the District Attorney's Office will review and analyze all the evidence to determine whether or not the involved officer(s) will be charged with any crimes.

- a. The crime charging standards are the same for civilians and peace officers. The District Attorney's policy regarding crime charging requires the following:

- The prosecutor, based on a complete investigation and a thorough consideration of all pertinent facts readily available, is satisfied that the evidence proves that the accused is guilty of the crime to be charged;
 - There is legally sufficient, admissible evidence of a corpus delicti;
 - There is legally sufficient, admissible evidence of the accused's identity as the perpetrator of the crime charged; and
 - The prosecutor has considered the probability of conviction by an objective fact finder and has determined that the admissible evidence is of such convincing force that it would warrant conviction of the crime charged by a reasonable and objective fact finder after hearing all the evidence available to the prosecutor at the time of charging and after considering the most plausible and reasonably foreseeable defenses."
- b. If no charges are filed, the District Attorney will issue a succinct closing report summarizing the results of the investigation and analysis of the evidence.
 - c. Within the scope of this protocol, it is not the purpose of the District Attorney's review, investigation or report to determine if any law enforcement agency employee violated department policy or procedure, or committed any act that would be subject to civil sanctions.
 - d. The District Attorney's Office will make every effort to issue a closing report containing its findings and conclusion within 90 days from receipt of the completed investigative package. This report shall be sent to the primary police agency(ies), the decedent's family (if applicable) and then released to the public.
 - e. Prior to any public dissemination, the District Attorney will advise any Involved Agency of the intent to file any criminal charges.

H. NEWS MEDIA / PUBLIC RECORDS ACT REQUESTS

1. The Investigating Agency will give timely notice to each Primary Agency prior to the release of any information from the OICI investigation file to anyone other than involved law enforcement agencies. Each agency will then have the opportunity to raise appropriate objections and, if necessary, litigate for the protection of privileged information.
2. Although all Involved Agencies may have a responsibility to respond to Public Records Act (PRA) requests, the signatory agencies agree that the Primary Agency will retain a complete case file and respond to PRA requests, if allowable.
3. A Primary Agency will determine if and when they will release the name of the officer(s) involved. If the District Attorney determines that criminal charges will be filed against an involved officer(s), those names will be available through public record.
4. A representative of the Primary Agency is in the best position to comment about the facts of the case and the progress of the investigation. When multiple agencies are involved or have knowledge of an OICI, the following information release guidelines should be followed:

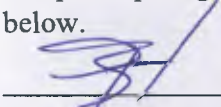
- a. The Primary Agency will assign a person to manage the release of information and to minimize interruptions to incident investigators. All requests for information should be routed to the assigned person.
 - b. Agencies and individuals that are not well informed and intimately involved with the investigation's progress and results should not make statements to the press. As in all other instances, care must be taken to ensure that intentionally misleading, erroneous or false statements are not made.
 - c. The interest of the public's right to know what occurred must be balanced with sensibility and requirements of the investigation and with the right of the accused to receive a fair trial. Agencies may release information that is required to be released under California law. The District Attorney's Office will be notified before information is released if it may tend to compromise the criminal investigation of an involved officer(s).
5. Other agencies may also be contacted by the news media for information about the incident, including:
- a. The Jurisdictional Agency: If the Jurisdictional Agency is different than the Primary Agency, the Jurisdictional Agency should refer the media to the Primary Agency media point of contact. They can confirm the location and time of the incident, but should defer all other questions to the Primary Agency's point of contact.
 - b. The District Attorney: The District Attorney will not disseminate any of the following information while the matter is undergoing criminal investigation and while the district attorney review process remains ongoing:
 - That an uncharged individual is "under investigation."
 - An Involved Officer's statement, confession or refusal to give a statement.
 - The subject of any gag order.
 - The prior criminal history of any involved party, unless it is part of the criminal pleading or crime under investigation.
 - The result of any examinations.
 - The pendency of a search warrant.
 - Any statement that has a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.
 - c. In cases where a criminal complaint is filed, the judicial record, such as a probable cause declaration, or preliminary hearing is open to the public. Additionally, the District Attorney may disseminate the following:
 - Name of defendant.
 - Area of residence.
 - Occupation.
 - Physical description.
 - Age.
 - Sex.
 - Time, date and location of arrest.
 - Factual circumstances of the crime.

- Amount of bail.
 - Location held.
 - All charges including warrants.
 - Parole or probation holds.
 - Schedule and explanation of the judicial process.
 - Penalty range.
-

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ADOPTION

The participating department heads have executed this Agreement on the respective dates indicated below.

 5-13-2020

SIGNATURE

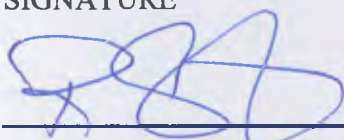
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Darren Pytel

Davis PD

CHIEF

AGENCY

 05/13/2020

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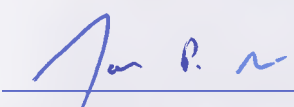
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Robert Strange

West Sacramento PD

Interim CHIEF

AGENCY

 5/13/20

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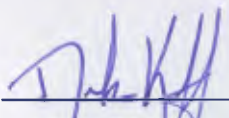
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John Miller

Winters PD

CHIEF

AGENCY

 5/5/2020

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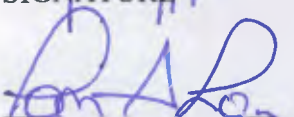
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Derrek Kaff

Woodland PD

CHIEF

AGENCY

 5/12/20

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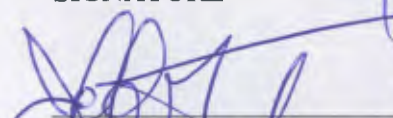
DATE

Tom Lopez

Yolo Co. Sheriff's Office

SHERIFF

AGENCY

 5/13/20

SIGNATURE

DATE

Jeff Reisig

Yolo Co. DA's Office

DISTRICT ATTORNEY

AGENCY

 5-12-20

SIGNATURE

DATE

Danin Fruchtenicht

Yolo Co. Probation

CHIEF

AGENCY

 5-18-2020

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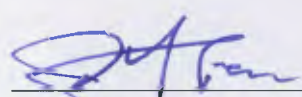
DATE

Joseph Farrow

UC Davis PD

CHIEF

AGENCY

 5/15/2020

SIGNATURE

DATE

Ivan Tien

CHP (Woodland)

Captain

AGENCY

The Folder Shuffle Method Instructions (2020).pdf

The Folder Shuffle Method: A “Blinded” Administration Technique

To enhance the accuracy of any eyewitness identification procedure, the officer administering a lineup should not know which lineup number is the police suspect. Eyewitness identification procedures should therefore be conducted by a non-investigating, or ‘blind,’ administrator.

Understandably, small police departments with limited officer manpower – or larger departments with officers conducting identifications in the field – may believe that the requirement of ‘blind administration’ of eyewitness procedures is unfeasible. Yet this need not be the case. Workable solutions have emerged to address this concern. Law enforcement agencies that have implemented this reform report that they are able to ‘blind’ the administrator without expending additional manpower resources. This is done through the time-tested ‘folder system’ or by means of emerging laptop technology.

THE FOLDER SHUFFLE METHOD

The ‘Folder Shuffle Method’ was devised to address concerns surrounding limited resources while allowing for blind administration. Should the investigating officer of a particular case be the only law enforcement personnel available to conduct a photo lineup, the following instructions are recommended:

1. Use one suspect photograph that resembles the description of the perpetrator provided by the witness, five filler photographs that match the description but do not cause the suspect photograph to unduly stand out, and ten folders [four of the folders will not contain any photographs and will serve as ‘dummy folders’].
2. Affix one filler photo to Folder #1 and number the folder.
3. The individual administering the lineup should place the suspect photograph and the other four filler photographs into Folders #2-6 and shuffle the photographs so that he is unaware of which folder the suspect is in, and then number the remaining folders, including Folders #7-10, which will remain empty. [This is done so that the witness does not know when he has seen the last photo].
4. The administrator should provide instructions to the witness. The witness should be informed that the perpetrator may or may not be contained in the photos he is about to see and that the administrator does not know which folder contains the suspect.
5. Without looking at the photo in the folder, the administrator is to hand each folder to the witness individually. Each time the witness has viewed a folder, the witness should indicate whether or not this is the person the witness saws and the degree of confidence in this identification, and return the photo to the administrator. The order of the photos should be preserved, in a facedown position, in order to document in Step 6.
6. The administrator should then document and record the results of the procedure. This should include:

The Folder Shuffle Method: A “Blinded” Administration Technique

- the date, time, and location of the lineup procedure;
- the name of the administrator;
- the names of all of the individuals present during the lineup;
- the number of photos shown;
- copies of the photographs themselves;
- the order in which the folders were presented;
- the sources of all of the photos that were used;
- a statement of confidence *in the witness’s own words* as to the certainty of his identifications, taken immediately upon reaction to viewing; and
- any information the administrator deems pertinent to the procedure.

* The information described above was informed by “Eyewitness Identification Procedure Recommendations” put forth by a Wisconsin Task Force as well as existing research on the folder shuffle.

Statutes and Legal Requirements.pdf

Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions

CPC 422.55 - Provides general definition of hate crimes in California.

CPC 422.56- Provides definitions of terms included in hate crimes statutes.

GC 12926- Disability-related definitions applicable to some hate crime statutes.

Felonies

Hate Crimes

CPC 422.7 - Commission of a crime for the purpose of interfering with another's exercise of civil rights.

Related Crimes

CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.

CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.

CPC 288(b)(2) - Sexual assault of dependent person by caretaker

CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.

CPC 594.3 - Vandalism of places of worship.

CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.

CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors

Hate Crimes

CPC 422.6 - Use of force, threats, or destruction of property to interfere with another's exercise of civil rights.

CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes

CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.

CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.

CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.

CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.

Enhancements

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim's race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

Reporting

CPC 13023- Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

Training and Policy Requirements

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

Miscellaneous Provisions

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.

Adult Abuse Investigation Addendum.pdf

PATROL RESPONSE

Responding peace officers play a crucial role in creating successful outcomes for Elder and dependent adult victims. Patrol officers and deputies in Yolo County will strive to do the following when feasible:

- Become educated about various elder and dependent adult abuse, and penal code sections accounting for physical and financial abuse, as well as neglect.
 - Request Emergency Protective Orders when legally appropriate in order to best protect elder victims.
 - Treat elder and dependent adult citizens with dignity and respect.
 - Follow interview guidelines in ADDENDUM B for interviewing elders and dependent adults.
 - Recognize that elder or dependent adults may have difficulty narrating events, appear to be poor historians, or lack short term memory, which adds to their vulnerability.
 - Document the scene
 - Cross-Report to Adult Protective Services (APS)
 - Obtain a signed medical release from potential victims.
 - Interview caregivers separately. In some situations, the caregiver may be the abuser.
 - Recognize victim cooperation is not always necessary for prosecution. Each dispatched call or case should be investigated on its own evidentiary merits.
 - Consult with a supervising Elder Abuse Deputy District Attorney or Deputy City Attorney to determine whether the case is more than simply “civil” in nature
-
- **Physical Abuse/Endangerment Cases:** Document all injuries, obtain statements from each elder or dependent adult and document the demeanor of the elder or dependent adult. Photograph or videotape the suspected crime scene, and document any physical evidence and the general appearance of the residence. Seize any objects used to injure the elder or dependent adult and document any medications present at the scene and any pertinent medical history or conditions. Interview the medical personnel available. Reports: 1) Prepare an initial crime report in all cases of suspected physical abuse or endangerment and 2) Cross report to APS
-
- **Financial Abuse:** Determine the identity of the reporting party, any relationship between the reporting party and the elder or dependent adult, and why the reporting party notified law enforcement. Determine the dates of economic loss, how the loss was discovered, and who discovered the loss. Obtain sample signature of the elder or dependent adult. Identify and interview, when feasible, all witnesses who may have relevant information. Interview any caregivers to determine their duties and responsibilities, including any financial agreements or loans provided to a caregiver by the elder/dependent adult. Obtain written consent to request bank records, credit statements, real estate loan documents and other relevant financial information. When feasible, document and collect all accessible financial documents pertaining to the suspected financial abuse.
-
- **Neglect cases:** Neglect occurs when a caretaker or custodian fails to act with a degree of care that a reasonable person would have used when caring for an elder or dependent adult. Officers

should do their best to document all physical evidence and consider videotaping the living conditions.

- **Special Considerations/Circumstances with Domestic Violence involving the Elderly:** On occasion domestic violence offenders may be elderly or extremely infirmed. In some cases it may be possible to establish that an elderly offender is not competent, not aware of their actions and/or was previously diagnosed by a physician or Adult Protective Services (APS) of not being competent to make their own decisions as a result of dementia or a related disorder of cognitive decline. It is important to be aware that some offenders present a significant health risk due to the shock of incarceration and or removal from their normal place of residence as a result of their advanced age or significant medical condition or diagnosis of Alzheimer's or other related dementia. In addition to investigating/documenting the domestic violence incident as outlined in the Yolo County Law Enforcement Domestic Violence protocol, some or all of these options may be applicable based on the individual set of circumstances as alternatives to arrest/booking:
 - Obtaining an Emergency Protective Order (EPO) and ensuring family members can keep the victim and offender in separate locations
 - Evaluate for 5150 W&I and if feasible/and or appropriate, commit offender to either an LPS designated hospital or CMH
 - Contact/request local or available PERT (Psychiatric Emergency Response Team) team
 - Complete an arrest report indicting the offender was released pursuant to Penal Code section 849(b) or taken into custody and released thereafter to a competent third party who will assure the safety of both the victim and the offender
 - Contact the duty Adult Protective Services/Aging and Independent Services representative for additional resources to keep the victim safe and separated from the offender if the offender cannot be incarcerated/booked.
 - Cross-Report to APS

INVESTIGATION RESPONSE

Follow-up investigations are necessary in many elder abuse cases, as first responders may not be in the best position to gather all existing evidence. Follow-up investigations in Yolo County when feasible should include:

- Determining the victim is safe and whether there is a need for emergency housing.
- Cross-reporting to APS
- Making contact with the assigned APS social worker, Ombudsman or Department of Justice for the possibility of joint investigation or sharing of information when appropriate and if necessary.
- Obtaining any prior APS referrals if they exist
- Verifying that the initial investigation by patrol addressed all elements of the reported crime
- Obtaining and viewing all available evidence, including medical information, photographs, bank, checking and financial records.
- Determining if more evidence should be collected or obtained.
- Follow-up interview of victim as soon as possible, preferably videotaped, and outside the presence of caregiver or others present in the home.
- Attempting to interview the suspect when legally appropriate, preferably videotaped.
- Attempting to make appropriate law enforcement notifications if suspect remains unidentified
- Taking advantage of other countywide resources if needed.
- Obtaining a signed medical release from victim if not already received by patrol.
- If victim is conserved, obtaining conservator-signed release, along with paperwork that documents the conservatorship.
- Interviewing the victim's treating physician or other medical professionals that interviewed the victim.
- Conducting follow-up interviews with neighbors, family members, or others that may have information or evidence about the incident.
- Conducting a recorded pretext call if necessary, reasonable, and warranted.
- Executing warrants for electronics that may contain relevant evidence.
- Collecting dispatch 911 recordings for current incident and any past incidents.
- Sharing and preserving body-worn camera evidence.
- Collecting physical or documentary evidence related to the crime.
- Obtaining handwriting samples from the victim and the suspect. Have the suspect sign his/her name, as well as the victim's name.
- Documenting the suspect's access to victim's financial information.

ADDENDUM B: Suggestions for Interviewing Elders and Dependent Adults

Special Concerns When Interviewing Older Victims

Interviewing older victims requires special care and patience. Simple measures such as treating the person with respect and asking permission to enter the home or to be seated can help the victim to feel less anxious. Other strategies include:

- Speak slowly and clearly, and be patient in waiting for a response.
- Keep your weapon out of sight—a weapon can be frightening.
- Address the victim by name, but do not use first names as this is considered disrespectful by many elderly persons. You might ask, “Is it okay if I call you Mrs. Smith?”
- Tell the victim you are there to help.
- If the person is having difficulty remembering when an event occurred, offer memory cues like “At the time of the event, what television program were you watching?”
- For hearing impaired persons, eliminate as much background noise as possible and use visual cues. Speak directly to the victim, looking at them when you speak.
- Allow the victim to describe the incident in his or her own words.
- Be patient and reassuring. Some older people, particularly, those in crisis, may need time to collect their thoughts and may need to take frequent breaks.
- Acknowledge the victim's anxiety and try to discern its cause. For example, you may say, “You seem anxious. Is there anything in particular you are worried about? Are you concerned that your relative will find out that you have talked with me?”
- Keep questions short and simple.
- Ask open-ended questions that encourage further discussion.
- Even if the victim appears to be somewhat confused, do not discount the information.
- Make every effort to obtain the fullest possible response before relying on information from others.
- Do not discount a complaint because the victim is unwilling to cooperate.
- Assess the likelihood of retaliation. If a threat is present, arrange for protection.
- Determine whom the victim first told about the abuse/neglect/fraud.
- Show the victim records or other documents that suggest abuse. Record his or her response to each one that is in dispute.
- Conclude the interview in such a fashion that the victim feels free to contact the investigator again.
- Ensure that the victim is capable and has the means for follow-up contact. If not, take measures to facilitate follow-up with the victim.
- Determine whether the witnesses are likely to be intimidated, made to feel guilty, or threatened with reprisal for providing testimony.

Victims with Dementia or Diminished Capacity

When interviewed patiently, persons with dementia, Alzheimer's disease or other illnesses that diminished capacity, can often provide useful information. A sensitive approach to interviewing the person with diminished capacity may yield valuable results. Following are some strategies that may make the police interview more productive:

- Keep the interview area quiet and as free as possible from environmental distractions (e.g. TV or open window with traffic noise).
- If possible, conduct the interview in the morning, to avoid the effects of "sundowning."
- Begin the interview with orienting information, such as the purpose of the interview and what you would like to accomplish.
- Offer a few words of reassurance.
- Relax and be yourself. Your degree of calmness is quickly sensed, just as any anxiety will be sensed.
- Acknowledge the person's feelings. It shows your concern and that you are trying to understand his or her point of view.
- Speak slowly and in a soothing tone, without infantilizing the individual.
- Give the person with diminished capacity ample time to respond.
- Repeat questions as needed, using simple and concrete words.
- Remember that what has been asked may take longer to be understood.
- Give simple directions, one step at a time.
- Distraction or redirection may help to calm and refocus an individual who is upset.
- Document non-verbal reactions. For example, if the individual becomes agitated, frightened, or mute when asked about a certain person or situation, there may be a reason. For further suggestions see *Interviewing Techniques for Victims of Elder Abuse Who May Suffer From Alzheimer's disease or Related Dementia* ©2004 by Sue Beerman and Arlene Markarian.

Cultural Issues

Our community is diverse. Cultural factors may inhibit the reporting of elder abuse crimes or cooperation with the police in some cases. It is important to have an understanding of the cultural factors that might influence the victim or the victim's family. Cultural norms of perseverance, silent suffering and quiet endurance are valued in many communities. These qualities are also associated with victimization. Consequently, elders may deny or minimize problems, or refuse to cooperate with authorities.

Some cultures place great value on family interdependence and multi-generational households. They may fear the social consequences of bringing shame to the family. Some cultures believe that maintaining community or family honor is more important than the interests of the individuals and that the authorities should not be involved in what they consider "family matters."

Laws and customs in some countries forbid intervention in family affairs without the family's permission. Elders who are immigrants may also have fears in relation to police based on experiences in their country of origin. They may not know they have rights in this country regardless of their immigrant

status. They may fear deportation if the police get involved. Empathy and reassurance can help to reduce these fears

Good cross-cultural communication begins with respect. As you would with any older victim/witness, begin by addressing a person formally, using his or her last name. Cultural beliefs often emerge during interviews. While a gentle touch on the shoulder may be comforting to some elderly victims, in some cultures this is considered an intrusion or offensive.

In some cultures it is considered disrespectful to make eye contact with an authority figure such as a police officer, while in others it is rude not to make eye contact. Some victims may be reluctant to reveal injuries that are covered with clothing due to cultural customs of modesty or religious beliefs. Be careful not to interpret an unwillingness to show injuries as an indication that there are no injuries.

While culture does play a significant role in shaping a person's behavior, it should not be seen as an automatic predictor of how a given victim will respond. Each case is unique and should be assessed keeping relevant aspects of culture in mind.

Language

Many elders who live in insular ethnic communities do not speak English. In these situations it is important to use an impartial interpreter. Avoid using a family member, friend or neighbor to communicate with the victim or with the suspected offender. This is likely to bias the translation. The interpreter may be involved in the abusive situation or may give an inaccurate translation due to their personal bias. The victim may also be reluctant to speak honestly in front of an acquaintance or family member.

Fears the Victim May Have

Victims may fear retribution, such as isolation or emotion/verbal abuse. The abuser may be an adult child or grandchild. It may be very difficult for a parent to testify against a child. The abuse may cast doubt on their ability to live alone and they will be placed in a nursing home. The abuser may be a spouse of many years.

Suggested Interview Questions: Financial Abuse

Background Information

- What is your name?
- Do you have any close relatives? (Identify nature of relationship, names, addresses, phone numbers of any relatives)
- Who are some of your close friends? (Identify names, addresses, phone numbers and length and nature of relationship)
- Are you close to any of your neighbors? (Identify names and addresses)
- Does anyone visit you on a regular basis?

- When is the last time you saw a doctor? Who is your doctor? Who took you to your last doctor's appointment?
- Have you been diagnosed with any medical condition?

Housing Questions

- Where do you live?
- Do you own your home? How long? Who is on the title of the house?
- How long have you lived in your current residence?
- Does anyone live with you? (Identify names and relationships) Do they pay rent?
- Do they provide any services for you in exchange for staying there?

Caretaker

- Do you have a caretaker?
- How long has caretaker been involved with your care?
- Does caretaker get paid? If yes, how much?
- Who takes care of bills or finances?
- Who signs the checks?
- Do you drive? (Who takes elder to appointments, shopping, etc.)
- When did you stop driving?
- Does anyone other than the suspect provide any services for you? If so, describe.

General Finance Questions

- Who handles your finances?
- Who writes the checks?
- Who pays the bills?
- Who does your taxes?
- What is your monthly income? (Amount and sources of income)
- What are your monthly expenses? (Describe some of them)
- Have you ever given anyone permission to sign your name? Use your credit card?
- Place their name on any of your banking accounts?
- Have you signed any documents lately? If so, what were they?
- What are the balances on your bank accounts? Credit card accounts?
- Do you have investment accounts? With whom?
- Do you have a will or trust? Does anyone have a valid Power of Attorney for you?
- Do you have an attorney? (Name and phone number, if available)

Suspect Related Questions

- How long have you known the suspect? How did you meet the suspect?
- Does the suspect provide any services for you? If so, describe. Who hired the suspect?
- How is the suspect compensated for any services provided?
- Did you ever give the suspect any loans or gifts (monetary or otherwise)?
- Does the suspect owe you any money?
- Do you owe the suspect any money?

- Is there anyone else who can do the things the suspect currently does for you?

Case Specific Questions

- Do you recognize these documents?
- Do you recognize these signatures?
- Why did you agree to the transaction(s)?
- Who spoke to you before you agreed to the transactions(s)?
- What was your understanding of the agreement?

Interview Suggestions for Neglect or Physical Abuse

Background information

- Name
- Do you have close relatives? Who are some of your closest friends?
- Are you close to any of your neighbors?
- Does anyone visit you on a regular basis?
- Do you get meals brought in with “Meals on Wheels” or another agency?

Housing

- Where do you live?
- Do you own your home? Who has title to the house?
- How long have you lived there? Does anyone live with you? Do they pay rent?
- Does anyone provide you any services in exchange for living with you (i.e. take you to appointments, clean your house, etc.)

Caretaker

- Do you have a caretaker? For how long have you had this caretaker?
- Does the caretaker get paid? If yes, how much?
- Who takes care of bills or finances?
- Who signs the checks?
- Do you drive? When did you stop driving?

Financial

- Who handles your finances?
- Who writes the checks?
- Who pays the bills?
- Who does your taxes?
- Do you have a will or trust? Does anyone have a valid Power of Attorney for you?
- Do you have an attorney?
- How long have you known the suspect?
- How did you meet the suspect?

- Who hired the suspect?
- Does the suspect provide any services to you?
- How is the suspect paid for any services provided?
- Did you ever give the suspect any loans or gifts?
- Does the suspect owe you any money?
- Do you owe the suspect any money?
- Who is generally responsible for taking care of you?
- How long have they been taking care of you?
- When was the last time you saw a doctor?
- Will you sign a medical release form? (If yes, have elder/dependent adult sign the form, or if Power of Attorney, ask that individual to sign)

Physical Abuse

- Did you have any physical injuries before this incident?
- Were those injuries reported? If not, why not?
- What happened to you during the current incident?
- Who did this to you?
- When did this happen?
- Did the person tell you why he/she did it to you? What specifically did the suspect say?
- Did you see a doctor regarding the injury?
- What doctor?
- Obtain consent for medical release from victim or person with Power of Attorney over victim.

Techniques for Interviewing Suspects in Elder or Dependent Adult Cases

- Advise the suspect of his or her Miranda rights if conducting a custodial interrogation.
- Encourage the suspect to relate the incident in her or his own words.
- Note the suspect's attitude or demeanor during the interview.
- Determine the relationship between the suspect, victim, and witnesses.
- Look for behavioral indicators of abuse.
- Note statements that are inconsistent with other findings and evidence.
- If handwriting is an issue, collect handwriting samples (financial crimes).
- Show the disputed documents to the suspect one at a time, and then record his or her response to each one.
- If the suspect admits to abuse, ask him or her to specify precisely what he or she did and record it.
- Do not communicate hostility or disbelief.

Suggested Questions for Caretakers Who May Also Be Suspects:

Background Questions

- Name
- Address
- DL Number
- Contact Information

Relationship with the Victim

- How do you know the victim? For how long?
- Who lives with the victim?
- Do you live here? If yes, for how long?
- Do you pay rent or do you receive room and board in exchange for services you perform for the victim?
- Are there any other relatives living in the area? Do they visit and how often?

Current Medical Care

- Is the victim currently under a doctor's care?
- What is the doctor's Name?
- When was the last time the victim saw a doctor?
- Did you take the victim to the doctor? If not, who did?

Medical History

- Is there any recent or past history of accidents, illness, disease, or mental health issues regarding your relative?
- Explain details and dates of any medical diagnosis.
- Does the victim take any medications? If yes, how often and how much?
- Where is the medication stored?
- Who gives the victim their medication(s)?
- Describe the victim current mental state. Is he/she slow, forgetful, trusting, easily influenced?

Legal Issues

- Is the elder conserved? If so, when and by who?
- Does anyone have valid Power of Attorney over the elder?
- Does the elder have a will or trust? If so, who are the beneficiaries and have there been any recent changes made to it? Who is the trustee? Successor trustee?
- Who is the elder's attorney? Name and contact information.
- Are you the victim's conservator? If so, since when?
- Do you have a valid Power of Attorney over the victim? If so, since when?

Background on Becoming the Caretaker

- How did you get to be the caretaker?
- Who hired you?
- What was your training for this job?
- How long have you been the caretaker?
- How are you coping with the caregiving responsibilities?

Current Duties

- Are you the only caretaker?
- Who, if anyone, assists you in caring for the victim? What is his/her name? What does he/she do specifically?
- What are your duties as it relates to:
 - Medication
 - Toilet assistance
 - Cooking/cleaning services
 - Shopping
 - Paying bills

Elder/Dependent Adult's Financial Situation

- What is the elder's monthly income and from what sources? (Social Security, pension).
- What are the elder's monthly expenditures?
- Is the elder in debt or at financial risk?
- Where does your relative bank and is anyone joint on the accounts?
- Does anyone else have access to the elder's bank accounts, ATM, credit cards, etc. and why?
- What are the current balances on the victim's banking & credit card accounts?

Suspect's Involvement with Victim's Finances

- What are you paid? How are you paid? How often are you paid?
- Does the victim owe you any money? If so, how much and what for?
- Who is responsible for the victim's finances/bills? Who pays the bills?
- If you pay the bills, how long have you been doing so? Does anyone else help?
- Do you make any deposits of your own money into the elder's account? If so, why, how much and how often?
- Do you have access to the victim's savings or checking accounts? Money market accounts? Investments? Is your name on any of these accounts? If so, why?
- Do you have access to the victim's credit cards? Have you ever had permission to use the victim's credit card?
- Have you or someone else withdrawn money from any account or financial institution on behalf of the elder? If so, why, what for, did you have permission and was it paid back?

- Have you or the elder signed any documents recently? (i.e. loans, deeds, promissory notes, Power of Attorney, etc.)
- Have you written any checks for the elder and had them sign the check?
- Have you ever had permission to sign the victim's name?
- Who writes the checks (to pay the victim's expenses)?
- Who, if anyone, do you talk to before making a financial decision on behalf of the victim?
- Has the victim given you any gifts, money or loans?
- Do you have any promissory notes showing loans to you from the victim or from the victim to you?

Suspect's Current Financial Situation

- Are you employed anywhere else? Where and how long?
- Do you have any bank accounts? How many and where?
- Is the victim joint on any of your accounts?
- Have you received an inheritance recently or won any money?
- Have you or anyone else taken a trip or vacation with the elder or at the elder's expense? If so, who, when, where, and how much did it cost?
- What are your sources of income? What are the total amounts per month? Any recent inheritances, unusual winnings?

Ask Specific Questions about the Current Case

- Obtain as many details as possible.
- If appropriate, show the suspect any documents to verify signatures.

Concluding Questions:

- Have you ever been arrested? If so, what for and are you currently on probation or parole? If so, name of probation officer/parole agent.
- If needed, what is the best way to contact you in the future?
- Is there anything else you think I should know or want to say about this case?

Suggested Questions for Suspects Who May be Contractors, Landscapers, Handyman, etc.

Background Questions

- Name
- Address
- DL Number
- Contact Information

Background on Suspect's Business

- How long have you been in business? Are you a sole proprietor or incorporated?
- Number of employees?
- Have you entered into any type of verbal or written contract for services or home repairs with the elder? If so, describe the dates, necessity of work and pay received. Obtain copies of contract or receipts.
- Do you have a valid state contractor's license for the work performed? If so, contractor's license number and bonding company.
- Has any disciplinary action ever been taken against your license? If so, when, where and what for?
- Do you maintain separate financial accounts for your business? (i.e. a business checking or savings accounts versus personal banking accounts)
- Do you maintain a business office or work from your home? Obtain a business card and/or document all contact information.
- Is your business the only source of income? If not, what is your secondary source of income and how much does that source contribute to your finances?

Information on the Current Case

- How were you contacted for the job? (i.e. through neighborhood solicitation, phone book, word of mouth, or friend)
- Was a building permit obtained prior to beginning the job? Obtain copies.
- Did you sub-contract work out to another party or person? If so, is that person licensed, was the work completed and did you pay them?

Woodland_ Military Equipment List (Final Draft).pdf

EXHIBIT "A"

MILITARY USE EQUIPMENT LIST

1. **Unmanned Aircraft System (UAS):** An unmanned aircraft along with the associated equipment necessary to control it remotely.
 - a. Description, quantity, capabilities, and purchase cost of current UAS:
 - i. DJI MAVIC MINI 2, cost: \$500 each, quantity: 3. Miniature UAS that weighs less than 249 grams and is able to record video with approximately 30 minutes of flight time.
 - ii. DJI MAVIC 2 ENTERPRISE ADVANCED, cost: \$6,500 each, quantity: 1. UAS that has a color and infrared camera as well as audible speaker and light. Capable of video recording and weighs less than 6,000 grams with approximately 30 minutes of flight time.
 - b. Purpose

To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:

 - a. major collision investigations.
 - i. search for missing persons.
 - ii. natural disaster management.
 - iii. crime scene photography.
 - iv. SWAT, tactical or other public safety and life preservation missions.
 - v. In response to specific requests from local, state or federal fire authorities for fire response and/or prevention.
 - c. Authorized Use

Only assigned operators who have completed the required training shall be permitted to operate the UAS during approved missions.
 - d. Expected Life Span

All UAS equipment, 3-5 years.
 - e. Fiscal Impact

Annual maintenance and battery replacement cost is approximately \$1,500.
 - f. Training

All Department UAS operators are licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a 16-hour department training and ongoing quarterly training.
 - g. Legal and Procedural Rules

Use is established under FAA Regulation 14 CFR Part 107 and the Woodland Police Department UAS policy 444. It is the policy of the Woodland Police Department ("WPD") to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.
2. **Mine-Resistant Ambush-Protected (MRAP) vehicle:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

- a. Description, quantity, capabilities, and purchase cost
 - i. The MRAP Maxx Pro cost: approximately \$500,000.00, but received from the military at no cost, quantity: 1. The MRAP is an armored vehicle that seats 8 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor. It was painted and outfitted with decals, lights and siren to match the department's police vehicles.
 - b. Purpose

To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.
 - c. Authorized Use

The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.
 - d. Lifespan

MRAP Maxx Pro, 25 years.
 - e. Fiscal Impact

Annual maintenance cost of approximately \$4961.
 - f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. Driver/operators shall also undergo California Department of Motor Vehicles commercial vehicle testing. Drivers must obtain a Class B driver's license.
 - g. Legal and Procedural Rules

Use is established under General Order 410. It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.
3. **S.W.A.T. Command and Storage Vehicle:** A vehicle that carries S.W.A.T. Equipment, and had large boards for operational planning.
- a. Description, quantity, capabilities, and purchase cost

2007 Ford Utlimaster (custom built) vehicle, cost: \$ 52,000.00 quantity: 1. The vehicle can also be utilized for SWAT/CNT and other critical incidents.
 - b. Purpose

To be used for S.W.A.T. training and other critical incidents where S.W.A.T. is needed.
 - c. Authorized Use

The vehicle used by officers who have been properly trained in the safe handling of the vehicle. The driver of the vehicle shall have a valid California driver license.
 - d. Lifespan

The vehicle has a 30 year lifespan on chassis and vehicle structure.

- e. Fiscal Impact
Annual maintenance cost is approximately \$1,709
 - f. Training
The operator will drive the vehicle throughout the city with an experienced driver, until comfortable driving alone.
 - g. Legal and Procedural Rules
It is the policy of the Department to use the vehicle only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.
4. **Crisis Negotiation Team (CNT) Vehicle:** A vehicle used as a mobile office that provides shelter, access to the Police Department computer systems on extended events.
- a. Description, quantity, capabilities, and purchase cost
1980 Chevy Pannel truck (custom built) vehicle, cost: \$1000.00, quantity: 1. The CNT vehicle can be utilized with SWAT/CNT callouts. The vehicle was purchased used in 1999 and is overdue for replacement. The replacement cost is around \$50,000.00 fully equipped.
 - b. Purpose
To be used based for C.N.T. training and other critical incidents where C.N.T. is needed.
 - c. Authorized Use
The CNT vehicle used by officers and staff who have been properly trained in the safe handling of the vehicle. The driver of the vehicle shall have a valid California driver license.
 - d. Lifespan
The CNT vehicle has a 30-year lifespan on a chassis and vehicle.
 - e. Fiscal Impact
Annual maintenance, \$1,652
 - f. Training
The operator will drive the vehicle throughout the city with an experienced driver, until comfortable driving alone.
 - g. Legal Procedural Rules
Use shall be in accordance with California State law regarding the operation of motor vehicles.
5. **40 MM Launchers and Rounds:** 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds.
- a. Description, quantity, capabilities, and purchase cost
 - i. LEWIS MACHINE & TOOL Co. 40MM SINGLE SHOT LAUNCHER, cost \$ 1000.00
Quantity: 1. The 40MM Single Launcher is a tactical single shot launcher that is equipped with a EOTECH sight, a TLR-1 light and sling. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a

40MM less lethal round up to 131 feet and is only authorized to be used by trained personnel.

- ii. DEF TECH 40 MM SINGLE SHOT LAUNCHER Model 1327 cost \$ 1000.00
Quantity: 5. The 40MM Single Launcher is a tactical single shot launcher that is equipped with a M3 light and sling. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40MM less lethal round up to 131 feet and is only authorized to be used by trained personnel.
- iii. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320, cost: \$30, quantity: 21. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 39-gram crushable foam projectile delivers 120 ft/lbs of energy upon impact in addition to dispersion of 5 grams of OC irritant. The 40mm Direct Impact OC Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- iv. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT MARKING (GREEN), #6326, cost: \$30.30 quantity: 12. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 40 gram crushable foam projectile delivers 120 ft/lbs of energy upon impact. The 40mm Direct Impact marking round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- v. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT, #6325, cost: \$28.65, quantity: 9. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 30 gram crushable foam projectile delivers 120 ft/lbs of energy upon impact. The 40mm Direct Impact marking round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
- vi. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT LE EXTENDED RANGE, #6325LE, cost: \$30.30, quantity: 10. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 41 gram crushable foam projectile delivers 120 ft/lbs of energy upon impact. The 40mm Direct Impact marking round provides accurate and effective performance when fired from the approved distance of not less than thirty-three (33) feet and as far as 233 feet from the target.
- vii. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322, cost: \$30.30, quantity: 3. A less lethal 40MM lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 40 gram crushable foam projectile delivers 120

ft/lbs of energy upon impact in addition to dispersion of 3 grams of OC irritant. The 40mm Direct Impact marking round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.

- viii. DEFENSE TECHNOLOGY, 40 MM WARNING / SIGNALING (50 meters), #6028WS, cost:\$43.60, quantity: 4. The 40mm Aerial Warning/Signaling Munition, 50 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 50 meters to deliver 170 dB of sound and 5 million candelas of light, noticeable in day or night conditions. A tactile feature on the nose of the cone indicates the designated distance.
- ix. DEFENSE TECHNOLOGY, 40 MM WARNING / SIGNALING (100 meters), #6029WS, cost: \$43.60, quantity: 2. The 40mm Aerial Warning/Signaling Munition, 100 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 50 meters to deliver 170 dB of sound and 5 million candelas of light, noticeable in day or night conditions. A tactile feature on the nose of the cone indicates the designated distance.
- x. DEFENSE TECHNOLOGY, 40 MM CS WARNING / SIGNALING (100 meters), #6029CS, cost: \$45.60, quantity: 6. The 40mm Aerial Warning/Signaling Munition, 100 meters, is intended for use in situations where stand-off distance is desired, giving the operator the ability to engage crowds, vehicles, or vessels. Launched from a 40mm platform, the munitions deflagrate at a set distance of 50 meters to deliver 170 dB of sound and 5 million candelas of light, noticeable in day or night conditions, and releases 1.8 grams of CS. A tactile feature on the nose of the cone indicates the designated distance.
- xi. DEFENSE TECHNOLOGY, 40 MM FERRET OC (liquid), #1260(no longer manufactured – replacement is part# 2260), cost: \$28.90, quantity: 44. The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.
- xii. DEFENSE TECHNOLOGY, 40 MM FERRET CS (powder), #1292 (no longer manufactured) – replacement is part# 2292), cost: \$27.85, quantity: 39. The Ferret® 40 mm Barricade Penetrating Round is filled with a CS powder chemical

agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impact the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

- xiii. DEFENSE TECHNOLOGY, 40 MM FERRET CS (liquid), #2262, cost: \$28.15, quantity: 6. The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.
- xiv. DEFENSE TECHNOLOGY, 40 MM SPEDE-HEAT CS, #6182, cost: \$30.65, quantity: 26. The Ferret® 40mm Round is non-burning and suitable for indoor use. Used primarily by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle.
- xv. DEFENSE TECHNOLOGY, 40 MM SPEDE-HEAT SAF-SMOKE, #6183, cost: \$27.85, quantity: 3. The Spede-Heat™ Saf-Smoke™ Long Range Munitions is designed to deliver one chemical canister of Saf-Smoke™ payload down range up to 150 yards. The Spede-Heat is a pyrotechnic round designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds from a single source. The Spede-Heat 40 mm is designed for outdoor and has a maximum effective range of 150 yards.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Training

Sworn members utilizing 40MM less lethal chemical agents or impact rounds are trained in their use by POST certified less lethal and chemical agents instructors.

e. Lifespan

- i. LEWIS MACHINE & TOOL Co. 40MM SINGLE SHOT LAUNCHER – 25 years
- ii. DEF TECH 40 MM SINGLE SHOT LAUNCHER Model 1327 – 25 years
- iii. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT OC, #6320 – 5 years
- iv. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT MARKING (GREEN), #6326 – 5 years
- v. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT, #6325 – 5 years
- vi. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT LE EXTENDED RANGE, #6325LE, - 5 years
- vii. DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS, #6322 – 5 years
- viii. DEFENSE TECHNOLOGY, 40 MM WARNING / SIGNALING (50 meters), #6028WS – 5 years
- ix. DEFENSE TECHNOLOGY, 40 MM WARNING / SIGNALING (100 meters), #6029WS – 5 years
- x. DEFENSE TECHNOLOGY, 40 MM CS WARNING / SIGNALING (100 meters), #6029CS – 5 years
- xi. DEFENSE TECHNOLOGY, 40 MM FERRET OC (liquid), #1260(no longer manufactured – replacement is part# 2260) – 5 years
- xii. DEFENSE TECHNOLOGY, 40 MM FERRET CS (powder), #1292 (no longer manufactured) – 5 years
- xiii. DEFENSE TECHNOLOGY, 40 MM FERRET CS (liquid), #2262 – 5 years
- xiv. DEFENSE TECHNOLOGY, 40 MM SPEDE-HEAT CS, #6182 – 5 years
- xv. DEFENSE TECHNOLOGY, 40 MM SPEDE-HEAT SAF-SMOKE, #6183 – 5 years

f. Fiscal Impact

Annual maintenance is approximately \$25 for each launcher.

g. Legal and Procedural Rules

Use is established under General Order 300 and 303. It is the policy of the WPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

6. **Noise Flash Distraction Devices:** A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

a. Description, quantity, capabilities, and purchase cost

- i. Safari Land #8901 Distraction Device reload steel collar, cost \$34.65, quantity: 32. A non-bursting, non-fragmenting multi-bang device that produces a loud bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- ii. Safari Land #8933 Distraction Device low roll body, cost \$ 52, quantity: 10. This body holds the above distraction device which can be reloaded.

b. Purpose

Noise/flash distraction devices (NFDD) are less lethal weapons used to facilitate an effective resolution to assaultive or high risk situations where disorienting or moving an individual or group of people, to effect an arrest or clear an area, is desired.

c. Authorized Use

Noise Flash Diversionary Devices shall only be used:

- iii. By officers who have been trained in their proper use.
- iv. In hostage and barricaded subject situations.
- v. In high risk warrant (search/arrest) services where there may be extreme hazards to officers.
- vi. During other high-risk situations where their use would enhance officer safety.
- vii. During training exercises.

d. Lifespan

Until used.

e. Fiscal Impact

No annual maintenance.

f. Training

Prior to use, officers must attend diversionary device training that is conducted by Post certified instructors.

g. Legal and Procedural Rules

Use is established under General Order 407. It is the policy of the WPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

7. **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

a. Description, quantity, capabilities, and purchase cost

- i. ARMALITE, 7.62 CALIBER RIFLE, MODEL AR-10, COST: \$2000.00, quantity: 1. This rifle is equipped with a scope, sling and bi-pods. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol.
- ii. COLT, .223 CALIBER RIFLE, MODEL AR-15, COST: \$1000.00, quantity: 1. This rifle allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol.
- iii. SMITH & WESSON, 5.56 mm RIFLE, MODEL M&P 15, COST \$2000.00, quantity: 1. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol. The rifle is capable of firing both 5.56 mm or .223 caliber ammunition.
- iv. COLT, 5.56mm, MODEL: M16A1, received from the military at no cost (replacement cost of \$2000.00 each). Quantity: 6. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer

better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol. The rifle is capable of firing both 5.56 mm or .223 caliber ammunition.

- v. COLT, 5.56mm, MODEL: M16A1, received from the military at no cost. (Replacement cost of approximately \$1400.00 each) Quantity 2. It is a short barreled rifle converted to simmunitions (marking paint) to use for training purposes only.
- vi. COLT, 5.56, MODEL M16A2, COST \$2000.00, quantity: 4. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol. The rifle is capable of firing both 5.56 mm or .223 caliber ammunition.
- vii. REMINGTON, .308 CALIBER RIFLE, MODEL 700, COST \$3000.00, quantity: 2. This rifle is equipped with a scope, sling and bi-pods. This rifle is a very highly accurate, used primarily in an over-watch capacity to protect the community during large events and for hostage rescue situations.
- viii. BERGARA, 6.53CM mm RIFLE, MODEL, PREMIER, COST \$3500.00, quantity: 1. This rifle is equipped with a scope, sling and bi-pods. This rifle is a very highly accurate, used primarily in an over-watch capacity to protect the community during large events and for hostage rescue situations.
- ix. COLT LAW ENFORCEMENT 5.56 mm RIFLE, MODEL CARBINE, Cost: \$2000.00, quantity 27. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol. The rifle is capable of firing both 5.56 mm or .223 caliber ammunition.
- x. BUSHMASTER 5.56 mm RIFLE, MODEL M4, Cost: \$2000.00. It is a short-barreled rifle, equipped with a red dot sight, light and sling which allows a trained officer better control with greater accuracy than a pistol. It is used in instances to engage a suspect at greater distances than the capability a pistol. The rifle is capable of firing both 5.56 mm or .223 caliber ammunition.
- xi. HORNADY DUTY .223 CALIBER 60 GRAIN RIFLE ROUND, cost: \$185.00 per case of 200, quantity 50 cases.
- xii. WINCHESTER TRAINING .223 CALIBER, 55 GRAIN RIFLE ROUND, cost: \$314.20 per case of 1000, quantity 19 cases
- xiii. FRONTIER TRAINING .223 CALIBER, 55 GRAIN RIFLE ROUND, cost: \$185.00 per case of 500, quantity 12 cases
- xiv. HORNADY DUTY, 6.53CM mm, 147 GRAIN MTAP RIFLE ROUND, cost: \$ 270.00 per case of 200, quantity 5 cases.
- xv. HORNADY DUTY, 6.53CM mm, 140 GRAIN GMX RIFLE ROUND, cost: \$ 340.00 per case of 200, quantity 1 cases.
- xvi. HORNADY DUTY, .308 CALIBER, 155 GRAIN ELD RIFLE ROUND, cost: \$250.00 per case of 200, quantity 11 cases.

- xvii. HORNADY DUTY, .308 CALIBER, 165 GRAIN GMX TAP RIFLE ROUND, cost: \$380.00 per case of 200, quantity 2 cases.

b. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

c. Authorized Use

Only officers that have received department training are authorized to use a rifle.

d. Lifespan

Colt Law Enforcement 5.56 carbine rifle- 15 years.

Bushmaster M4 5.56 rifle – 15 years.

Hornady Duty .223, 60 grain rifle round – no expiration.

Winchester Training .223, 55 grain rifle round – no expiration.

Frontier Training .223, 55 grain rifle round – no expiration.

Hornady Duty, 6.53CM mm, 147 grain mtap rifle round – no expiration.

Hornady Duty, 6.53CM mm, 140 grain gmx rifle round - no expiration.

Hornady Duty, .308 caliber, 155 grain eld rifle round – no expiration.

Hornady duty, .308 caliber, 165 grain gmx tap rifle round – no expiration.

e. Fiscal Impact

Annual maintenance is approximately \$25 for each rifle.

f. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification once a year.

g. Legal and Procedural Rules

Use is established under General Order 306. It is the policy of the WPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

8. **Chemical Agent and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, POCKET TACTICAL GRENADE, CS, #1016, cost: \$28, quantity: 16. The Pocket Tactical CS Grenade is small, and lightweight. The 0.9 oz. of active agent will burn approximately 20-40 seconds. At 4.75 in. by 1.4 in. in size, it easily fits in most tactical pouches. Though this device is slightly over four inches length, it produces a smoke cloud so fast it appears to be an enveloping screen produced by a full size tactical grenade.

- ii. DEFENSE TECHNOLOGY, HAN-BALL GRENADE, CS, #1092, cost: \$40.75, quantity: 3. The Han-Ball™ CS Grenade is an outdoor use grenade expelling its payload in approximately 15-20 seconds. The rubber ball round has an over all size of 4.8 in. tall, including the fuse head, and 3.1 in. diameter. This launch-able grenade holds approximately 1.6 oz. of active agent which is expelled through three ports around the equator of the ball.

- iii. DEFENSE TECHNOLOGY, SPEDE-HEAT CONTINUOUS DISCHARGE CHEMICAL GRENADE, CS, #1072, cost: \$33.05, quantity: 24. The Spede-Heat™ CS Grenade is a high volume, continuous burn it expels its payload in approximately 20-40 seconds. The payload is discharged through four gas ports on top of the canister, three on the side and one on the bottom. This hand held, outdoor use grenade is 6.12 in. by 2.62 in. and holds approximately 2.9 oz. of active agent.
- iv. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE, #1032, cost: \$46.25, quantity: 39. The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.
- v. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE CS GRENADE, #1082, cost: \$29.30, quantity: 16. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launch-able grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- vi. DEFENSE TECHNOLOGY, TRIPLE CHASER SEPARATING CANISTER, CS, #1026, cost: \$52.35, quantity: 9. The Triple-Chaser® CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area coverage in a short period of time. This grenade can be hand thrown or launched from a fired delivery system. The grenade is 6.5 in. by 2.7 in. and holds an approximately 3.2 oz. of active agent payload. It has an approximate burn time of 20-30 seconds.
- vii. DEFENSE TECHNOLOGY, INSTANTANEOUS BLAST CS, #1042, cost: \$54.60, quantity: 4. The Instantaneous Blast CS Grenade is designed for indoor or outdoor use; this grenade's powder is expelled upon initiation of a small internal detonator that has sufficient force to split the canister at six machined grooves on the outside surface. This device is well suited for affecting numerous subjects grouped within a contained portion of a prison yard or area, using wind

to the advantage. This 6.12 in. by 2.62 in. grenade will deliver approximately 1.5 oz. of active agent.

- viii. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER OC GRENADE, #1030, cost: \$49.00, quantity: 4. Designed for law enforcement and corrections, the OC Flameless Tri-Chamber Pyrotechnic Grenade combines the effectiveness of Oleoresin Capsicum (OC) as an incapacitating agent with the flexible delivery methods, range and area coverage of pyrotechnic munitions. The OC Flameless Tri-Chamber Grenade can be used in crowd control, or barricade situations, as a less lethal solution to incapacitate subjects through temporary respiratory discomfort, while reducing or negating the chance of fire to structures. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections, but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.
- ix. DEFENSE TECHNOLOGY, OC VAPOR AEROSOL GRENADE, #1056, cost: \$50.15, quantity: 2. The Defense Technology® OC Vapor Aerosol Grenade is for law enforcement and corrections use to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. The grenade is designed for indoor-use in confined areas and, once deployed, inflames the mucous membranes and exposed skin resulting in an intense burning sensation. The incapacitating effect of the OC Vapor on the subject is dramatic, yet requires minimal decontamination. Removing the subject from the affected area to fresh air will resolve respiratory effects within minutes. The OC Vapor Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder or liquid devices is not practical or desired.
- x. DEFENSE TECHNOLOGY, OC VAPOR AEROSOL GRENADE, #1073, cost: \$42.15, quantity: 22. The Maximum Smoke Grenade is designed specifically for outdoor use in crowd control situations with a high volume continuous burn that expels its payload in approximately 1.5 – 2 minutes through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This grenade is 6.0 in. by 2.6 in. and holds approximately 2.9 oz. of active agent.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Dangerous and/or combative individuals.
- ii. Hostage situation or barricaded suspects.

- iii. Riot/crowd control and civil unrest incidents.
- iv. Circumstances where a tactical advantage can be obtained.
- v. Potentially vicious animals.
- vi. Training exercises or approved demonstrations.

c. Authorized Use

Only SWAT officers who have received training in the use chemical agents are authorized to use chemical agents.

d. Training

Sworn SWAT Officers utilizing chemical agent canisters are certified by POST less lethal and chemical agents instructors.

e. Lifespan

5 years from manufacturing date.

f. Fiscal Impact

No annual maintenance.

g. Legal and Procedural Rules

Use is established under the WPD SWAT Manual. It is the policy of the WPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

9. Explosive Breaching Tools: Tools that are used to conduct an explosive breach.

a. Description, quantity, capabilities, and purchase cost

- i. ROYAL REMINGTON 870 EXPRESS BREACHING SHOTGUN, cost: \$500, quantity: 1. This weapon allows for breaching officers to safely utilize shotgun breaching rounds in order to destroy deadbolts, locks, and hinges. The stand-off that is attached to the end of the barrel allows for positive placement of the gun into the correct position and vents gases to prevent overpressure. This weapon can also defeat windows and sliding glass doors with a flash bang round. A less lethal 2.4- inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS).
- ii. ROYAL ARMS TESAR-1 ORANGE CAP 275 GRAIN COPPER FRANGILBE BREACHING ROUND, cost: \$5 per round, quantity: 15. The round is fired from a breaching shotgun and is used to destroy solid and hollow wood doors, locks and hinges.
- iii. ROYAL ARMS TESAR-2 BACK CAP 425 GRAIN COPPER FRANGILBE BREACHING ROUND, cost: \$5 per round, quantity: 10. The round is fired from a breaching shotgun and is used to destroy deadbolts, locks and hinges.
- iv. ROYAL ARMS TESAR-3 GREEN CAP 375 GRAIN CLAYVON FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 15. The round is fired from a breaching shotgun and is used to destroy deadbolts, locks and hinges.
- v. ROYAL ARMS TESAR-4 YELLOW CAP 750 GRAIN COPPER FRANGIBLE BREACHING ROUND, cost: \$5 per round, quantity: 15. The round is fired from a breaching shotgun and is used to destroy deadbolts, locks, and hinges.
- vi. ROYAL ARMS HP CUTTER 12 GAUGE HOLLOW POINT REBAR CUTTER BREACHING ROUND, cost: \$6 per round, quantity: 10. The round is fired from a breaching

shotgun and is used to cut rebar, penetrate security glass, car doors, and can penetrate engine blocks.

- i. ROYAL ARMS MB-70S 12 GAUGE MUZZLE BLAST FLASH BANG SOFT BREACHING ROUND, cost: \$6 per round, quantity: 29. The round is fired from a breaching shotgun and is used as a diversionary round and can be used to break glass.

b. Purpose

To safely gain entry into a structure.

c. Authorized Use

Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.

d. Lifespan

Breaching Shotgun- 25 years

Royal Arms Tesar-1 orange cap 275 grain copper breaching round – 5 years

Royal Arms Tesar-2 black cap 425 grain copper breaching round- 5 years

Royal Arms Tesar-3 green cap 375 grain clayvon frangible breaching round- 5 years

Royal Arms Tesar-4 yellow cap 750 grain copper frangible breaching round- 5 years

Royal Arms HP cutter 12-gauge hollow point rebar cutter breaching round- 5 years

Royal Arms MB-70S 12-gauge muzzle blast flash bang soft breaching round- 5 years

e. Fiscal Impact

Annual maintenance is approximately \$50.

f. Training

All SWAT officers who use explosive breaching tools shall attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations.

g. Legal and Procedural Rules

It is the policy of the WPD to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.

Adult Abuse Checklist.pdf

A detailed checklist of first-responding officers' responsibilities, including, but not limited to, all of the following:

- I. Taking responsibility for the safety and well-being of the potential victims and witnesses and treating all potential victims, witnesses, and suspects with dignity and respect.
- II. Complying with the provisions of the agency's policy requirements for arrests and mandatory seeking of arrest warrants pursuant to paragraph (9) and the requirements for seeking emergency protective orders pursuant to paragraph (17).
- III. Following the policy's guidelines for interviewing persons with cognitive or communication disabilities pursuant to paragraph (15).
- IV. Recognizing that some elders and adults and children with cognitive or communication disabilities may have difficulty narrating events, appear to be poor historians, or lack short-term memory, which adds to their vulnerability and therefore requires officers to make special efforts to provide them with equal protection.
- V. Documenting the scene.
- VI. Obtaining a signed medical release from potential victims.
- VII. Interviewing caretakers separately, recognizing that in some cases, the caretaker is the perpetrator.
- VIII. Recognizing that victim cooperation is sometimes unnecessary for prosecution, and that in some cases allowing victims the option of preventing prosecution creates an opportunity for the perpetrators to obstruct justice by pressuring or threatening the victims. Each dispatch call or case should be investigated on its own evidential merits.
- IX. Taking other actions necessary to comply with the provisions of the law enforcement agency's policy pursuant to this section.

stop-data-reg-final-text-110717.pdf

CALIFORNIA CODE OF REGULATIONS
TITLE 11. LAW
DIVISION 1. ENFORCEMENT
CHAPTER 19
FINAL TEXT OF REGULATIONS

Article 1. Definitions

Article 2. Law Enforcement Agencies Subject to Government Code section 12525.5

Article 3. Data Elements To Be Reported

Article 4. Reporting Requirements

Article 5. Technical Specifications and Uniform Reporting Practices

Article 6. Audits and Validation

Article 1. Definitions

§ 999.224

(a) For purposes of Government Code section 12525.5 and this chapter only, the following definitions shall apply:

(1) “Act” means the provisions of the Racial and Identity Profiling Act of 2015, also known as “AB 953,” which are contained in Government Code section 12525.5, Penal Code section 13012, and Penal Code section 13519.4.

(2) “Consensual search” is a search that occurs when a person gives a peace officer consent or permission to search the person or the person’s property. Consent can be given in writing or verbally, or may be implied by conduct.

(3) “Custodial setting” means correctional institutions, juvenile detention facilities, and jails, including parking lots and grounds within the perimeter of these enumerated facilities. “Custodial setting” does not include home detention or any circumstances where persons are under house arrest outside of correctional institutions, juvenile detention facilities, or jails.

(4) “Data element” refers to a category of information the peace officer must report regarding a stop. For example, “perceived gender of person stopped” is a data element that must be collected under Government Code section 12525.5.

(5) “Data value” is a component or characteristic of a data element to be used in reporting each data element. For example, “male,” “female,” “transgender man/boy,” “transgender woman/girl,” and “gender nonconforming” are each data values to use in reporting the data element “perceived gender of person stopped.” Reporting agencies shall ensure that the technical specifications for data values are consistent with these regulations and in doing so shall follow the data dictionary prepared by the Department.

(6) “Department” refers to the California Department of Justice or the California Attorney General.

(7) “Detention,” unless otherwise provided in these regulations, means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.

(8) “Firearm” means a weapon that fires a shot by the force of an explosion, and includes all handguns, rifles, shotguns, and other such devices commonly referred to as firearms.

(9) “K-12 Public School” means “California state educational institution,” as defined in this chapter.

(10) “Probation officer” means an adult probation officer authorized by Penal Code section 1203.5, or a juvenile probation officer authorized by Welfare and Institutions Code section 270, whose duties are defined in Penal Code section 830.5 or Welfare and Institutions Code sections 280 and 283, respectively.

(11) “Reporting agency” means:

(A) Any city or county law enforcement agency that employs peace officers.

1. “Reporting agency” includes any city or county law enforcement agency that employs peace officers, including officers who are contracted to work at other government agencies or private entities. This includes, but is not limited to, peace officers assigned to work in cities or other jurisdictions that are not within the original jurisdiction of the city or county law enforcement agency; peace officers of city or county law enforcement agencies assigned to or contracted to work at housing or transit agencies; and school resource officers assigned to work in California state educational institutions.

(B) The California Highway Patrol.

(C) The law enforcement agencies of any California state or university educational institutions.

1. “California state educational institution” means any public elementary or secondary school; the governing board of a school district; or any combination of school districts or counties recognized as the administrative agency for public elementary or secondary schools.

a. “The law enforcement agencies of California state educational institutions” refers to any police department established by a public school district pursuant to Education Code section 38000, subdivision (b).

2. “California university educational institution” means the University of California, the California State University, and any college of the California Community Colleges.

a. “The law enforcement agencies of California university educational institutions” refers to the following:

(1) Police departments of all campuses of the California State University established pursuant to Education Code section 89560;

(2) Police departments of all campuses of the University of California established pursuant to Education Code section 92600; and

(3) Police departments of all California community colleges established pursuant to Education Code section 72330.

(12) “School resource officer” includes, but is not limited to, “school resource officer” as defined by 42 U.S.C. § 3796dd-8(4).

(13) “Search,” unless otherwise provided, means a search of a person’s body or property in the person’s possession or under his or her control, and includes a pat-down search of a person’s outer clothing as well as a consensual search, as defined in these regulations.

(14) “Stop” for purposes of these regulations means (1) any detention, as defined in these regulations, by a peace officer of a person; or (2) any peace officer interaction with a person in which the officer conducts a search, as defined in these regulations.

(15) “Stop data” refers collectively to the data elements and data values that must be reported to the Department.

(16) “Student” means any person who is enrolled in a K-12 Public School, or any person who is subject to California’s compulsory education law as provided in Education Code section 48200. A “student” includes persons between 6 and 18 years of age who are not otherwise exempt from the compulsory education laws as provided in Education Code section 48200. “Student” also refers to persons up to 22 years of age who are being provided special education and services, as provided under Education Code section 56026. The reporting requirements of this chapter regarding “students” apply only to interactions between officers and students that take place in a K-12 Public School.

(A) Example: A person between the ages of 6 and 18 who is not enrolled in a K-12 Public School because he or she has been expelled or is temporarily suspended from school is a student for purposes of these regulations.

(B) Example: A person between the ages of 6 and 18 who is enrolled as a student at one K-12 Public School but who is stopped by an officer at another school is a student for purposes of these regulations.

(C) Example: A 19-year old person who is enrolled in a K-12 Public School is a student for purposes of these regulations.

(D) Example: A 21-year old special education student enrolled in a K-12 Public School is a student for purposes of these regulations.

(E) Example: An interaction between an officer and a student that takes place at a mall must be reported pursuant to the general reporting requirements set forth in § 999.227, subdivision (a) of these regulations, and not the reporting requirements set forth at § 999.227, subdivision (e)(3) – (4) for interactions that take place between a student and an officer in a K-12 Public School.

(17) “Unique Identifying Information” means personally identifying information, the release of which, either alone or in combination with other data reported, is reasonably likely to reveal the identity of the individual officer who collected the stop data information. It does not include the minimum information that is specified in Government Code section 12525.5, subdivision (b).

(18) “Vehicle” means motor vehicles as defined in Vehicle Code section 670; motorcycles, mopeds, and motorized scooters as defined in Vehicle Code sections 400, 406, and 407.5, respectively; and any motorized vehicles, including boats.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 2. Law Enforcement Agencies Subject to Government Code Section 12525.5

§ 999.225

(a) The data collection requirements of this chapter apply only to peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, who are employed by “reporting agencies,” subject to the exceptions set forth below.

(b) Probation officers are not subject to this chapter.

(c) Peace officers shall not report stops that occur in a custodial setting. Peace officers who work in custodial settings are subject to this chapter for stops that occur in non-custodial settings.

(d) All peace officers employed by a reporting agency, except for probation officers, are subject to this chapter even if the officer makes a stop while assigned or contracted to work for another governmental agency or a private entity pursuant to a contract or memorandum of understanding between the reporting agency and the governmental agency or private entity.

(1) Example: A peace officer of a reporting agency who is also a member of a federal task force is subject to this chapter when stopping a person while the officer is performing duties as part of the task force, regardless of whether the officer must also comply with federal data collection policies, if any.

(2) Example: A peace officer of a reporting agency assigned to work as a school resource officer in a K-12 Public School pursuant to a memorandum of understanding or other contractual relationship is subject to this chapter when stopping a person while on that assignment.

(3) Example: A peace officer of a reporting agency hired pursuant to a memorandum of understanding or other contractual relationship between the reporting agency and a private entity to work at a private university or college, or sporting event, is subject to this chapter when stopping a person while working on that assignment.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 3. Data Elements To Be Reported

§ 999.226

(a) The data elements regarding stops that shall be collected by peace officers subject to this chapter are defined as follows:

(1) “ORI number” is the data element that refers to the reporting agency’s Originating Agency Identifier, a unique identification code number assigned by the Federal Bureau of Investigation.

(2) Date, Time, and Duration of Stop

(A) “Date of Stop” refers to the year, month, and day when the stop occurred. It shall be recorded as the date on which the stop began. If the stop extends over two days (e.g., if a stop began at 2330 hours on January 1st and concluded at 0030 hours on January 2nd), the “Date of Stop” should be recorded as the first date (in this example, January 1st).

(B) “Time of Stop” refers to the approximate time that the stop began and shall be recorded using a 24-hour clock (i.e., military time).

(C) “Duration of Stop” is the approximate length of the stop measured from the time the reporting officer, or any other officer, first detains or, if no initial detention, first searches the stopped person until the time when the person is free to leave or taken into physical custody. In reporting this data element, the officer shall enter the approximate length of the stop in minutes.

1. Example: Officer A stops a vehicle for suspected driving under the influence (DUI) at 1300 hours. Officer B then arrives at the scene 15 minutes later and conducts a field sobriety test on the driver, who fails the tests. Officer B then arrests and takes the driver into custody at 1345. “Duration of Stop” would be reported as 45 minutes.

2. Example: Officer A begins interviewing witnesses to a robbery at 1100 hours. After approximately 30 minutes of interviews with different witnesses, Officer A observes what looks like a switchblade knife protruding from the waistband of one of the witnesses. Officer A then searches that person. “Duration of Stop” is measured from the time the person is searched (1130 hours) and not the time during which the officer began interviewing the witnesses to the robbery (1100 hours).

(3) “Location of Stop” refers to the physical location where the stop took place and shall be reported as follows:

(A) The officer shall report one of the following options, which are provided in order of preference:

1. Block number and street name;
2. Closest intersection; or
3. Highway and closest highway exit.
4. If none of these options are applicable, the officer may report a road marker, landmark, or other description, except that the officer shall not provide a street address if the location is a residence.

(B) The officer shall report the city. To ensure uniformity, the Department shall provide a list of cities within the State of California.

(4) “Perceived Race or Ethnicity of Person Stopped” refers to the officer’s perception of the race or ethnicity of the person stopped. When reporting this data element, the officer shall make his or her determination of the person’s race or ethnicity based on personal observation only. The officer shall not ask the person stopped his or her race or ethnicity, or ask questions or make comments or statements designed to elicit this information.

(A) When reporting this data element, the officer shall select all of the following data values that apply:

1. Asian
2. Black/African American
3. Hispanic/Latino(a)
4. Middle Eastern or South Asian
5. Native American
6. Pacific Islander
7. White

a. Example: If a person appears to be both Black and Latino(a), the officer shall select both “Black/African American” and “Hispanic/Latino(a).”

(B) “Asian” refers to a person having origins in any of the original peoples of the Far East or Southeast Asia, including for example, Cambodia, China, Japan, Korea, Malaysia, the Philippine Islands, Thailand, and Vietnam, but who does not fall within the definition of “Middle Eastern or South Asian” or “Pacific Islander.”

(C) “Black/African American” refers to a person having origins in any of the Black racial groups of Africa.

(D) “Hispanic/Latino(a)” refers to a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

(E) “Middle Eastern or South Asian” refers to a person of Arabic, Israeli, Iranian, Indian, Pakistani, Bangladeshi, Sri Lankan, Nepali, Bhutanese, Maldivian, or Afghan origin.

(F) “Native American” refers to a person having origins in any of the original peoples of North, Central, and South America.

(G) “Pacific Islander” refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, but who does not fall within the definition of “Middle Eastern or South Asian” or “Asian.”

(H) “White” refers to a person of Caucasian descent having origins in any of the original peoples of Europe and Eastern Europe.

(5) “Perceived Gender of Person Stopped” refers to the officer’s perception of the person’s gender. When reporting this data element, the officer shall make his or her determination of the person’s gender based on personal observation only. The officer shall not ask the person stopped his or her gender or use the gender specified on the person’s driver’s license or other identification, recognizing that the officer’s observation may not reflect the gender specified on the person’s identification.

(A) When reporting this data element, the officer shall select at least one of the following data values. In doing so and when applicable, the officer may select “Gender nonconforming” in addition to one of the four enumerated gender data values of Male, Female, Transgender man/boy, or Transgender woman/girl. If the officer cannot perceive the person stopped to be within the categories of Male, Female, Transgender man/boy, or Transgender woman/girl, the officer must select “Gender nonconforming” as the only data value.

1. Male

2. Female

3. Transgender man/boy

4. Transgender woman/girl

5. Gender nonconforming

(B) For purposes of completing this data element, the officer shall refer to the following definitions:

1. “Transgender man/boy” means a person who was assigned female at birth but who currently identifies as a man, or boy if the person is a minor.

2. “Transgender woman/girl” means a person who was assigned male at birth but who currently identifies as a woman, or girl if the person is a minor.

3. “Gender nonconforming” means a person whose gender-related appearance, behavior, or both, differ from traditional conceptions about how males or females typically look or behave. A person of any gender or gender identity may be gender nonconforming. For this reason, an officer may select “Gender nonconforming” in addition to any of the other gender data values, if applicable.

(6) “Person Stopped Perceived to be LGBT” refers to the officer’s perception that the person stopped is LGBT. “LGBT” refers to lesbian, gay, bisexual or transgender. When reporting this data element, the officer shall select “Yes” or “No” and shall make his or her determination based on personal observation only, without asking whether the person is LGBT. If an officer selects “Transgender man/boy” or “Transgender woman/girl” in response to the data element for “Perceived Gender of Person Stopped,” he or she must also select “Yes” in response to this data element.

(7) “Perceived Age of Person Stopped” refers to the officer’s perception of the approximate age of the person stopped. When reporting this data element, the officer shall make his or her determination based on personal observation only. The officer shall not ask the person stopped his or her age or use the age specified on the person’s identification, recognizing that the officer’s observation may not reflect the age specified on the person’s identification. In providing this information, the officer shall input an Arabic numeral (e.g., 1, 2, 3, 4) rounded up to the closest whole number.

(8) “Person Stopped Has Limited or No English Fluency” refers to the officer’s perception that the person stopped has limited or no fluency in English. The officer shall only select this data element if it applies to the person stopped.

(9) “Perceived or Known Disability of Person Stopped” refers to the officer’s perception that the person stopped displayed signs of one or more of the following conditions; the officer’s knowledge that the person stopped has one or more of the following conditions because the person stopped so advised the officer; or the officer’s prior knowledge that the person stopped had one or more of the following conditions. Nothing in this provision alters any existing requirements to comply with reasonable accommodation and anti-discrimination laws with respect to the treatment of people with disabilities. When reporting this data element, the officer shall select all of the following data values that apply:

(A) Deafness or difficulty hearing

(B) Speech impairment or limited use of language

(C) Blind or limited vision

(D) Mental health condition

(E) Intellectual or developmental disability, including dementia

(F) Other disability

(G) None. If “None” is selected, no other data values can be selected.

(10) “Reason for Stop” refers to the primary reason why the officer stopped the person.

(A) When reporting this data element, the officer shall identify only the primary reason for stopping a person, by selecting one of the following data values. Justifications that did not inform the officer’s primary reason for the stop shall not be selected.

1. Traffic violation. When selecting this data value, the officer shall also identify the applicable Vehicle Code section and subdivision using the Department’s standard California Justice Information Services (CJIS) Offense Table. When the person stopped is the driver, the officer shall also designate the primary type of violation:

a. Moving violation

b. Equipment violation

c. Non-moving violation, including registration violation

2. Reasonable suspicion that the person was engaged in criminal activity. This data value should not be selected if “Traffic violation” is the reason for the stop. When selecting this data value, the officer shall select all applicable circumstances that gave rise to the officer’s reasonable suspicion from the list provided below. In addition, using the Department’s standard CJIS Offense Table, the officer shall identify the primary code section and subdivision of the suspected violation of law that formed the basis for the stop, if known to the officer.

a. Officer witnessed commission of a crime

b. Matched suspect description

c. Witness or victim identification of suspect at the scene

d. Carrying suspicious object

e. Actions indicative of casing a victim or location

f. Suspected of acting as a lookout

g. Actions indicative of a drug transaction

h. Actions indicative of engaging in a violent crime

i. Other reasonable suspicion of a crime

3. Known to be on parole/probation/PRCS/mandatory supervision. The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is a supervised offender on parole, on probation, on post-release community supervision (PRCS), or on mandatory supervision. The officer shall not select this data value if the officer learns that the person has this status only after the person is stopped.

4. Knowledge of outstanding arrest warrant/wanted person. The officer shall select this data value if the officer stopped the person because the officer knows that the person stopped is the subject of an outstanding arrest warrant or is a wanted person. The officer shall not select this data value if the officer learns, after the person is

stopped, that the person is the subject of an outstanding arrest warrant or is a wanted person.

5. Investigation to determine whether the person is truant.

6. Consensual encounter resulting in a search. A consensual encounter is an interaction in which the officer does not exert any authority over, or use any force on, a person, and the person is free to leave. The officer shall only select this data value if a consensual encounter results in a search, regardless of whether the resulting search is consensual.

a. Example: During the course of a witness interview in which the person is free to leave, the officer asks to search the person's bag, and the person consents. In this case the reason for stop is a "consensual encounter resulting in a search."

(B) When reporting the "Reason for Stop," the officer shall also provide a brief explanation (250-character maximum) regarding the reason for the stop. This explanation shall include additional detail beyond the general data values selected for the "Reason for Stop." Officers shall not include any personal identifying information of the persons stopped or Unique Identifying Information of any officer in this explanation.

1. Example: If the officer selected "Reasonable suspicion that the person was engaged in criminal activity/Actions indicative of a drug transaction," the officer must use this field to briefly note the specific nature of the actions indicative of a drug transaction and why they were suspicious.

2. Example: If the officer selected "Vehicle Code 26708 (Material Obstructing or Reducing the Driver's View)" from the Department's standard CJIS Offense Table, the officer shall use this field to briefly note the specific nature of the obstruction/reduction of the driver's view (i.e., what specifically did the officer observe and how was such item obstructing or reducing the driver's view).

(11) "Stop Made in Response to a Call for Service." The officer shall only select this data element if the stop was made in response to a call for service, radio call, or dispatch. An interaction that occurs when an officer responds to a call for service is only reportable if the interaction meets the definition of "stop," as specified in section 999.224, subdivision (a)(14). A call for service is not a reason for a stop.

(12) "Actions Taken by Officer During Stop" refers to an officer's actions toward the person stopped.

(A) The reporting officer shall select all of the following data values that apply, even if any or all of the actions were undertaken by another officer:

1. Person removed from vehicle by order

2. Person removed from vehicle by physical contact

3. Field sobriety test conducted

4. Curbside detention. This refers to any time an officer directs the person to sit on the sidewalk, curb, or ground.
5. Handcuffed or flex cuffed
6. Patrol car detention
7. Canine removed from vehicle or used to search
8. Firearm pointed at person
9. Firearm discharged or used
10. Electronic control device used
11. Impact projectile discharged or used (e.g., blunt impact projectile, rubber bullets or bean bags)
12. Canine bit or held person
13. Baton or other impact weapon used
14. Chemical spray used (e.g., pepper spray, mace, or other chemical irritants)
15. Other physical or vehicle contact. This refers to any of the following contacts by the officer, when the purpose of such contact is to restrict movement or control a person's resistance: any physical strike by the officer; instrumental contact with a person by an officer; or the use of significant physical contact by the officer. Examples of such contacts include, but are not limited to, carotid restraints, hard hand controls, the forcible taking of a subject to the ground, or use of vehicle in apprehension.
16. Person photographed
17. Asked for consent to search person
 - a. Consent given
 - b. Consent not given
18. Search of person was conducted. This data value should be selected if a search of the person was conducted, regardless of whether the officer asked for or received consent to search the person.
19. Asked for consent to search property
 - a. Consent given
 - b. Consent not given
20. Search of property was conducted. This data value should be selected if a search of the person's property was conducted, regardless of whether the officer asked for or received consent to search the property.
21. Property was seized
22. Vehicle impounded

23. None. This data value should only be selected if none of the enumerated data values apply. If “None” is selected, no other data values can be selected.

(B) “Basis for Search.” If, during the stop, the officer conducted a search of the person, the person’s property, or both, the officer shall report the basis for the search.

1. The officer shall identify the basis for the search by selecting all of the following data values that apply:

- a. Consent given
- b. Officer safety/safety of others
- c. Search warrant
- d. Condition of parole/probation/PRCS/mandatory supervision
- e. Suspected weapons
- f. Visible contraband
- g. Odor of contraband
- h. Canine detection
- i. Evidence of crime
- j. Incident to arrest
- k. Exigent circumstances/emergency
- l. Vehicle inventory (for search of property only)

2. When reporting the “Basis for Search,” the officer shall also provide a brief explanation (250-character maximum) regarding the basis for the search. This explanation shall include additional detail beyond the general data values selected for “Basis for Search.” Officers shall not include any personal identifying information of the persons stopped or Unique Identifying Information of any officer in this explanation. If the basis for the search is “Condition of parole/probation/PRCS/mandatory supervision,” this explanation is not required.

- a. Example: If the officer selected “Suspected weapons” as the “Basis for Search,” the officer must use this field to explain the specific nature of the suspected weapons (i.e., what were the specific objects, shapes, and/or movements observed that made the officer suspicious and what type of weapons were suspected).

(C) “Contraband or Evidence Discovered, if Any.” The officer shall indicate whether contraband or evidence was discovered during the stop, including contraband or evidence discovered in plain view or as the result of a search, and the type of contraband or evidence discovered, by selecting all of the following data values that apply:

- 1. None. If “None” is selected, no other data values can be selected.
- 2. Firearm(s)
- 3. Ammunition

- 4. Weapon(s) other than a firearm
- 5. Drugs/narcotics
- 6. Alcohol
- 7. Money
- 8. Drug paraphernalia
- 9. Suspected stolen property
- 10. Cell phone(s) or electronic device(s)
- 11. Other contraband or evidence

(D) Additional Data Regarding Type of Property Seized.

1. "Basis for Property Seizure." If the officer seized property during the stop, regardless of whether the property belonged to the person stopped, the officer shall report the basis for the property seizure by selecting all of the following data values that apply:

- a. Safekeeping as allowed by law/statute
- b. Contraband
- c. Evidence
- d. Impound of vehicle
- e. Abandoned Property

2. "Type of Property Seized." If the officer seized property during the stop, regardless of whether the property belonged to the person stopped, the officer shall report the type of property seized, by selecting all of the following data values that apply:

- a. Firearm(s)
- b. Ammunition
- c. Weapon(s) other than a firearm
- d. Drugs/narcotics
- e. Alcohol
- f. Money
- g. Drug paraphernalia
- h. Suspected stolen property
- i. Cell phone(s) or electronic device(s)
- j. Vehicle
- k. Other contraband or evidence

(13) "Result of Stop" refers to the outcome of the stop. When reporting this data element, the officer shall select all of the following data values that apply. In addition, for warnings,

citations, cite and release, and custodial arrests (with the exception of an arrest pursuant to an outstanding warrant) the officer shall also, using the Department's standard CJIS Offense Table, identify the code, including the section number and appropriate subdivision, that is the basis for the warning, citation, cite and release, or custodial arrest, where applicable. If more than one code section forms the basis for the warning, citation, cite and release or custodial arrest, the officer shall identify all applicable code sections and subdivisions. If the Result of Stop is based on an ordinance, the officer shall select "local ordinance viol" from the Department's CJIS Offense Table without the need for the specific section number.

(A) No action. If "No Action" is selected, no other data values can be selected.

(B) Warning (verbal or written)

(C) Citation for infraction

(D) In-field cite and release

(E) Custodial arrest pursuant to outstanding warrant

(F) Custodial arrest without warrant

(G) Field interview card completed

(H) Noncriminal transport or caretaking transport. This includes transport by an officer, transport by ambulance, or transport by another agency.

(I) Contacted parent/legal guardian or other person responsible for the minor

(J) Psychiatric hold (pursuant to Welfare & Institutions Code sections 5150 and/or 5585.20)

(K) Contacted U.S. Department of Homeland Security (e.g., Immigration and Customs Enforcement, Customs and Border Protection)

(14) "Officer's Identification (I.D.) Number" refers to a permanent identification number assigned by the reporting agency to the reporting officer, which shall be used for all reporting to the Department required under this chapter. For purposes of these regulations, an Officer's I.D. Number shall be considered Unique Identifying Information.

(15) "Officer's Years of Experience" refers to the officer's total number of years he or she has been a peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code. When reporting this data element, the officer shall count the total number of years he or she has been a peace officer, and not the number of years at his or her current agency. If the officer has served as a peace officer intermittently or part-time, he or she shall only count the time actually worked as a peace officer. In providing this information, the officer shall input an Arabic numeral (e.g., 1, 2, 3, 4) rounded up to the closest whole number.

(16) “Type of Assignment of Officer” refers to the type of assignment to which an officer is assigned at the time of the stop. When reporting this data element, the officer shall select one of the following data values:

(A) Patrol, traffic enforcement, field operations

(B) Gang enforcement

(C) Compliance check (e.g., parole/probation/PRCS/mandatory supervision)

(D) Special events (e.g., sports, concerts, protests)

(E) Roadblock or DUI sobriety checkpoint

(F) Narcotics/vice

(G) Task force

(H) K-12 Public School, including school resource officer or school police officer

(I) Investigative/detective

(J) Other. If other is selected, the officer shall specify the type of assignment.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 4. Reporting Requirements

§ 999.227

(a) General Reporting Requirements.

(1) Peace officers subject to the reporting requirements of this chapter shall submit the data elements described in section 999.226, subdivision (a) for every person stopped by the officer, except as provided in subdivisions (b), (c), (d) and (e) of this section.

(2) The data elements described in section 999.226, subdivision (a) are the minimum that a reporting agency shall collect and report. Nothing in this section prohibits a reporting agency from voluntarily collecting additional data.

(3) Nothing in this section prohibits an agency not subject to these regulations from submitting stop data voluntarily to the Department.

(4) When two or more reporting agencies are involved in a stop, only the primary agency shall submit a report. The primary agency is the agency with investigative jurisdiction based on local, county, or state law or applicable interagency agreement or memoranda of understanding. If there is uncertainty as to the primary agency, the agencies shall agree on which agency is the primary agency for reporting purposes. If a stop is done in conjunction

with a reporting agency and an agency that is not subject to the reporting requirements of this chapter, the reporting agency is required to submit data on the stop, even if it is not the primary agency responsible for the stop.

(5) If more than one peace officer of a reporting agency conducts a stop, only one officer shall collect and report the information required to be reported in this chapter. The officer with the highest level of engagement with the person stopped shall submit the full report for all data elements, regardless of whether that officer performed the specific action(s) reported.

(A) Example: If Officer A stops a person, questions them, and conducts a subsequent consensual search that results in the discovery of narcotics, but Officer B handcuffs the person and takes the person into custody, Officer A would complete the stop report and include all relevant actions of both Officer A and B in that stop report.

(6) If multiple persons are stopped during one incident, then applicable stop data shall be submitted for each person within a single report, except that passengers in a vehicle that is stopped shall be reported only as set forth in subdivision (b) of this section.

(7) Nothing prohibits agencies subject to this chapter from providing information to the Department earlier than the deadlines set forth in Government Code section 12525.5, subdivision (a).

(8) On January 1 of each year until the agency begins reporting data to the Department, each reporting agency shall count the number of peace officers it employs who are subject to this chapter to determine the date that agency must start collecting stop data and reporting to the Department pursuant to Government Code section 12525.5, subdivisions (a)(1) and (a)(2).

(9) An officer shall complete all stop reports for stops made during his or her shift by the end of that shift, unless exigent circumstances preclude doing so. In such circumstances, the data shall be completed as soon as practicable.

(10) In order to ensure compliance with these regulations, a reporting agency, its officers, or both may review the stop data to correct errors before submitting the stop data to the Department. Once the stop data is submitted to the Department, however, an agency can only revise stop data through the Department's error resolution process.

(11) Reporting agencies shall create the Officer's I.D. Number defined at section 999.226, subdivision (a)(14) for each officer required to report stops under these regulations. Stop reports submitted to the Department shall include the Officer's I.D. Number, but shall not include the officer's name or badge number. However, each reporting agency shall maintain a system to match an individual officer to his or her Officer's I.D. Number.

(b) Reporting Requirements for Passengers in Vehicle Stops.

(1) Peace officers shall not submit the data elements described in section 999.226, subdivision (a) for passengers in vehicles subject to a stop unless either of the following applies:

(A) The passenger is observed or suspected of violating the Vehicle Code or any other applicable law or ordinance.

1. Example: An officer pulls over a vehicle because he or she observes the passenger of a vehicle throw a cigarette outside of the vehicle. The “Reason for Stop” is that the passenger was suspected of violating the Vehicle Code.

(B) The passenger is subjected to any of the actions identified as data values in section 999.226, subdivision (a)(12)(A), excluding “Vehicle impounded” and “None.”

1. Example: An officer stops a speeding SUV containing a woman and her two small children. During the stop, the officer learns that the woman’s license has been revoked. The officer then orders the family to exit the vehicle and sit on the curb while he or she questions the woman. The officer shall submit stop data for each person, because ordering persons to sit on the curb is a data value in section 999.226, subdivision (a)(12)(A).

2. Example: An officer stops a speeding truck containing a woman and her two teenage children. During the stop, the officer learns that the vehicle is stolen, and must impound the vehicle. The officer arrests the woman, and then asks the teenage children to exit the car so that he can impound the vehicle. The officer shall not submit stop data for the two children because “Vehicle impounded” is excluded from the data values under section 999.226, subdivision (a)(12)(A) that trigger the reporting of stop data regarding passengers.

(c) Peace Officer Interactions that Are Not Reportable. The following interactions, even if they otherwise meet the definition of “detention” set forth in this chapter, shall not be construed to be “detentions” and shall not be reported as stops.

(1) Stops during public safety mass evacuations, including bomb threats, gas leaks, flooding, earthquakes and other similar critical incidents, are not subject to the reporting requirements of this chapter.

(2) Stops during an active shooter incident, meaning an individual is actively engaged in killing or attempting to kill people in a populated area, are not subject to the reporting requirements of this chapter.

(3) Stops that occur during or as a result of routine security screenings required of all persons to enter a building or special event, including metal detector screenings, including any secondary searches that result from that screening, are not subject to the reporting requirements of this chapter.

(d) Peace Officer Interactions that Are Reportable Only if the Officer Takes Additional Specified Actions

(1) Interactions that take place during the following circumstances shall only be reported if the person is detained based upon individualized suspicion or personal characteristics and/or

the officer engages in any of the actions described in the data values set forth in section 999.226, subdivision (a)(12)(A), excluding “None”:

(A) Traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes.

(B) Any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes.

(C) Interactions during which persons are detained at a residence only so that officers may check for proof of age for purposes of investigating underage drinking.

1. Example: An officer is dispatched to a residence to investigate a noise complaint. Upon arrival, the officer suspects that some of the persons at the house party are engaged in underage drinking and he or she detains the persons to request identification to verify proof of age. Because the only action the officer takes is to detain the persons for the sole purpose of verifying proof of age, these interactions are not reportable.

2. Example: At that same party, the officer, in addition to detaining a person to question him/her, also asks to search the person. Regardless of whether the person consents to the search or is actually searched, that interaction is reportable because asking for consent to search and/or conducting a search are data values under section 999.226, subdivision (a)(12)(A) that trigger reporting of stop data in these settings.

(D) Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics.

1. Example: A checkpoint or roadblock, including a DUI sobriety checkpoint, that stops all vehicles or stops randomly selected vehicles using a neutral formula, i.e., not based on individualized suspicion or personal characteristics, is not subject to the reporting requirements of this chapter.

(2) Interactions that take place with a person in his or her residence who is the subject of a warrant or search condition are not subject to the reporting requirements of this chapter. A peace officer shall, however, report any interactions with persons in the home who are not the subject of the warrant or search condition, if the officer takes any of the following actions: handcuffs or flex cuffs the person; arrests the person; points a firearm at the person; discharges or uses a firearm, electronic control device, impact projectile, baton or other impact weapon, or chemical spray on the person; or if a canine bit/held the person.

(3) Interactions that take place with a person in his or her residence who is the subject of home detention or house arrest while an officer is on home detention or house arrest assignment, are not subject to the reporting requirements of this chapter. A peace officer shall, however, report any interactions with persons in the home who are not the subject of the home detention or house arrest, if the officer takes any of the following actions:

handcuffs or flex cuffs the person; arrests the person; points a firearm at the person; discharges or uses a firearm, electronic control device, impact projectile, baton or other impact weapon, or chemical spray on the person; or if a canine bit/held the person.

(e) Reporting Requirements for Stops of Students at a K-12 Public School.

(1) Stops of persons who are not students are subject to the reporting requirements set forth in section 999.227, subdivision (a) – (d), even if the stop takes place at a K-12 Public School.

(2) The exceptions to reporting set forth at section 999.227, subdivision (b), (c), and (d) shall apply to stops in K-12 Public School, regardless of whether the stops are of students or non-students.

(3) In addition, in a K-12 Public School, an officer shall report only the following interactions with students as stops:

(A) Any interaction that results in a temporary custody under Welfare and Institutions Code section 625, citation, arrest, permanent seizure of property as evidence of a criminal offense, or referral to a school administrator because of suspected criminal activity.

(B) Any interaction in which the student is questioned for the purpose of investigating whether the student committed a violation of law, including violations of Education Code sections 48900, 48900.2, 48900.3, 48900.4, and 48900.7, or to determine whether the student is truant.

(C) Any interaction in which an officer engages in one or more of the data values set forth in section 999.226, subdivision (a)(12)(A), excluding “None.” This does not include a detention or search that is conducted of all persons as part of a neutrally applied formula that is not based upon personal characteristics. This includes searches conducted at the entries and exits of school facilities by screening devices, and secondary screenings that result from that initial screening.

1. Example: All students entering a school are required to pass through a metal detector. A school police officer searches a student’s person or belongings because a metal detector is activated. The interaction shall not be reported.

2. Example: An officer searches a student’s backpack because he or she suspects the backpack contains narcotics. The interaction is reportable.

(4) In reporting interactions with students at a K-12 Public School, the officer shall utilize the data elements and corresponding data values set forth in section 999.226, with the addition of the following data values, which the officer shall select if applicable:

(A) “Location of Stop.” In addition to reporting the data values in section 999.226, subdivision (a)(3)(A) and (B) above, the officer shall provide the name of the school where the stop took place. To ensure uniformity, the Department of Justice shall provide a list of the names of K-12 Public Schools, using information obtained from the Department of Education. The officer shall also indicate that the stop is of a student.

(B) “Perceived or Known Disability.” If the stop of a student takes place at a K-12 Public School, in addition to selecting all applicable data values in section 999.226, subdivision (a)(9) above, the officer shall also select the following data value if applicable:

1. Disability related to hyperactivity or impulsive behavior

(C) “Reason for Stop.” When reporting this data element, the officer shall select the primary reason for the stop from among the data values in section 999.226, subdivision (a)(10) as well as the additional data values provided below. “Student violated school policy” should only be selected if other options related to violations of law (e.g., Penal Code or Education Code) do not apply.

1. Possible conduct warranting discipline under Education Code sections 48900, 48900.2, 48900.3, 48900.4, and 48900.7. When selecting this data value, the officer shall identify the primary code section and subdivision from the following options: 48900(a) through 48900(r); 48900.2; 48900.3; 48900.4; and 48900.7(a).

2. Determine whether the student violated school policy

(D) “Actions Taken by Officer During Stop.” When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(A) above, the officer shall also select the following data value if applicable:

1. Admission or written statement obtained from student

(E) “Basis for Search.” When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(B) above, the officer shall also select the following data value if applicable:

1. Suspected violation of school policy

(F) “Basis for Property Seizure.” When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(12)(D)1 above, the officer shall also select the following data value if applicable:

1. Suspected violation of school policy

(G) “Result of Stop.” When reporting this data element, in addition to selecting the applicable data values in section 999.226, subdivision (a)(13) above, the officer shall also select the following data values if applicable:

1. Referral to school administrator

1. Referral to school counselor or other support staff

Note: Authority: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 5. Technical Specifications and Uniform Reporting Practices

§ 999.228

(a) Electronic System. The system developed by the Department shall require the electronic submission of data from reporting agencies.

(b) Submission of Data. Reporting agencies shall be provided with the following options to submit their stop data to the Department: (1) a web-browser based application, which shall include mobile capabilities for agencies that choose to use the Department's developed and hosted solution to submit stop data; (2) a system-to-system web service for agencies that elect to collect the data in a local system and then submit the data to the Department; and (3) a secured file transfer protocol for agencies that elect to collect the data in a local repository and then submit the data to the Department. Agencies that select option 3 shall be permitted to submit batch uploads of stop data in Excel spreadsheets and other delimited text formats of electronic documentation that complies with the Department's interface specifications.

(c) Reporting Schedule. Nothing in this section prohibits a reporting agency from submitting this data more frequently than required under Government Code section 12525.5, subdivision (a)(1). Due to the volume of the data, it is recommended that reporting agencies submit stop data on a monthly or quarterly basis. The Department shall accept data submitted on a more frequent basis, including data submitted daily.

(d) Reporting Responsibilities. Law enforcement agencies are solely responsible to ensure that neither personally identifiable information of the person stopped, nor any other information that is exempt from disclosure pursuant to Government Code section 12525.5, subdivision (d), is transmitted to the Department in the data element entitled "Location of Stop" required by section 999.226, subdivision (a)(3) and the explanatory fields required by section 999.226, subdivisions (a)(10)(B) and (12)(B)2. Unless otherwise provided, all information submitted in the stop data report, including the information entered into the data element entitled "Location of Stop" required by section 999.226, subdivision (a)(3) and the explanatory fields required by section 999.226, subdivisions (a)(10)(B) and (12)(B)2, is subject to public disclosure consistent with Government Code section 12525.5, subdivision (d).

(e) System Security. The Department shall design its system to be easily accessible for authorized users, confidential, and accurate. The system will provide role-based authorization services. Reporting agencies will be required to authorize and remove users to the system as necessary. Automated systems handling stop data and the information derived therein shall be secure from unauthorized access, alteration, deletion or release.

(f) Data Standards. The Department shall publish a data dictionary and interface specifications to ensure uniform and complete reporting of stop data. These documents will define each required data element and acceptable data values. These data standards shall be consistent with the definitions and technical specifications set forth in this chapter.

(g) Data Publication. Data submitted to the Department will be published, at the discretion of the Attorney General and consistent with Government Code section 12525.5, on the Department's OpenJustice website. The data published shall include disaggregated statistical data for each

reporting agency. The Department shall not release to the public the Officer's I.D. Number or Unique Identifying Information. Nothing in this section prohibits the Department from confidentially disclosing all stop data reported to the Department to advance public policy through scientific study and pursuant to the Department's data security protocols, which will ensure that the publication of any data, analyses, or research will not result in the disclosure of an individual officer's identity.

(h) Retention Period. The Department shall retain the stop data collected indefinitely. Each reporting agency shall keep a record of its source data for a minimum of three years, and shall make this data available for inspection by the Department should any issues arise regarding the transfer of data to the Department. If a reporting agency elects to use the Department's web-browser based application, the Department shall host the data for the agency for the requisite retention period of three years or transfer this data back to the agency for storage, at the agency's election.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Article 6. Audits and Validation

§ 999.229

(a) The Department shall keep an audit log of incoming and outgoing transactions for each agency's submission of stop data. The Department shall retain this audit log for a minimum of three years.

(b) The Department shall perform data validation on stop data submitted to ensure data integrity and quality assurance. Each reporting agency shall be responsible for ensuring that all data elements, data values, and narrative explanatory fields conform to these regulations and for correcting any errors in the data submission process, and shall do so through the Department's error resolution process.

(c) Agencies submitting records via the system-to-system web service or the secure file transfer protocol shall include a unique stop record number for each stop. The Department will use this record number to relay information on errors when necessary.

Note: Authority cited: Section 12525.5, Government Code. Reference: Section 12525.5, Government Code.

Appendix Elder and Dependent Abuse Investigations.pdf

Appendix: Elder and Dependent Abuse Investigations

- I. Officer should cooperate and collaborate whenever possible with the Bureau of Medi-Cal Fraud and Elder Abuse, other state law enforcement agencies with jurisdiction, adult and child protective services, local long-term care ombudsman programs, and, when appropriate, other responsible agencies.
- II. Officer shall follow appropriate techniques for interviewing potential victims and witnesses with cognitive or communication disabilities, including, but not limited to, avoiding repeated interviews when possible.
- III. The investigation, should include, but not limited to, all of the following:
- IV. Checking prior reports received by adult or child protective services agencies, local long-term care ombudsman programs, except as provided in Section 9725 of the Welfare and Institutions Code, and any other responsible agencies.
- V. Interviewing each alleged victim, each witness, and each suspect who is available.
- VI. Reviewing all body-worn camera videos and all other films.
- VII. Reviewing all calls from mandated reports or other callers.
- VIII. Making reasonable efforts to determine whether any person committed unlawful interference in a mandated report.
- IX. Forward the crime report to the appropriate prosecution office if the law enforcement agency recommends prosecution.

GANG VALIDATION PROCESS.pdf

GANG VALIDATION PROCESS

The information used to validate/classify someone may come from police reports, field interviews, personal contact, a reliable source, or corroborated information from an anonymous source.

Once the information needed to complete a validation/classification on someone is collected and provided to a Gang Task Force Member, the following guidelines shall be used:

New Profiles:

- 1) Complete a new profile with the criteria for validation identified.
- 2) Complete case summaries.
- 3) Attach supporting documentation subject to loss (this may include digital information).
- 4) Send the electronic profile to the GTF Supervisor or Commander for approval.
- 5) The GTF Supervisor or Commander will then forward the profile to CAU.
- 6) CAU will store the file in a single, identified, protected folder on the P drive.

Updating a Profile:

- 1) Request a copy of the master profile be released to you.
- 2) Complete updates.
- 3) Attach supporting documentation subject to loss (this may include digital information).
- 4) Send the electronic profile to the GTF Supervisor or Commander for approval.
- 5) The GTF Supervisor or Commander will then forward the profile to CAU.
- 6) CAU will store the file in a single, identified, protected folder on the P drive.

Gang Packet for Case:

- 1) Follow the same procedures as outlined above
- 2) The Detective may choose to send a hard copy or electronic copy to the DA

CAU will maintain the Gang folder, including an Excel or similarly formatted document with validation/classification purge dates. CAU will check this document monthly for files that are ready to purge. These documents will be provided to a Gang Detective for review. If there has been no further documented activity, the file will be purged.

Photographic Lineup Checklist (2020).pdf

Photographic Lineup Checklist ***(sequential or array)***

	Print and pre-fill information on the appropriate Photo lineup admonition form which can be located on the P Drive: P:\ALL\Dept Forms
	Prior to showing a photographic lineup, and as close in time to the incident as possible, obtain from the victim/ witness a <u>detailed</u> description of the suspect.
	If communication is impeded due to language or hearing barriers, officers should make a reasonable effort to arrange for an interpreter. If an interpreter is used, the officer should explain the process to the interpreter so they sufficiently comprehend the process.
	Create a photographic lineup to include 6 individuals' photos (1 being the suspect). The 5 "fillers" should "generally fit the eyewitness' description of the perpetrator". The suspect photo should resemble his/her appearance at the time of the offense and not "unduly standout"
	Writings or information about the suspect's prior arrests shall not be visible to the person viewing the lineup.
	One suspected perpetrator per lineup. Suspects should be placed in different order if there are multiple suspects and more than one lineup is created.
	Witnesses and victims should be separated when viewing an identification procedure.
	The officer shall use blind or blinded administration during the ID process. This can be achieved using an uninvolved officer to administer the lineup, the folder shuffle method, using a computer program to order the persons, or any other method in which the officer either doesn't know who the suspect is among the photos or the officer is unaware of where the suspect photo is placed or positioned in the identification process. If applicable, the officer shall state in writing the reason for not utilizing blind administration.
	An electronic recording (audio/video) <u>shall</u> be made of the show up. If video is not feasible, audio alone shall be pursued. When video is not captured, the officer must articulate why it wasn't feasible.
	Nothing shall be said to the witness/ victim that might influence the eyewitnesses identification of the suspect.
	Ask the witness/ victim their confidence level in the accuracy of the identification and record their statement verbatim. Also consider nonverbal cues such as crying, anger, or any other gesture.
	Information concerning the identification person shall not be given to the eyewitnesses identification of the suspect.
	The officer shall not validate/ invalidate the identification
	Victims and witnesses should be advised not to discuss the case with one another.
	Witness/ victim should view all persons in the lineup
	When presenting in sequential lineup, the order in which the photographs were presented should be documented in the report.
	This procedure shall be well documented in a report.

1028 Selection Matrix.xlsx

WDLD Camping notice.rtf

Lateral Vascular Neck Restraint.pdf

Lateral Vascular Neck Restraint/Carotid Control Hold

Purpose:

This training brief is to serve as an expansion of Woodland Police Department general order 300.2.5 Carotid Restraint. All sworn personnel should refer to Woodland Police Department Policy Manual 300 (Use of Force), particularly section 300.2.5 Carotid Restraint, to understand when the hold can be applied, what follow-up medical care is required, supervisor responsibilities, and proper documentation.

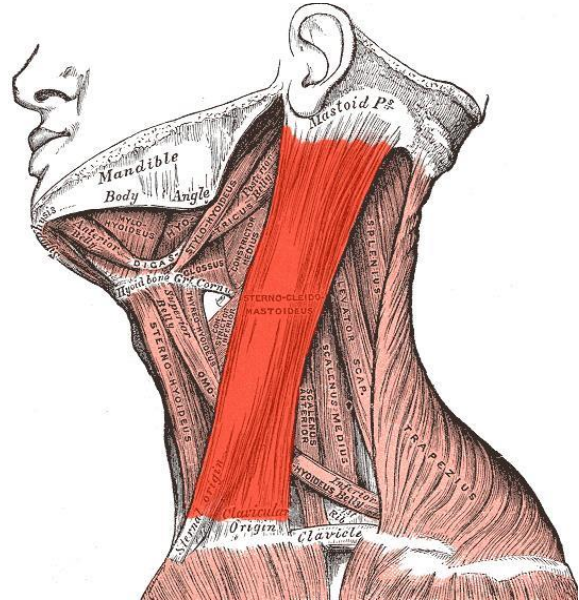
The information and expanded explanation of the lateral vascular neck restraint (LVNR) or carotid restraint is solely for departmental use and does not apply to the standard of care, in an evidentiary sense, in civil or criminal proceedings. The information and instructional guidelines contained in this training brief are not intended nor should they be construed as a creation of a legal standard of safety or care higher than the minimum the law requires with respect to third party claims.

The information in this training brief has been produced to assist officers in maintaining law enforcement professionalism and technical competency in the proper use of the carotid control hold. This brief further explains and illustrates department approved methods and techniques used in the application of the carotid restraint hold. As with all applications of force, officers should bear in mind that the use of the carotid restraint hold is dependent on the totality of the circumstances.

A. How the Carotid Control Hold Works

Because officers are potentially rendering a subject unconscious, and the carotid control hold is a higher level of force with inherent risks, sworn personnel should have a more detailed understanding of how the technique works.

1. The carotid control hold allows the officer to apply lateral pressure against the carotid arteries located on both sides of the neck and in front of the sternocleido-mastoideus muscles (see pictured). When properly applied, the lateral pressure diminishes or stops the flow of oxygenated blood to the brain through the carotid arteries and renders the individual unconscious within 5-15 seconds.

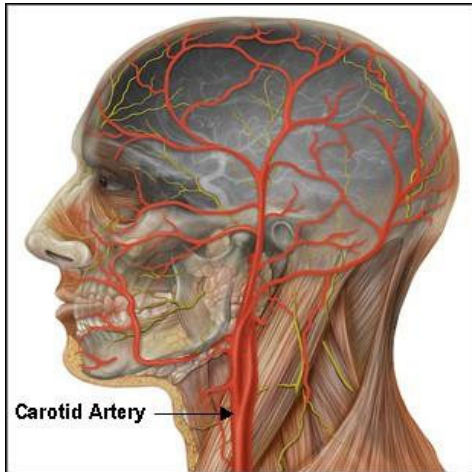


2. If a person is under the influence of alcohol, they may be rendered unconscious in a shorter amount of time, and if a subject is under the influence of a drug, such as PCP, the amount of time needed to render them unconscious may be longer.
3. After the individual has been rendered unconscious, pressure on the carotid arteries should be released immediately. The unconscious subject will typically regain consciousness within 20-30 seconds. As soon as the individual has been rendered unconscious and pressure released, officers should handcuff the subject and immediately check the subject's pulse, breathing, and functional consciousness (speech and voluntary movement).

B. Anatomical Information

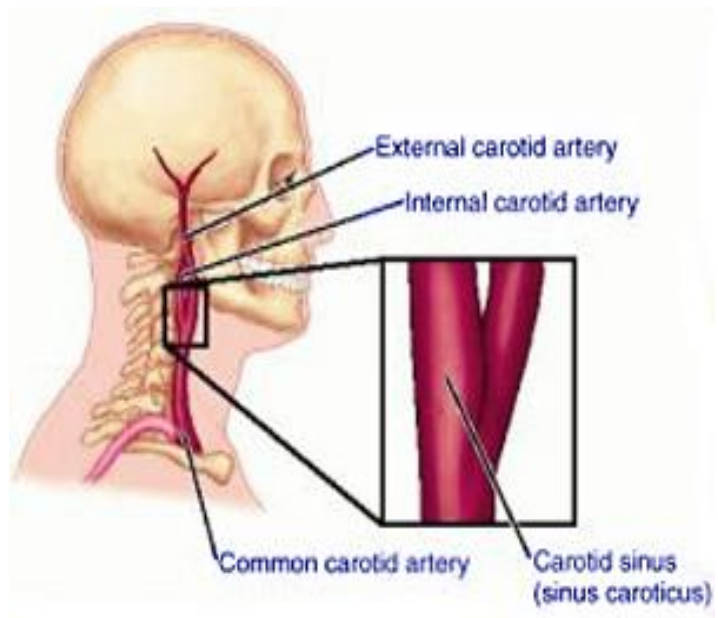
All sworn personnel should be familiar with anatomical parts of the human body affected when the carotid control hold is properly applied. Additionally, sworn officers should know what anatomical structures can be affected if the carotid control hold is improperly applied.

1. **Carotid arteries:** These arteries, located on either side of a subject's neck, are the principle arteries the body uses to supply oxygenated blood to the brain. At the upper border of the thyroid cartilage, each artery branches into the internal and external carotid arteries. When pressure is applied to the carotid arteries, oxygenated blood flow is stopped or diminished to the brain, depriving the brain of oxygen, causing unconsciousness.



2. **Carotid sinus:** The carotid sinus is a dilation of the carotid artery at the division of the internal and external carotids. The carotid sinus contains numerous baroreceptors that when stimulated cause slowing of the heart, vasodilation, and a fall in blood pressure.

(Carotid Sinus Pictured Below)



3. **Vagus nerve:** Also referred to as the 10th cranial nerve, the vagus nerve is attached to the parasympathetic nervous system and acts as a regulator to slow down the rate

of impulses the heart receives. The vagus nerve controls a variety of body functions, but in regards to the LVNR or carotid control hold, the vagus system regulates one's heartbeat and the muscle movement needed to keep you breathing. During the application of the lateral vascular neck restraint, both the vagus and carotid sinus nerves are stimulated. There is possibility that this stimulation can produce momentary irregular cardiac activity. This could possibly cause cardiac arrest in individuals with cardiac disorders, hypertension, or underdeveloped nervous systems.

C. **Risk Awareness**

1. Without a normal flow of oxygenated blood, brain damage and/or death can possibly occur in 4 to 6 minutes. Brain damage can occur within one minute. Pressure on the carotid arteries should be released as soon as the individual is rendered unconscious.

2. Certain individuals may be at increased risk of serious injury or death from use of the carotid control hold. These include:

- a) Older persons with cardiac abnormalities
- b) Younger persons (under the age of 14 years) with immature or under-developed nervous systems.
- c) Persons under the effect of drug induced psychosis.
- d) Persons exhibiting psychotic behavior (excited delirium).

NOTE: Although officers are not prohibited from using the carotid control hold/LVNS on these types of persons, officers need to be aware of the increased risk, and must be prepared to administer after-force care per the Woodland Police Department Use of Force general order.

3. There are other physical reactions which may occur because of the use of the carotid control hold:

- a) The affected person may experience convulsions similar to an epileptic seizure.
- b) The affected person's eyes may roll back in their head.
- c) The affected person may lose control of their bladder or bowel.

4. Improper Application of the Carotid Control Hold/LVNR: If an officer applies a bar arm control hold or "trachea choke" and pressure is applied directly against the trachea with the intent of stopping air flow to the lungs, or if the carotid control hold is improperly applied, the following anatomical structures can be affected:

- a) Trachea: Commonly called the “windpipe” the trachea is the principle passage for air into the lungs. Applying pressure to the trachea causes excruciating pain, gasping, and coughing. The individual will voluntarily or involuntarily increase resistance, which may compel an officer to intensify pressure, thus increasing the resistance of the individual. This cycle of increased pressure and resistance can result in the fracturing or rupturing of the trachea, resulting in death by strangulation.
- b) Thyroid Cartilage: The cartilage that sits in front of the larynx and serves as the bulk of the protection of the vocal chords. This structure can be fractured from direct pressure, resulting in strangulation. The tips of the thyroid cartilage can also be fractured, also resulting in strangulation.
- c) Cricoid Cartilage: Is a small ring-shaped cartilage seated below the thyroid cartilage. This structure can be fractured from direct pressure which can cause strangulation.
- d) Hyoid Bone: A horseshoe shaped bone located under the tongue that can easily be fractured under excessive pressure.
- e) Cervical Vertebrae: Consist of 7 bony rings that reside in the neck just below the base of the skull. These 7 vertebrae are the thinnest and most delicate of the spinal column yet are charged with supporting the head, protecting the spinal cord, and providing mobility to the head and neck. Inappropriate force to this area can result in fracture or dislocation of the spine, or damage to the spinal cord which can result in paralysis or death.

truth_act_form_1_-_spanish.pdf

ru

Fecha: _____
Date

RE: Formulario de Autorización para Ser Interrogado/a por el Servicio de Inmigración y Control de Aduanas

Este anuncio es para informarle que el Servicio de Inmigración y Control de Aduanas ("ICE" por sus siglas en inglés) quiere interrogarlo en persona o por teléfono, para obtener información, la cual ICE puede tratar de usar para deportarlo/a de los Estados Unidos. **Usted tiene el derecho de aceptar o rechazar un interrogatorio por ICE.**

El propósito de este anuncio es de proveerle información sobre sus derechos:

(1) **Los interrogatorios con ICE son voluntarios.** Usted puede decir "no" a ser interrogado/a por ICE.

(2) **Usted tiene el derecho a permanecer callado/a.** Aun si usted decide ser interrogado/a por ICE, usted puede rechazar a responder a cualquier pregunta, incluyendo preguntas sobre su estatus migratorio. Esto incluye preguntas sobre dónde nació usted o cómo entró a los Estados Unidos. Cualquier información que usted le dé a ICE en este interrogatorio puede ser usada en su contra en algún procedimiento criminal o de inmigración. No debe firmar ningún formulario que no entienda.

(3) **Usted puede pedir que un abogado esté presente durante cualquier interrogatorio.** Si usted pide un abogado en el formulario que se encuentra abajo, esta cárcel no puede llevarlo/a a un interrogatorio con ICE sin haber asegurado la presencia de su abogado.

(4) **Si usted ya está en proceso de deportación,** usted tiene el derecho de tener a su abogado de inmigración presente durante cualquier interrogatorio con ICE. Usted debe pedirle a ICE que contacte a su abogado (si usted tiene uno) antes de que lo/la interroguen.

Al marcar la casilla correspondiente de abajo y firmando, usted está indicando que usted acepta o rechaza a ser interrogado/a por ICE. La cárcel o el oficial de policía le informara a ICE sobre su decisión. Esta cárcel esta únicamente permitida a llevarlo/a a un interrogatorio con ICE sólo si usted está de acuerdo.

Nombre: _____

Booking #: _____

Firma: _____

_____ Yo **no** quiero hablar con ICE.

_____ Yo **sí** quiero hablar con ICE, **pero sólo** si mi abogado está presente.

_____ Yo **sí** quiero a hablar con ICE, **sin un** abogado presente.

FOR LAW ENFORCEMENT PERSONNEL:

Formulario del Acta de la Verdad 1 / TRUTH Act Form 1 (Spanish)

Served by : _____ ID #: _____ Date: _____

truth_act_form_1_-_korean.pdf

제목: 이민세관단속국 신문 동의서

이 고지는 이민세관단속국(Immigration and Customs Enforcement, "ICE")이 귀하를 국외 추방시키는 데 사용할 수도 있는 정보를 얻기 위해 대면 또는 전화로 귀하를 인터뷰하고자 함을 알리기 위한 것입니다. **귀하는 이 인터뷰에 동의하거나 이를 거부할 권리가 있습니다.**

이 고지는 귀하께 귀하의 권리에 대한 정보를 제공하고자 함입니다.

- (1) **ICE 인터뷰는 자발적인 것입니다.** 귀하는 ICE 에 의한 신문을 거부할 수 있습니다.
- (2) **귀하는 묵비권을 행사할 권리가 있습니다.** 귀하가 인터뷰에 동의하더라도, 귀하의 이민 신분에 대한 질문을 포함하여 어떠한 질문이든 답변을 거부할 수 있습니다. 여기에는 귀하가 태어난 곳과 귀하가 미국에 오게 된 방법에 대한 질문이 포함됩니다. 귀하의 진술은 형사 및/또는 이민 소송에서 귀하께 불리하게 사용될 수 있습니다. 귀하가 이해하지 못하는 양식에는 서명하지 마십시오.
- (3) **귀하는 인터뷰 동안 변호사의 출석을 요청할 수 있습니다.** 귀하가 본 양식 하단에 변호사를 요청하는 경우, 교도관은 변호사가 참석하지 않은 상태에서 귀하를 ICE 인터뷰에 데리고 갈 수 없습니다.
- (4) **이미 귀하에 대한 국외 추방 절차가 진행 중이라면,** 귀하는 심문 동안 이민 변호사의 출석을 요청할 권리가 있습니다. 귀하는 인터뷰 전에 귀하의 변호사(귀하께 변호사가 있을 경우)에게 연락하도록 ICE 에 알려야 합니다.

아래 칸에 체크 표시하고 서명함으로써, 귀하는 ICE 인터뷰에 대한 동의 여부를 표시하게 됩니다. 교도관이나 경찰관은 ICE 에 귀하의 결정에 대해 알릴 것입니다. 교도관은 귀하가 동의하는 경우에만 ICE 인터뷰에 귀하를 데리고 가는 것이 허용됩니다.

이름: _____ 입건 번호: _____
Name Booking #

서명: _____
Signature

- _____ 본인은 ICE 인터뷰에 동의하지 **않습니다.**
- _____ 본인은 본인의 변호사가 참석한 경우에 **한해서만** ICE 인터뷰에 동의합니다.
- _____ 본인은 본인의 변호사가 참석하지 **않은 상태에서의** ICE 인터뷰에 동의합니다.

FOR LAW ENFORCEMENT PERSONNEL:

Served by: _____ ID #: _____ Date: _____

truth_act_form_1_-_tagalog.pdf

RE: Forma ng Pahintulot para sa Panayam ng Pagpapatupad sa Imigrasyon at Customs

Ang paunawang ito ay upang ipaalam sa iyo na ang Immigration and Customs Enforcement ("ICE") ay nais na makipanayam sa iyo, nang harapan o sa pamamagitan ng telepono, upang makakuha ng impormasyon na maaari nilang gamitin upang subukan kang i-deport. **May karapatan kang pumayag o tumutol sa panayam na ito.**

Ang paunawang ito ay layong mabigyan ka ng impormasyon tungkol sa iyong mga karapatan:

- (1) **Ang mga panayam sa ICE ay boluntaryo.** Maaari mong ayawan ang pakikipag-panayam sa ICE..
- (2) **May karapatan kang manahimik.** Kahit na magpasya kang pumayag sa isang panayam, maaari kang tumanggap sagutin ang anumang mga katanungan, kabilang ang mga katanungan tungkol sa estado ng iyong imigrasyon. Kabilang dito ang kung saan ka isinilang at paano ka nakarating sa Estados Unidos. Anumang sabihin mo ay maaaring gamitin laban sa iyo sa mga paglilitis na kriminal at/o imigrasyon. Hindi mo dapat lagdaan ang anumang forma na hindi mo naiintindihan.
- (3) **Maaari kang humiling na magkaroon ng abogado sa panahon ng anumang panayam.** Kapag pinili mo ang paghiling sa isang abogado sa ibaba ng formang ito, hindi ka maaaring dalhin ng kulungan sa pakikipag panayam sa ICE na hindi kasama ang iyong abogado.
- (4) **Kung ikaw ay nasa paglilitis na para sa pagtanggap (deportasyon),** may karapatan kang makasama ang iyong abogado sa panahon ng anumang pagtatanong. Dapat mong sabihin sa ICE na makipag-ugnayan sa iyong abogado (kung mayroon ka) bago ang panayam.

Sa pag-tsek ng kahon at paglagda sa ibaba, ipinapahiwatig mo kung ikaw ay pumapayag o hindi pumapayag sa isang panayam sa ICE. Ipapaalam sa ICE ng kulungan o ng opisyal ng pulisya ang tungkol sa iyong desisyon. Pinapayagan lamang ang kulungan na dalhin ka sa isang panayam sa ICE kung ikaw ay pumayag.

Pangalan: _____

Booking #: _____

Lagda: _____

_____ Ako ay **hindi** pumapayag na makipag-usap sa ICE.

_____ Ako ay pumapayag lamang na makipag-usap sa ICE, **kung** naroon ang aking abogado.

_____ Ako ay pumapayag na makipag-usap sa ICE **nang** wala ang aking abogado.

FOR LAW ENFORCEMENT PERSONNEL:

Served by: _____

ID #: _____

Date: _____

truth_act_form_1.pdf

- ☐ Solicito recibir este formulario en español. / I request to receive this form in Spanish.
- ☐ 請寄來中文表格。 / I request to receive this form in Chinese.
- ☐ Nais ko pong makiusap na matanggap ang forma na ito sa Tagalog. / I request to receive this form in Tagalog.
- ☐ Tôi yêu cầu để nhận mẫu đơn này trong tiếng Việt. / I request to receive this form in Vietnamese.
- ☐ 저는 이서류를 한국어로 번역된 것으로 받고 싶습니다 / I request to receive this form in Korean.

Re: Consent Form for Immigration and Customs Enforcement Interview

This notice is to inform you that Immigration and Customs Enforcement (“ICE”) wants to interview you, either in person or by phone, to get information that they may use to try to deport you. **You have the right to agree or to refuse this interview.**

This notice is intended to provide you with information about your rights:

- (1) **ICE interviews are voluntary.** You can say no to an interview by ICE.
- (2) **You have the right to remain silent.** Even if you decide to say yes to an interview, you can refuse to answer any questions, including questions about your immigration status. This includes where you were born and how you came to the United States. Anything you say may be used against you in criminal and/or immigration proceedings. You should not sign any forms you do not understand.
- (3) **You may request to have an attorney present during any interview.** If you request an attorney in this form below, the jail may not bring you to an ICE interview without your attorney present.
- (4) **If you are already in removal (deportation) proceedings,** you have the right to have your immigration lawyer present during any questioning. You should tell ICE to contact your attorney (if you have one) before the interview.

By checking the box and signing below, you are indicating whether or not you agree to an interview with ICE. The jail or police officer will inform ICE of your decision. The jail is only allowed to bring you to an ICE interview if you agree.

Name: _____

Booking #: _____

Signature: _____

_____ I do **not** agree to speak to ICE.

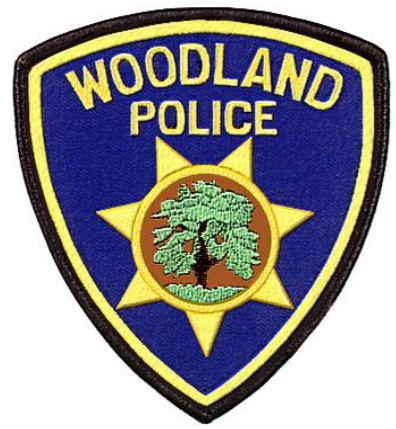
_____ I agree to speak with ICE, **only** with my attorney present.

_____ I agree to speak with ICE, **without** an attorney present.

FOR LAW ENFORCEMENT PERSONNEL:

Served by : _____ ID #: _____ Date: _____

SWAT Manual 2017.pdf



WOODLAND POLICE DEPARTMENT

Tactical Operations

SWAT Procedural Manual

WOODLAND POLICE DEPARTMENT

SWAT Procedural Manual

April 2017
1000 Lincoln Avenue
Woodland, CA 95695
Phone 530.661.7800 • Fax 530.662.2156

SWAT PHILOSOPHY AND MISSION STATEMENT

PHILOSOPHY

The Special Weapons and Tactics (SWAT) Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of traditional law enforcement first responders and/or investigative units.

The SWAT Team should be considered as a tactical alternative where it may, due to its member's training, expertise, and force options available, enhance resolution to critical incidents while minimizing exposure to loss of life or injury to involved parties.

MISSION STATEMENT

The Woodland Police Department's Special Weapons and Tactics (SWAT) Team was derived from a need for a specially trained and equipped group of officers who, acting as a team, could safely handle a wide variety of high risk incidents. These incidents are generally either beyond the scope of training for normal police officers or require the use of special equipment or tactics that are not readily used or available to patrol officers. The Woodland Police Department SWAT Team is designed, but not limited, to handle these types of incidents:

- Barricaded suspects
- Hostage rescue
- High risk warrants service/apprehensions
- Mobile operations
- Crowd Control
- Evacuation and rescue of individuals who are isolated within an inner perimeter
- Protective operations/Executive Protection
- Chemical agent deployment
- Counter-sniper operations
- Waterborne operations

The goal of the SWAT Team is to resolve these, and similar types of incidents, as safely as possible for all parties involved.

ORGANIZATION AND MANAGEMENT

CHAIN OF COMMAND

The control of the SWAT Team shall be as follows:

- Chief of Police
- Police Captain
- Patrol Division Lieutenant / Tactical Commander
- SWAT Team Leader
- SWAT Team Assistant Team Leader(s)

ORGANIZATION

The SWAT Team is normally being comprised of one Team Leader, one or two Assistant Team Leader and eight Officers.

The SWAT Team will work as a regional Tactical Team with the Yolo County Sheriff's Office SWAT Team and also as a part of the Yolo County Allied Law Enforcement Response Team (ALERT).

DUTIES OF TEAM MEMBER

Team members are expected to perform their SWAT duties as well as their collateral duties in a professional and exemplary manner. Team members may be assigned other responsibilities as part of their Team duties, and it is expected that they will fulfill these duties to the best of their abilities. In order to perform any auxiliary assignments, Team members will work with the Team Leaders and their direct supervisor to arrange for time to carry out their assignments while on duty. Failure to perform an assignment in a timely and acceptable manner may be grounds for removal from the Team.

REMOVAL FROM TEAM

SWAT Team members serve at the will of the Office of the Chief of Police, and maybe removed from the Team at his/her discretion. Grounds for removal from the SWAT Team may be, but are not limited to the following:

- Unsatisfactory annual performance evaluation

- Failure to carry out an assigned SWAT related duty
- Failure to pass Physical Fitness Qualification (PFQ)
- More than two (2) unexcused absences from SWAT training in any calendar year
- Failure to qualify with primary or secondary weapon
- Inability to work in a tactical environment
- Inability to function as a member of a tactical team
- Failure to maintain minimum standards of performance

A Team member may voluntarily withdraw from the Team at any time, for any reason. A Team member may be removed from the Team with the approval of the Chief of Police, without cause, when deemed necessary.

SWAT TEAM POSITIONS

SWAT TEAM POSITIONS

Although positions on the SWAT Team may vary, generally they will be as follows:

- Tactical Team Commander
- Team Leader
- Assistant Team Leader(s)
- Entry Team Members
- Chemical Agents
- Breacher
- Scout
- Precision Rifle Team Members

SWAT Team members may hold one or more positions at any time.

Tactical Team Commander

This individual has overall operational control of the tactical team.

Dependent upon the nature of the incident, the Tactical Team Commander may or may not be the individual with overall responsibility for the scene.

Team Leader/Assistant Team Leader

- The team leader functions as the supervisor over groups of tactical team members.
- Team leaders are responsible for directing the specific activities of team members under their supervision (e.g. team movements, team assignments, tactical planning.)
- Team leaders are responsible for overseeing and assigning tactical team members to perform training, equipment maintenance, and equipment acquisition.
- A designated team leader may or may not be of supervisory rank, but is still required to function in a supervisory role over the other team members.
- Assistant Team Leaders function in the capacity of the team leader when the team leader is not available, conducting other assignments, or upon his delegation.

Entry/arrest team(s)

- Entry teams are responsible for breaching, entering, and securing the target location.
- Arrest teams are responsible for taking suspects into custody and detaining other individuals who exit the target location.
- In some instances the duties of the entry teams and arrest teams may be combined.

Chemical agent deployment

- All SWAT team members will be cross-trained and responsible for operating specialized chemical agent deployment systems such as the 40mm launcher and a variety of hand-delivered munitions.
- On entries with the planned deployment of a chemical agent at least one team member will be designated as the primary deployment officer.

Breaching officer

- The breaching officer is responsible for effecting a forced entry using a variety of tools.
- One team member will be designated as the primary breaching officer for the initial breaching of any structure.

Scouts

- Scouts are responsible for conducting a comprehensive site survey (e.g., developing a site diagram, accessing topography, identifying cover positions, determining possible approach and retreat route, etc.)
- The scout will subsequently communicate this information to either the Team Leader or Tactical Team Commander.
- Obtaining timely and accurate intelligence and communicating it to every member of the tactical team is of vital importance to any tactical mission. Intelligence information should contain the following:
 - ✓ Suspect Information
 - ✓ Suspect location
 - ✓ Number of suspects
 - ✓ Physical descriptions
 - ✓ Clothing descriptions
 - ✓ Type of weapons
 - ✓ Mental/Physical condition
 - ✓ Type of crime committed

- ✓ Prior criminal activity
- ✓ Hostage Information
- ✓ Hostage location
- ✓ Physical descriptions
- ✓ Clothing descriptions
- ✓ Mental/Physical conditions
- ✓ Location Description
- ✓ Exterior description
- ✓ Interior description
- ✓ Danger areas associated with suspects' location

Precision long-rifle team

- The precision long-rifle/observer-spotter team consist of two team members and have specific responsibilities including:
 - Providing for observation of the scene
 - Providing cover for other officers
 - Neutralizing/eliminating a deadly threat with a precision shot, when necessary

SWAT TEAM ACTIVATION

CONSIDERATIONS

Factors for a SWAT call-out.

- Nature of the incident (felony crime against persons or property).
- Imminent danger to life (at present or in the immediate future).
- Weapons present/accessible (capable of causing serious injury, death or multiple injuries).
- Suspect location (barricaded, hidden, mobile threat), where searching would create an inherent life threatening risk.
- Hostages.
- Criminal history (violent crimes against persons, terrorism, etc).
- Risks associated with confrontation (suspect has tactical advantage, threats to kill officers/others, suicide by cop, booby traps, surveillance equipment, attack dogs).
- Environmental factors (lack of cover/concealment, difficult terrain creating a risk for attack or a need for additional protection in order to pursue suspect).
- Complete a **Risk Assessment Matrix** and consult with the SWAT Commander or Team Leader. This information will be critical in deciding the level of SWAT assistance.

Requirements for a SWAT request.

One factor or a group of factors may constitute a SWAT Call-out. Each consideration should be reviewed before initiating a SWAT request. The answer to these questions must be “Yes.”

- **If the incident is not resolved does the suspect pose an inherent danger of serious bodily injury or death to members of the community at large or parties present at the scene?**
- **Does the incident exceed the capabilities of traditional law enforcement first responders and/or investigative units?**
- **Is the incident at a point where the time required for a SWAT response will not jeopardize life or aid in a suspect’s obvious escape? (i.e. Active Shooter scenario)**

CALL-OUT PROCEDURES

SWAT activation takes precedence over all other assignments within the Police Department. In accordance with the guidelines set forth in the SWAT agreement, Police Department SWAT team members may be activated by the Chief of Police, Police Captain, or SWAT Tactical Commander. In incidents where SWAT has been activated and deployed, the team shall operate under command/authority of the SWAT Tactical Commander. When the SWAT mission has been accomplished, deactivation will be ordered by the Tactical Commander.

The activation procedure is the process used to activate the SWAT team in emergency situations. When the team is activated, all members are responsible for reporting for duty as quickly as possible. Members must be willing to set aside personal plans and responsibilities, report for duty and remain on duty until the mission has been accomplished, or relieved.

In addition, cell phones are to be operational and with the operator at all times. Primary contact information is to be current and readily available. All individual and team equipment is to be well maintained and readily available at all times.

Activation Process

- a. An emergency/critical incident occurs requiring the activation of SWAT personnel.
- b. Emergency assistance from SWAT is approved by the requesting agency command structure. (Woodland Police Department on-duty Patrol supervisors will call the SWAT Team Commander and brief him/her of the situation.)
- c. The requesting agency will contact the SWAT Team Commander to determine the level of response.
- d. The SWAT Team Commander will contact the Team Leader.
- e. The Team Leader will contact dispatch and order an "activation" for the appropriate team member(s).

Assembly Area

All Woodland Police Department team members will report to the SWAT Bay, unless instructed otherwise.

Deactivation Process

Upon completion of the SWAT operation, team members will report to a location designated by the Team Leader for debriefing, completion of after action reviews and critiques, etc.

Upon being dismissed the SWAT Team Commander and/or Team Leader, officers will report to the SWAT Bay to clean and store equipment/weapons.

The Team Leader will advise the on-duty supervisor or officer-in-charge that the operation has been completed and all personnel and equipment have been accounted for.

The on-duty-supervisor, or officer-in-charge, will then advise the on-call administrator if none are on-duty.

RESPONSIBILITIES

Dispatch Responsibilities

- Obtain authorization for call out from a Lieutenant or higher ranking WDP person. Log on the call the name of the authorizing person. The on-duty SGT/OIC can obtain authorization.
 - Always notify Tactical commander of all Team Activations
- Activate the Emergen paging system (*you need to page both teams, unless otherwise advised*)
- Provide team members with the following details:
 - Nature of the incident.
 - Location of the incident.
 - Location (command post) and time the team is to assemble.
 - Routes to take or avoid.
 - Any special equipment or other pertinent details.
- Team members that have called in to confirm receipt of page will be noted on the CAD call.
- After 5 minutes, if SWAT members have not called in to confirm receipt of page, direct contact will be made at all phone numbers listed until contact is made.

SWAT Team Member Responsibilities

When an activation text is received, each SWAT Team member shall telephone the Communications Center (Dispatch) to acknowledge the text and provide an estimated response time.

Absent other directions, Team members will respond directly to the SWAT Bay. Upon arrival Team members will assemble their personal gear, and prepare the Team gear and vehicles.

Request By Outside Agencies

Whenever a request for the Special Weapons Team is received from an outside agency, the matter should immediately be referred to the SWAT Tactical Commander. The SWAT Tactical Commander will obtain the following information, and make the determination whether or not the request will be granted.

- A. The name, rank and agency requesting the team.
- B. The nature of the problem
- C. A description of the location.
- D. The number of suspects and type of weapons possessed.
- E. Additional information such as hostages held, etc.
- F. The person and location to which the team is to report.
- G. Determine if the request is made with the approval of the Chief or other ranking Officer.
- H. Notify the Officer in Charge of the situation at the scene that he/she must relinquish command authority of his/her forces in accordance with the request of our Special Weapons Team.

Yolo County ALERT SWAT Operations Protocol

It is recognized that there is a genuine need for the use of SWAT teams in the service of some high-risk search and arrest warrants. It is further recognized that the primary agency securing the warrant should retain the authority and responsibility to serve the warrant and determine the need for the use of SWAT.

NOTIFICATION

When the primary agency secures a warrant outside of their own jurisdiction and it is determined SWAT is needed; the primary agency shall first offer the SWAT operation to the agency with jurisdiction over the location. If the agency with jurisdiction over the location elects not to utilize their own SWAT team then the primary agency shall serve the warrant. The agency with jurisdiction over the location may elect to assign a representative from their department to be present, or offer assistance during high risk warrant services.

JURISDICTION

Whereupon the primary agency encounters resistance at a search location which results in a barricade situation, hostage taking, or the need for the use of tear gas, the following procedure should be followed:

The primary agency SWAT team supervisor or commander shall secure an inner perimeter around the location of the incident. The primary agency SWAT team should limit their response to only that activity necessary to counter an immediate threat to life or property and containment of the scene.

The primary agency SWAT team supervisor or on-scene commander shall take immediate steps to notify the secondary agency's Watch Commander of the situation which has developed. The primary agency SWAT supervisor should also request the secondary agency's SWAT team to respond and conduct the SWAT operation and formulate a response to the situation. It is the responsibility of the secondary agency SWAT team to handle any barricade situation, hostage taking, shooting, and use of tear gas or other tactical operation which falls under their jurisdiction. These operations should not be initiated by an outside agency without prior approval from the secondary agency. The incident command shall be assumed by the senior official present from the jurisdiction where the incident occurs. The on-scene commander from the outside jurisdiction shall assist in the formulation of response and subsequent investigation. In certain situations, the secondary agency Watch Commander and /or SWAT Commander may designate the on site, outside agency SWAT team to handle the emergency operation. The secondary agency administration reserves the right to take full command of any barricaded incident or emergency high-risk situation.

CRITICAL INCIDENT CHAIN OF COMMAND

Upon arrival at the scene, the SWAT Commander/Team Leader shall assume tactical command of the incident from the field supervisor. The field supervisor in charge will remain in command as the Incident Commander until the arrival of the Captain or other designated Command Staff member. At the conclusion of the incident, the overall command will revert to the Incident Commander.

TACTICAL COMMAND DUTIES

The Tactical Commander/SWAT Team Leader will be responsible for developing and deploying operational responses for the incident in question. These responses should include; the accumulation of all available intelligence; the formulation of an emergency tactical plan; the formulation of a deliberate tactical plan.

INCIDENT COMMAND DUTIES

The Incident Commander will be responsible for coordination of patrol resources, liaison with command staff, press relations, fire/paramedic response, logistics support and any other duties deemed necessary.

ENTRY TEAM ORGANIZATION / OBJECTIVES

An Entry Team is comprised of SWAT Team members who are skilled in gaining access to, and conducting searches in the following situations; hostage rescue, high risk warrant service, vehicle assaults, structure clearance, or open air assaults. Entry Team members may also have cross training in other SWAT related fields.

The size of an Entry Team and the assigned duties of the team members will vary, depending upon the tactical situation. However, the Entry Team will usually have the following assignments:

Team Leader
Assistant Team Leader
Entry Team Scout
Entry Team Member
Breacher/Chemical Agent

OBJECTIVES

An Entry Team's objective is to approach and secure a location in the safest way possible. It is recognized that entry tactics may vary depending upon the type of location in question.

ENTRY PROCEDURES

Entry Tactics generally fall into two categories, "Slow and Deliberate" and "Dynamic". Although these tactics are somewhat different, specific situations may require the Entry Team to switch back and forth between the two techniques.

SLOW AND DELIBERATE

Slow and Deliberate searching techniques are utilized in situations in which the exact location of the suspect(s) may not be known, or when other circumstances dictate its use. This type of technique is characterized by methodical movements of the Entry Team, in which a detailed search of the location is conducted.

DYNAMIC

Dynamic Entries are utilized in situations in which the tactical situation requires the Team to move more quickly to reduce the risk of injury to officers or citizens, and prevent the destruction of evidence. Examples of situations that would require this style of entry are as follows: hostage rescue, narcotic search warrants, and high-risk warrants).

PRECISION RIFLE TEAM

ORGANIZATION

The Precision Rifle Team is a group of SWAT Team members who have received additional training in the use of long rifles. A Precision Rifle Team will normally consist of two officers who, depending upon the incident may be required to assume the role of Sniper, or Observer.

During a Tactical Incident the Precision Rifle Team will be under the control of the Tactical Commander, who will be designated Sierra Command.

OBJECTIVES

The objectives of the Precision Rifle Team are as follows:

- Provide intelligence on the suspect(s) actions, location, etc.
- Provide critical shot capabilities at suspect(s) who by their immediate or past actions pose a threat to citizens or officers.
- Provide counter fire to neutralize and/or suppress suspect(s) weapon fire.
- Provide protective cover fire for officers engaged in tactical actions.

PROCEDURES

The Precision Rifle Team decision to use force may be initiated in response to an immediate deadly threat in accordance with applicable laws and Department policy; or by direction from the SWAT Tactical Commander, again in accordance with applicable laws and Department policy.

REPORTING

OPERATIONAL PLANS

The use of a written plan facilitates the overall command and control of many incidents. For this reason whenever possible, the SWAT Team will use a written Operational Plan.

Operational Plans will follow the general format listed below. Operational Plans will be kept for a minimum of five (5) years. If the operation results in a serious injury or death, the Operational Plan will be kept permanently. Operational Plans will be kept on file, along with the After Action Critique, by the SWAT Tactical Commander.

- CP LOCATION
- INCIDENT COMMANDER
- TACTICAL COMMANDER
- MISSION
- JUSTIFICATION
- RULES OF ENGAGEMENT
- LOCATION
- SPECIAL HAZARDS
- RADIO FREQUENCIES
- MEDICS
- HOSPITAL
- SUSPECT INFORMATION

AFTER ACTION REPORT

A report documenting the use of the SWAT Team will be generated for any activation. This report will be in the form of an “After Action Report”. A Team Member who was involved in the incident will write the report. The report will follow the general format listed below. After Action report will be maintained using the guidelines for Operational Plans.

- LOCATION
- INCIDENT COMMANDER
- TACTICAL COMMANDER
- INCIDENT TYPE
- DATE / TIME INITIATED AND COMPLETED
- TEAM MEMBERS INVOLVED

- RESOURCES UTILIZED
- SUMMARY

SWAT TEAM MEMBER SELECTION

SWAT Team personnel may be selected from any Division, within the Police Department, by the Office of the Chief of Police or his/her designee. Selection to the SWAT Team is a prestigious assignment, and team members are expected to lead by example in both their regular assignment and SWAT duties.

SELECTION CRITERIA

- Possess a Basic POST Certificate
- Satisfactory Employee Performance Evaluations
- Satisfactory review of the employee's personnel file
- Satisfactory performance in the Department's Firearms, and Arrest and Control training program
- Assignment to the SWAT Team requires continuous participation in the SWAT PT program
- Successful performance in the Woodland PD SWAT Fitness and Swim Test designed for SWAT personnel
- Successful performance in an oral interview
- Submit to and successfully pass a psychological evaluation by the Departmental Psychologist
- Satisfactory input from the Officer's immediate supervisor regarding the applicant's performance in his or her current duty assignment.

SELECTION PROCESS:

RESUME

When a SWAT Team opening exists, interested parties will direct a memo to the SWAT Tactical Commander or designee. This memo should contain a detailed explanation of any specialized training (i.e. military or prior SWAT experience, weapons or other relevant expertise) the applicant possesses.

INTERVIEW

Applicants will then participate in an oral interview given by selected SWAT Team personnel. The interview may consist of a set of questions regarding the applicant's experience, qualifications, work history, and background, and at least one tactical scenario. The panel will consist of at least one outside panel member or previous SWAT team member.

WOODLAND PD SWAT FITNESS TEST

Following are the requirements of the Woodland PD SWAT Fitness Test:

Event 1: Pursuit/Rescue Climb

The "Pursuit/Rescue Climb" consists of two "pull-ups" with the hands facing outwards. The "pull-ups" will start from a "dead hang" position. The student will be wearing a tactical vest with 25lbs of weight in it. The chin must cross over the bar and the candidate must return to the "dead hang" position before repeating.

Event 2: Tactical Obstacle Course

Wearing "work out" clothing, the candidate must complete an 880 yard course, consisting of two laps and three job related tasks on a 440 yard oval running track. At the 220 and 260 yard marks, the candidate must negotiate a forty (40) yard running weave consisting of nine (9) cones placed five (5) yards apart, with a lateral dispersion of five (5) yards. Candidates must run to the left of the cones positioned on the inside of the track and to the right of the cones positioned on the outside of the track.

At the 440 yard mark, the candidate must drag a supine victim ten (10) yards to "safety." The candidate must complete the drag with no assistance from the victim. The victim should weigh between 175lbs and 225lbs attired in his/her SWAT body armor and equipment. Only the victim's feet may contact the track during the drag.

At the 660 yard mark, the candidate must renegotiate the running weave, this time dropping to the prone position (chest and hands in contact with the track) at each cone.

Passing Time is 4 minutes 30 seconds.

Event 3: Assault Dash

The candidate will begin in the prone position carrying an unloaded Remington 870 shotgun. The student will have 8 seconds to run forty yards with the shotgun.

Event 4: Body Weight Lifts

Bench, Squat, and Deadlift body weight.

WOODLAND PD SWAT SWIM QUALIFICATIONS

Pool Practical Application/skills demonstration: Tired Swimmer's Carry (Performance Objective #1)

Pass/Fail

- Operator performs *either* of the following:
- Cross-Chest, or
- Double Armpit
- Collar Tow

Conducted in BDUs (top and bottom) and boots, with a compliant partner (student).

Pool Practical Application/skills demonstration: Platform Entry / Tread Water (Performance Objective #2)

Pass/Fail

- Operator begins on ten foot tower
- Operator steps off platform into the water & surfaces
- Operator then commences to tread water, or float for ten minutes

Conducted in BDUs (top and bottom) and boots.

Pool Practical Application/skills demonstration: Basic Swim Strokes (Performance Objective #3)

Pass/Fail

- Operator begins at one end of the pool and, when directed, swims 100 yards using any number of swim strokes or combination of strokes
- Operator will not touch bottom, or rest at walls when conducting turns

Conducted in flight suit or BDUs (top and bottom), and boots.

Pool Practical Application/skills demonstration: Underwater Swim (Performance Objective #4)

Pass/Fail

- Operator begins at one side of the pool and, when directed, swims nonstop, underwater, for a distance of fifteen yards

Conducted in flight suit or BDUs (top and bottom), boots, and un-inflated PFD.

Pool Practical Application/skills demonstration: Water Entry / Gear Ditch (Performance Objective #5)

Pass/Fail

- Operator will stand at the deep end of the pool in full assault gear, without PFD
- When directed, operator will step off into the water
- Following water entry, operator will conduct gear ditching procedure and surface

TEAM REVIEW

The SWAT Team Leader will review the applicant's resume and results of the interview with the Team members. Team members will be given the opportunity to discuss the applicants and their qualifications. This discussion will be limited to direct knowledge possessed by the Team members, and must center on the applicants' ability to work in a tactical team environment.

SELECTION

The SWAT Team Commander is responsible for selecting the applicant, and submitting the applicant's name to the Chief of Police for approval.

PSYCHOLOGICAL EVALUATION

Applicants selected for the position must submit to a psychological evaluation administered by a Department Psychologist.

PARTICIPATION IN PT PROGRAM

All SWAT Team members shall actively participate in an outside PT program, and must perform at the maintenance level applicable to the SWAT Team standards. All SWAT Team members must perform the running and pull-up portion of the PT test. It is the responsibility of the Team member to insure their continued participation in an outside PT program.

Woodland PD SWAT Fitness Test will be conducted biannually. Any Member that cannot attend a scheduled physical test, must qualify within (30) days of the scheduled test date. After (30) days, the Member will be inactivated until the test is successfully completed. Any member that fails to pass the Woodland PD SWAT Fitness Test will be inactivated for (90) days. After (90) days if the member still cannot pass the test, the member will be removed from the SWAT Team.

NEW TEAM MEMBERS

After being selected, new SWAT Team members will serve a one year probationary period during which they will be evaluated as to their ability to perform as a member of the SWAT Team. During this period the new Team member will be assigned to attend a basic SWAT School, and any other school that is relevant to his/her particular assignment.

New team members will be assigned to a senior Team member who will serve as their mentor. The senior Team member is responsible for assuring the new member has an understanding of, and has demonstrated competency in performing the relevant Team member operational skills. The senior Team member, with the assistance of a Team leader, or Assistant Team leader, will complete the new member's operational skill checklist. This checklist will be utilized at the end of the new member's probationary year to determine the officer's suitability for the Team.

EQUIPMENT

The mission of the Woodland Police SWAT Team is to provide specialized support in critical incidents or other high-risk situations and other assignments as directed by the Chief of Police, Police Captain, Patrol Division Lieutenant, or other competent authority. To accomplish this mission the SWAT Team has available a variety of specialized equipment.

BASIC EQUIPMENT

The basic equipment utilized by SWAT Officers is outlined in the members SWAT training file.

In addition to the basic SWAT equipment, SWAT Officers have a variety of specialized weapons, ammunition, and equipment that may be utilized to handle critical incidents.

WEAPONS

Colt M-4 Select Fire Rifle, M-16, AR-15 (.223 cal.)

40 mm projectile launcher (less lethal and chemical agent applications)

Benelli shotgun / 12 ga shotgun

Remington 700 rifles

Glock 22 Gen 4, .40 cal. semi-automatic pistol

AMMUNITION

The type of sidearm, rifle, and shotgun ammunition utilized may vary depending upon the incident and the intended application.

In addition to conventional ammunition, the SWAT Team also has a number of “less lethal” munitions available. These munitions are as follows:

40mm. Direct and Exact Impact round

40mm. Ferret Rounds

Distraction Device (Light/Sound devices)

Hand-held chemical deployment devices

TRAINING FILES

The SWAT Team Leader is responsible for maintaining a training file for each SWAT officer. This file will include all pertinent SWAT related training the officer receives.

MASTER TRAINING FILE

A master training file will be kept in the Training Unit Office. This file will include a recap of the monthly training, as well as the officers who participated, and their proficiency on any qualifying courses of fire.

BASIC SWAT TRAINING

Newly appointed SWAT Team members should attend a POST certified basic SWAT school as soon as possible. *Under normal circumstances newly appointed Team members should not actively participate in an operation until they have completed a basic SWAT school or academy.*

In addition to the basic SWAT school, Team members may attend additional SWAT training covering, but not limited to, the following topics:

- Advanced SWAT school
- Less Lethal Munitions
- Distraction Devices
- Tactical Rappelling
- Dynamic Entry/Slow and Deliberate
- Precision Rifle
- Rifle firearms course
- Executive Protection
- Chemical Munitions
- Active Counter Measures
- Waterborne Operations

- Other training deemed relevant
- Advanced Firearms

MONTHLY TRAINING

SWAT Team training will be held minimally on a monthly basis and will generally be a ten hour training day. Each Team member is required to attend monthly training, unless they have been granted an excused absence. In order for an absence to be considered excused the team member shall notify the SWAT Commander or the Team Leader, of the pending absence in writing prior to the training day. More than two absences during any calendar year may be grounds for removal from the team.

Monthly training will be arranged in advance. Training may be provided by Team members, or by outside sources. Each topic of instruction will require a lesson plan that will be kept in the SWAT training files for a period of five (5) years. The training plan shall be presented to the SWAT Team leader at least one week in advance of the scheduled training day. The training plan will include which recommended POST SWAT Core Competencies that were covered during that training day.

Twice a year Woodland SWAT will cross train with the Woodland Crisis Negotiation Team (CNT). These joint trainings will be scenario based using role players and including members from the patrol division and other applicable city and county entities.

Once a year the Woodland Police Department SWAT Team will train with the allied agencies of the Yolo County A.L.E.R.T. in scenario based training.

Each year the SWAT Tactical Commander, Team Leader, and all SWAT officers will conduct a needs assessment. The assessment will address the effectiveness of training, the status of the team in relation to the mission of SWAT, and changes to the SWAT operational policy, and a tentative schedule for monthly training during the next year.

TEAM MEMBER OPERATIONAL SKILLS

The following is a list of basic operational skills that each Team member must demonstrate proficiency in. The demonstrated proficiency shall be documented in the Team members training file. This list is a guideline, and should not be considered all-inclusive.

- Cover, concealment and camouflage techniques.
- Individual and Team movement tactics.
- Individual and Team weapon tactics.
- Communication procedures -visual and audible.
- Ladder, lifts and obstacle clearing techniques.
- Crossing open areas, walls, and fences.
- Passing windows and crawl spaces.
- Breaching methods/tactics.
- Door and window entry techniques.
- Room clearing.
- Hallway clearing.
- "L" intersection clearing.
- "T" intersection clearing.
- Stairway clearing.
- Attic, crawl space, and tunnel clearing.
- Mirror techniques.
- Shield techniques.
- Low light techniques.

- Chemical agent/operations in chemical environment techniques.
- Rope techniques.
- Rescue techniques.
- Special munitions techniques (distraction devices, chemical smoke, etc.)
- Waterborne Operations

OPERATIONAL SKILL STANDARDS

Cover, concealment and camouflage techniques

Team member demonstrates an awareness of the difference between cover and concealment.

Team member demonstrates an awareness of the principles of back lighting, and blending, as well as the proper use of natural surroundings.

Individual and Team movement tactics

Team member demonstrates the ability to move quickly, quietly, and safely, as an individual or with a group, while taking advantage of the terrain features present, while avoiding obstacles.

Team member demonstrates the ability to safely enter structures and rooms in a tactical manner.

Team member demonstrates an awareness of his/her surroundings (i.e. silhouetting, noise or light producing items,) during the movement and while staging.

Individual and Team weapon tactics

Team member must demonstrate proficiency with his/her assigned primary and secondary weapons, as well as gas, less lethal, distraction devices, etc.

Communication procedures (Visual and Audible, Tactile)

Team member demonstrates the ability to communicate and relay a message with verbal or visual signals.

Ladder, lifts and obstacle clearing techniques

Team member demonstrates the ability to work individually and as a member of a group to clear obstacles in his/her path.

Crossing open areas, walls and fences

Team member will demonstrate the ability to cross open areas using the “over-watch” principle, while providing appropriate cover for other members.

Team member will demonstrate the ability to cross walls and fences, in a tactically sound manner, while providing appropriate cover for other members.

Passing windows and crawl spaces

Team member will demonstrate the ability to pass windows and crawl spaces, in a tactically advantageous manner, while providing appropriate cover on fields of fire.

Breaching methods/tactics

Team member will demonstrate the ability to use the following breaching tools, in a tactically advantageous manner.

Hooligan Tool

Sledge

Door Ram

Door Hooks

Tactical Breaching Shotgun rounds

Slow and Deliberate Door and Window Entry Techniques

Team member will demonstrate the ability to enter a door in a covert manner, while maintaining a controlled pace appropriate for the entry. Team member will demonstrate appropriate noise and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.

Team member will demonstrate the ability to enter a window in a covert and tactically sound manner, while maintaining a pace appropriate for the entry. Team member will demonstrate appropriate noise and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.

Dynamic Door and Window Entry Techniques

Team member will demonstrate the ability to enter a door in a dynamic manner, while maintaining a controlled pace appropriate for the entry. Team member will demonstrate appropriate noise and

light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.

Team member will demonstrate the ability to enter a window in a dynamic and tactically sound manner, while maintaining a pace appropriate for the entry. Team member will demonstrate appropriate noise and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.

Room Clearing

Team member will demonstrate the ability to clear a room, in both covert and dynamic situations, while working in unison with a partner.

Hallway Clearing

Team member will demonstrate the ability to employ linear clearing techniques in both a dynamic and covert manner. Team member will also demonstrate the ability to position supporting members in a manner that maximizes cover and fields of fire.

“L” Intersection

Team member will demonstrate the ability to clear “L” intersections, in both covert and dynamic situations, in a manner that maximizes safety.

“T” Intersection

Team member will demonstrate the ability to clear “T” intersections, in both covert and dynamic situations, in a manner that maximizes safety.

Attic, Crawl Space, and Tunnel Clearing

Team member will demonstrate the ability to safely clear attics, crawl spaces and tunnels, while working in conjunction with supporting personnel.

Mirror Techniques

Team member will demonstrate the ability to use mirrors to facilitate the search of attics, crawl spaces, etc.

Shield Techniques

Team member will demonstrate the ability to manipulate and work behind the ballistic shield.

Low Light Techniques

Team member will demonstrate an awareness of effectively controlling the application of light to a given situation. Team member will understand and demonstrate the concept of “moving to darkness,” as well as the technique of “painting a path” when working in low light conditions.

Chemical Agent / Operations in Chemical Environment Techniques

Team member will demonstrate the ability to deploy chemical munitions, as well as the ability to operate in chemical agent environments.

Rope Techniques

Team member will demonstrate the ability to rappel in a tactical environment.

Rescue Techniques

Team member will demonstrate the ability to work as part of a rescue team, while employing vehicles, shields or other apparatus deemed necessary.

Special Munitions

Team member will demonstrate the ability to safely handle and deploy distraction devices, chemical agents, smoke, and less lethal technology.

Waterborne Insertions

Team members may be assigned to conduct waterborne insertions. Team members must successfully complete a series of tests designed to evaluate their ability to work in a marine environment. Team members will demonstrate the ability to move unnoticed to a location that provides a tactical advantage and allows for the gathering of intelligence on a suspect(s) activities.

- **The attached checklist in the appendix will be completed by the team leader for each new team member.**

FIREARM PERFORMANCE STANDARDS

Members may only attempt any of the following tests, twice in a given day. If a Member cannot pass one of the tests, the member must re-test on another day in the presence of the Team Leader or Assistant Team Leader. Re-testing should be done as soon as possible in that the member's active status is in jeopardy and shall be evaluated by the Team Commander.

Failure to qualify on two consecutive qualification dates, for either rifle, shotgun or pistol marksmanship, will be grounds for removal from the SWAT Team. The member shall be on inactive status pending a final decision by the Team Commander.

FBI PISTOL QUALIFICATION COURSE (PQC)

50 Rounds Service/QIT Target

3 fully loaded magazines with loose rounds in pocket

Shooter will load and immediately conduct a tactical magazine exchange, cover target, de-cock, and holster. The exchanged magazine will be topped off. At the completion of the 25 yard phase, shooters will remain in the kneeling position and conduct another tactical magazine exchange from behind cover. All shooters must have a lock back magazine change at the 7 yard line phase. Shooters will reconfigure their magazines for the 5 yard line phase. All manipulations should be conducted behind the cover/concealment of the barricade.

NO ALIBIS GRANTED (During record runs) unless malfunction could not be resolved by conventional immediate action drills, i.e., tap-rack-ready. Instructor verification required.

INSTRUCTORS MUST SCORE ALL RECORD RUNS

At 25 yard (barricade), weapon fully loaded and holstered.

On command, draw and fire: (18 rnds/1:15 sec.) 6 rounds prone (de-cock before changing position)

- * 3 rounds, kneeling, strong side of barricade

- * 6 rounds, standing, strong side of barricade

- * 3 rounds, kneeling, weak side of barricade

At 25 yards, weapon holstered.

On command, move to 15 yards, draw and fire: 10 rounds

- * 2 rounds, 6 seconds (remain at Position 3)

- * 4 strings, 2 rounds each, 3 seconds

At 15 yards, weapon holstered.

On command, move to 7 yards, draw and fire:

- * 12 rounds, 15 seconds (with mandatory lock back magazine change)

At 7 yards, weapon loaded with 5 rounds, 5 rounds in spare magazine, holstered.

On command, move to 5 yards, draw and fire: 10 rounds/15 sec.

- * 5 rounds, one hand only (strong)

- * lock back magazine change (mandatory)

- * 5 rounds, one hand only (weak)

Scoring: 2 points per hit

COURSE: Combat

WEAPON: .223 Carbine Colt M4

AMMUNITION REQUIREMENTS: 35 Rounds 5.56mm/.223
(Two magazines with 10 rounds each,
One magazine with 15 rounds)

MATERIALS REQUIRED:

- 5 targets
- Silhouette or “Q” style.
- Timer

COURSE DESCRIPTION:

The shooter will start at the 100-yard line. The time will start when the shooter inserts a loaded magazine with 10 rounds. The shooter will run to **station #1** at the 50-yard line. From this location, the shooter will assume a prone position and fire five rounds at center mass of target #1 followed by five rounds to the head.

The shooter will then reload with a second magazine of 10 rounds and run parallel to the target at **station #2** at the 25-yard line. From this position, the shooter will fire 5 rounds standing, with support, into the head of target #2. After completing this assignment, the shooter will move laterally to **station #3** and fire five rounds standing center mass, at target #3.

The shooter will then reload with his/her remaining magazine and 15 rounds and run to station **#4** at the 15 yard line. From this position, the shooter assumes a kneeling position and 5 rounds into the center mass of target #4, followed by 5 rounds to the head of the same target. After completing this task, the shooter will move to **station #5** at the 7 yard line, assume a standing “point shoulder” position and fire his/her remaining rounds on full automatic at center mass of target #5.

(See diagram for illustration of course of fire)

SCORING:

Time limit: 2 minutes
Maximum points: 350, (10 points per round)
300 Passing

- No shots fired after the two-minute time limit will be counted.
- Hits on silhouette style targets will be scored from the top of the #8 ring to the bottom of the #6 ring of the silhouette. Hits on the Q style will be scored if they are in the “bowling pin” portion

- Procedural errors will result in a 5-second penalty. Examples of procedural errors are unsafe weapon handling, engaging targets with the safety activated or with engaging targets with an unloaded weapon.
- Shooters are responsible for clearing all malfunctions. No alibis will be granted.

Appendix

Operational Skills Checklist

POST SWAT Operational Guidelines and Standardized Training Recommendations

#	OPERATIONAL SKILLS	DEM. : DATE / INITIAL	PERF. : DATE / INITIAL
1.	Cover, Concealment, and Camouflage Techniques		
	Team member demonstrates an awareness of the difference between cover and concealment.		
	Team member demonstrates an awareness of the principles of back lighting, and blending, as well as the proper use of natural surroundings.		
2.	Individual and Team movement Tactics		
	Team member demonstrates the ability to move quickly, quietly, and safely, as an individual or with a group, while taking advantage of the terrain features present, while avoiding obstacles.		
	Team member demonstrates the ability to safely enter structures and rooms in a tactical manner.		
	Team member demonstrates an awareness of his/her surroundings (i.e. silhouetting, noise or light producing items,) during the movement and while staging.		
3.	Individual and Team Weapon Tactics		

	Team member demonstrates proficiency with their assigned primary and secondary weapons, as well as chemical munitions, less lethal munitions, distraction devices, etc.		
4.	Communication Procedures		
	Team member demonstrates the ability to communicate and relay a message with visual and audible signals.		
5.	Ladder, Lifts and Obstacle Clearing Techniques.		
	Team member demonstrates the ability to work individually and as a member of a group to clear obstacles in his/her path.		
6.	Crossing open areas, walls and fences.		
	Team member will demonstrate the ability to cross open areas using the “over watch “ principle, while providing appropriate cover for other members		
7.	Passing Windows and Crawl Spaces.		
	Team member will demonstrate the ability to pass windows and crawl spaces, in a tactically advantageous manner, while providing appropriate cover on fields of fire.		

#	OPERATIONAL SKILLS	DEM.	PERF.
8. Breaching Methods/Tactics.			
	- Team member will demonstrate the ability to use the following breaching tools, in a tactically advantageous manner. ◆ Hooligan Tool ◆ Sledge ◆ Door Ram ◆ Door Hooks ◆ Breaching - Shotgun		
9. Covert Door and Window Entry Techniques.			
	Team member will demonstrate the ability to enter a door in a covert manner, while maintaining a controlled pace appropriate for the entry. Team member will demonstrate appropriate noise		

and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat. • Team member will demonstrate the ability to enter a window in a covert and tactically sound manner, while maintaining a pace appropriate for the entry. Team member will demonstrate appropriate noise and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.		
10. Dynamic Door and Window Entry Techniques.		
• Team member will demonstrate the ability to enter a door in a dynamic manner while maintaining a controlled pace appropriate for the entry. Team member will demonstrate appropriate noise		

and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat. • Team member will demonstrate the ability to enter a window in a dynamic and tactically sound manner, while maintaining a pace appropriate for the entry. Team member will demonstrate appropriate noise and light discipline, and will take advantage of all available cover and concealment. Team member will also demonstrate the ability to cover all anticipated fields of fire and respond to any threat.		

#	OPERATIONAL SKILLS	DEM.	PERF.
11. Room Clearing			
	Team member will demonstrate the ability to clear a room, in both covert and dynamic situations, while working in unison with a partner.		
12. Hallway Clearing			
	Team member will demonstrate the ability to employ linear clearing techniques in both a dynamic and covert manner. Team member will also demonstrate the ability to position supporting members in a manner that maximizes cover and fields of fire.		
13. "L" Intersection			
	Team member will demonstrate the ability to clear "L" intersections, in both covert and dynamic situations, in a manner that maximizes safety.		
14. "T" Intersection			

Team member will demonstrate the ability to clear “T” intersections, in both covert and dynamic situations, in a manner that maximizes safety.		
15. Stairwell Clearing Techniques		
Team member will demonstrate the ability to clear a stairwell while working in conjunction with supporting personnel.		
16. Attic, Crawl Space, and Tunnel Clearing.		
Team member will demonstrate the ability to safely clear attics, crawl spaces and tunnels, while working in conjunction with supporting personnel.		
17. Mirror Techniques.		
Team member will demonstrate the ability to use mirrors to facilitate the search of attics, crawl spaces, etc.		
18. Shield Techniques.		
Team member will demonstrate the ability to manipulate and work behind the ballistic shield.		
19. Low Light Techniques.		

Team member will demonstrate an awareness of effectively controlling the application of light to a given situation. Team member will understand and demonstrate the concept of “moving to darkness” as well as the technique of “painting a path” when working in low light conditions.		
20. Chemical Agent / Operations in Chemical Environment Techniques.		
Team member will demonstrate the ability to deploy chemical munitions, as well as the ability to operate in chemical agent environments.		
21. Rope Techniques		
Team member will demonstrate the ability to rappel in a tactical environment.		
22. Rescue Techniques.		
Team member will demonstrate the ability to work as part of a rescue team, while employing vehicles, shields or other apparatus deemed necessary.		

#	OPERATIONAL SKILLS	DEM.	PERF.
23. Special Munitions.			
	Team member will demonstrate the ability to safely handle and deploy distraction devices, chemical smoke, and less lethal technology.		
24. Waterborne Insertions			
	Team members may be assigned to conduct waterborne insertions. Team members must successfully complete a series of tests designed to evaluate their ability to work in a marine environment. Team members will demonstrate the ability to move unnoticed to a location that provides a tactical advantage and allows for the gathering of intelligence on a suspect(s) activities.		

WPD Employee Evaluation Updated July 2014.docx

truth_act_form_1_chinese.pdf

Re : 移民和海關執法部面談同意書。

本函謹通知你，移民海關執法局（“ICE”）想與你面談，或通過電話向你查詢，他們可能以此作為驅逐你出境之證供。你有權同意或拒絕本次面談。

本通知書旨在向你提供有關你的權利之信息：

（1）ICE訪談是自願性質。你可以拒絕ICE的查訪。

（2）你有權保持沉默。即使你決定願意面談，你也可拒絕回答任何問題，包括有關你的移民身份的問題。這包括你的出生地，及你如何來到美國。你所說的任何話，都可能在罪行和/或移民訴訟中被用來針對你。你更不應該簽署任何你不明白的表格。

（3）你可以要求在任何面談中有律師陪同出席。如你通過以下表格來尋求律師協助；如無律師在場，獄方可能不會讓你參加ICE訪談的。

（4）如果你已被牽涉入遣返（遞解出境）訴訟，你有權要求在任何提問時，都需有你的移民律師在場。你應告知ICE在面查前，需聯繫你的律師（如你有律師的話）。

請填好你的選框，並在下面簽名，以表明你是否同意接受ICE的查探。獄方將通知ICE你的決定。如你同意，獄方才可帶你到ICE面談。

姓名：_____ 預定編號：_____

簽名：_____

_____ 我不同意與ICE交談。

_____ 我同意與ICE交談，須有我的律師在場。

_____ 我同意與ICE交談，無須律師在場。

執法員填寫：

遞交員姓名：_____ 證號（ID #）_____（日期）_____

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Re: Mẫu chấp thuận cho Bộ Di Trú và Hải quan phỏng vấn

Thông báo này là để thông báo cho bạn rằng Bộ Di trú và Hải quan ("ICE") muốn phỏng vấn bạn trực tiếp hoặc qua điện thoại, để có được sự điều tra mà họ có thể sử dụng để trục xuất bạn. Bạn có quyền đồng ý hoặc từ chối cuộc phỏng vấn này.

Thông báo này được dự định để cung cấp cho bạn tin tức về quyền lợi của bạn:

(1) phỏng vấn của ICE là tự nguyện. Bạn có thể nói không với một cuộc phỏng vấn của ICE.

(2) Bạn có quyền giữ im lặng. Nếu bạn quyết định tham gia một cuộc phỏng vấn của ICE, bạn có thể từ chối trả lời bất kỳ câu hỏi nào, bao gồm các câu hỏi về tình trạng di trú của bạn. Điều này bao gồm nơi sinh của bạn và bằng cách nào bạn đã đến Hoa Kỳ. Bất cứ điều gì bạn nói, họ có thể được sử dụng chống lại bạn trong vụ hình sự và / hoặc vụ nhập cư. Bạn không cần phải ký giấy tờ bất kỳ hình thức mà bạn không hiểu.

(3) Bạn có thể yêu cầu phải có một luật sư có mặt trong cuộc phỏng vấn. Nếu bạn đã yêu cầu một luật sư có mặt trong cuộc phỏng vấn, nhưng mà không có luật sư đại diện cho bạn, nhà tù có thể không mở cuộc phỏng vấn cho ICE.

(4) Nếu bạn đã có vụ án về vấn đề trục xuất, bạn có quyền mượn luật sư di trú trong các cuộc phỏng vấn của ICE. Bạn nên nói với ICE để liên lạc với luật sư của bạn (nếu có) trước khi phỏng vấn.

Xin chọn bạn muốn và ký tên dưới đây, bạn cho biết đồng ý hay không trong cuộc phỏng vấn với ICE. Nhân viên của nhà tù sẽ thông báo cho ICE biết quyết định của bạn. Nhà tù chỉ được phép đưa bạn đến một cuộc phỏng vấn với ICE, nếu bạn đồng ý.

Tên: _____ Số ký #: _____

Chữ ký: _____

_____ Tôi không đồng ý gặp mặt với ICE.

_____ Tôi đồng ý nói chuyện với ICE, nếu có luật sư đại diện có mặt

_____ Tôi đồng ý nói chuyện với ICE, mà không cần luật sư đại diện.

CHO NHÂN VIÊN PHÁP LUẬT:

Người đệ trình: _____ ID #: _____ ngày: _____

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SWAT



POST2005TPS-0369.1

OPERATIONAL GUIDELINES **AND** STANDARDIZED TRAINING RECOMMENDATIONS

California POST



SWAT

OPERATIONAL GUIDELINES
AND
STANDARDIZED
TRAINING RECOMMENDATIONS

POST2005TPS-0369.1



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■ **SWAT Operational Guidelines
and Standardized Training Recommendations**

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California Commission on Peace Officer Standards and Training (POST)

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Acknowledgements

■ This manual could not have been developed without the combined efforts of a great number of dedicated individuals and interested parties.

POST would like to extend its gratitude to the many law enforcement officers, supervisors, managers, and support staff who contributed to the success of this project.

FOREWORD

■ Penal Code Section 13514.1 directs the Commission to develop and disseminate guidelines and standardized training recommendations for law enforcement officers, supervisors, and administrators, who are assigned to perform, supervise, or manage Special Weapons and Tactics (SWAT).

The operational guidelines address legal and practical issues of SWAT operations, personnel selection, fitness recommendations, planning, tactical issues, safety, after-action evaluation of operations, logistical and resource needs, uniform and firearms recommendations, risk assessment, policy considerations, and multi-jurisdictional SWAT operations.

POST assembled over 130 law enforcement practitioners, managers, and executives to develop these guidelines. SWAT subject matter experts met throughout 2004 to provide input regarding the highly specialized components of SWAT operations and training. The SWAT Executive Committee, comprised of law enforcement chief executives, administrators, and SWAT practitioners, met to review recommendations of subcommittees. The California Attorney General’s Blue Ribbon SWAT Report 2002 has been considered at each step in the process and used as a guiding document in developing these operational guidelines and standardized training recommendations. The Commission appreciates the efforts of the POST Special Weapons and Tactics committee members who developed and reviewed the guidelines.

These SWAT guidelines reflect recent law changes and contemporary thinking concerning tactical law enforcement operations. They are deliberately brief and are intended to be elaborated upon by law enforcement administrators and training presenters.

For questions concerning the guidelines, please contact Training Program Services at (916) 227-4885. For questions concerning basic or update training, please contact your area consultant in Training Delivery at (916) 227-4863 or via the Regional Map on our website at www.post.ca.gov.

KENNETH J. O’BRIEN
Executive Director

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INTRODUCTION

■ The following are guidelines and standardized training recommendations for managing, operating, and training law enforcement SWAT teams in the State of California in accordance with Penal Code Section 13514.1. The intent of these guidelines is to provide helpful guidance to law enforcement agencies in the formation, oversight, operation, and training of effective SWAT teams. To the extent possible, “best practices” have been identified and incorporated into these guidelines. While these guidelines encourage some degree of standardization of SWAT, it is recognized that local conditions and needs vary considerably and therefore flexibility is afforded agencies. These guidelines pay particular attention to the SWAT aspects that focus on effectiveness, safety and prevention of problematic critical incidents.

NOTE: In the following sections, operational guidelines and standardized training recommendations are identified in **regular type** with explanatory information in *italicized type*.



1.0

DEFINITION OF SWAT

1.1 A Special Weapons and Tactics (SWAT) team is any designated group of law enforcement officers who are selected, trained, and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units.

► *The primary characteristic of SWAT that distinguishes it from the other units is the focus of effort. SWAT teams are focused on tactical solutions, as opposed to other functions, such as investigation. The purpose of SWAT is to increase the likelihood of safely resolving critical incidents. Nothing in these guidelines is intended to preclude agencies from utilizing specially trained units in areas such as narcotics investigations, felony apprehension, and other tasks.*



2.0

SWAT TEAM COMPONENTS

2.1 SWAT teams should develop sufficient resources to perform the three basic operational functions:

1. Command and Control
2. Containment
3. Entry / Apprehension / Rescue

► *Appendix A provides a suggested listing of activities for each operational component.*



3.0

POLICY CONSIDERATIONS

- 3.1 A needs assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to the particular agency. This assessment should consider the team's capabilities and limitations and should be reviewed periodically.
- 3.2 Policies and procedures specific to SWAT organization and operations should be established and maintained by the agency. These policies and procedures should address, at a minimum:
- The locally identified specific missions the team is capable of performing
 - Team organization and function
 - Personnel selection and retention criteria
 - Training and required competencies

3.0 *continued***POLICY CONSIDERATIONS**

- Procedures for activation and deployment
- Command and control issues, including a clearly defined command structure
- Multi-agency response
- Out-of-jurisdictional response
- Specialized functions and supporting resources

▶ *These policies and procedures should take into consideration POST guidelines and standardized training recommendations.*



4.0

Risk Assessment

4.1	Agencies should conduct a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.



5.0

PLANNING

- 5.1 Mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
 - ▶ *When possible, briefings should include the specialized units and supporting resources.*
- 5.2 SWAT teams should designate personnel responsible for developing an operational or tactical plan prior to and during SWAT operations.
- 5.3 All SWAT team members should have an understanding of operational planning.
 - ▶ *Skill redundancy in knowledge of planning procedures for SWAT team members improves performance in rapidly developing scenarios.*

5.0 continued

PLANNING

- 5.4 SWAT team policies and training should consider planning for both spontaneous and planned events.
- 5.5 SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
 - ▶ *Where resources allow, consideration should be given to integrating Tactical Emergency Medical Support (TEMS) personnel within the structure of the SWAT team.*



6.0

LOGISTICAL AND RESOURCE NEEDS

6.1 SWAT teams that anticipate augmentation by specialized resources should incorporate use of those resources into their planning and training.

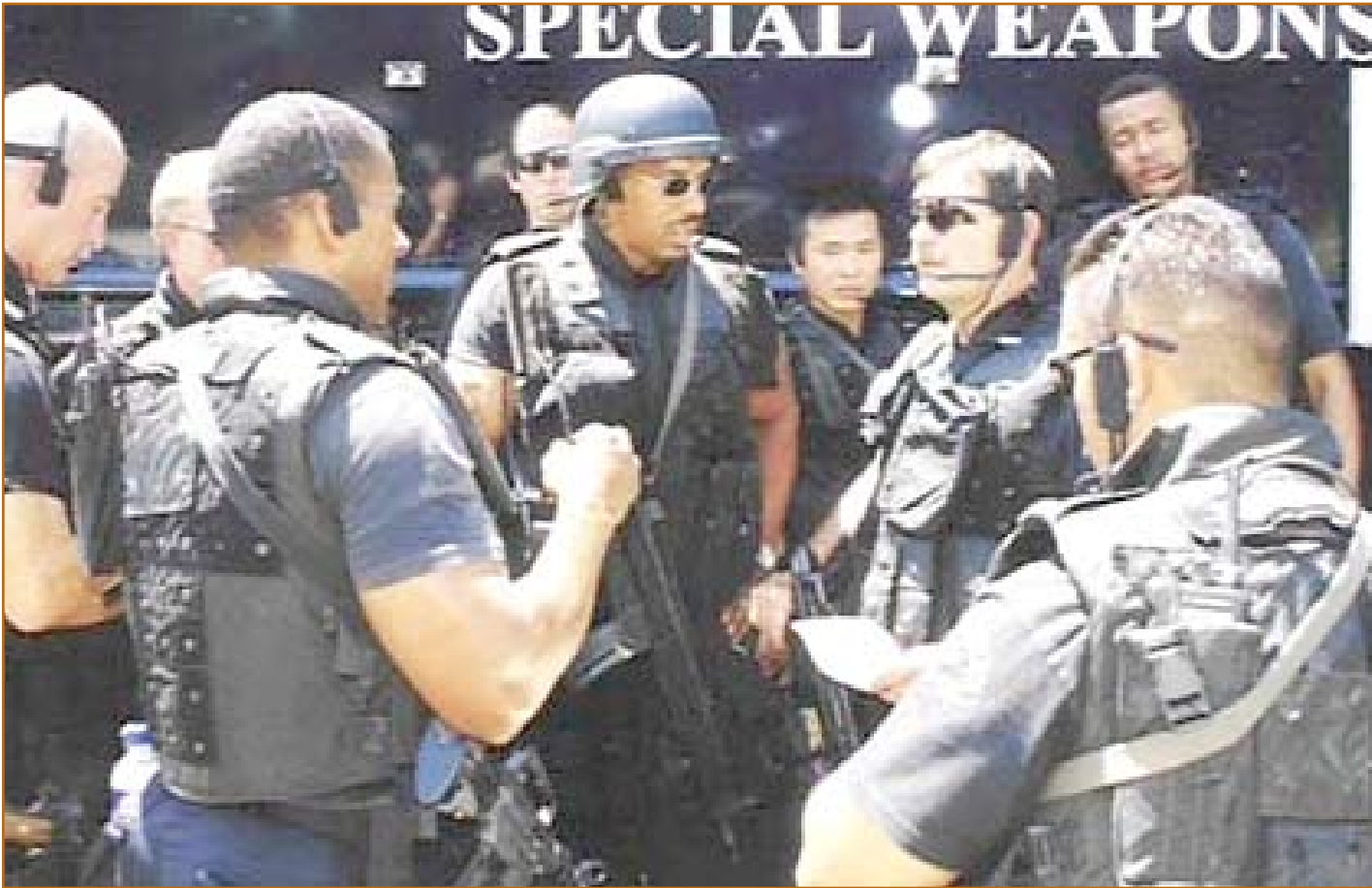
► *Refer to section 13.0 for further guidelines on Specialized Functions and Supporting Resources.*



7.0

LEGAL AND PRACTICAL ISSUES OF
SWAT OPERATIONS

- 7.1
- Agencies should develop protocols to maintain sustained operations, which may include relief, rotation of personnel, and augmentation of resources.
- 7.2
- Agencies should develop procedures for post-incident scene management, including documentation and transition to investigations and other units.
- 7.3
- Agencies should consider the use of tactically trained personnel for communications and record keeping during SWAT operations.



8.0 UNIFORMS, EQUIPMENT, AND FIREARMS

- 8.1 SWAT teams should wear uniforms that clearly identify team members as law enforcement officers.

▶ *It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.*
- 8.2 SWAT teams should be adequately equipped to meet the specific mission identified by the agency.
- 8.3 Within the respective agency, weapons and equipment used by SWAT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.



9.0 PERSONNEL SELECTION, PHYSICAL FITNESS AND CORE SKILLS PROFICIENCY

- 9.1 Minimum requirements for both initial selection and full deployment with the SWAT team should be established by the agency based upon resources available and identified local needs, POST guidelines, and sound risk management practices.
- ▶ *Agencies should ensure that the SWAT selection process is reasonable, job related, and unbiased.*
- 9.2 Agencies should establish physical fitness standards for the selection and retention of SWAT team members.
- ▶ *Agencies should consider conducting physical fitness assessment at least annually. Policies should be established for failure to comply with these standards.*

9.0 continued

PERSONNEL SELECTION, PHYSICAL FITNESS
AND CORE SKILLS PROFICIENCY

- 9.3 Agencies should establish SWAT core skills proficiency levels for SWAT team members.
- ▶ *Agencies should consider conducting core skills proficiency assessment at least annually. Policies should be established for failure to maintain these proficiencies.*
 - ▶ *See **Guideline 10.2** and **Appendix C** for a listing of core competencies and elements.*



10.0

SWAT TRAINING

10 . 1 Initial Training

- 10 . 1 . 1 SWAT team Operators and SWAT Supervisors/team leaders should not be deployed until successful completion of the POST-certified Basic SWAT Course or its equivalent as determined by the agency.

▶ *Appendix B provides the training recommendations for the POST Basic SWAT Course.*
- 10 . 1 . 2 Appropriate training, prior to full deployment, should also be incorporated into agency policy for the specialized SWAT functions and other supporting resources.

10 . 2 **Recurrent Core Competency Training**

10 . 2 . 1 SWAT teams should participate in documented and verifiable monthly training to maintain individual and team core competencies as determined by the type and extent of SWAT missions and operations performed.

▶ *SWAT core competencies fall within three general categories:*

- Weapons, munitions, and equipment training
- Individual and team movement and tactics
- Decision-making

▶ *Appendix C provides a listing of SWAT operator core competencies and elements for each competency.*

▶ *Ongoing training in the respective core competencies should also be incorporated into policy for the specialized SWAT functions and supporting resources.*

10 . 3 **Update and Refresher Training**

10 . 3 . 1 SWAT team Operators and SWAT Supervisors/team leaders should attend 24 hours of POST-certified SWAT update or refresher training, or its equivalent (as determined by the agency), every 24 months.

▶ *Appendix C provides a listing of SWAT operator core competencies and elements for each competency.*

10 . 4 **Supervision and Management**

10 . 4 . 1 Command and executive personnel who provide active oversight at the scene of SWAT operations should understand the purpose and capabilities of the team(s).

▶ *Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level.*

10 . 4 . 2 Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course, or its equivalent.

10 . 4 . 3 SWAT command personnel should attend a POST-certified SWAT commander or tactical commander course, or its equivalent.

▶ ***Appendix D** provides the training recommendations for the POST Tactical Commander Course.*

10 . 5 **Approval of Prior Training**

10 . 5 . 1 Agencies with SWAT teams should establish procedures to recognize previous training of members so as to preclude unnecessary, redundant training.

▶ *As a general rule, previously completed training may be considered equivalent when the hours and content (topics) meet or exceed agency requirements or POST's standardized training recommendations.*

10 . 6 **Training Safety**

10 . 6 . 1 Use of a designated safety officer should be considered for tactical training.

▶ *Refer to POST Guidelines for Student Safety in Certified Courses for further training safety information.*

10 . 7 **Scenario-Based Training**

10 . 7 . 1 SWAT teams should participate in scenario-based training.

▶ *Scenario-based training that simulates the tactical operational environment is an established method of improving performance during an actual deployment.*

10 . 8 **Annual Training Plan**

10 . 8 . 1 SWAT teams should develop an annual training plan based on a training needs assessment.

▶ *An annual training plan helps SWAT teams to identify and prioritize training needs and schedule accordingly.*

10 . 9 **Training Documentation**

10 . 9 . 1 Individual and team training should be documented and records maintained by the agency.

▶ *Documentation of individual and team training/performance can contribute to long-term reduction of liability and aid in investigations.*



11.0 MULTI-JURISDICTIONAL SWAT OPERATIONS

- 11.1 The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, or working relationships to support multi-jurisdictional or regional responses.
- 11.2 SWAT multi-agency and multi-disciplinary joint training exercises are encouraged. Specialized SWAT units and supporting resources should also participate.
 - ▶ *Some agencies may choose to consolidate resources into a regional SWAT team concept.*
 - ▶ *Samples of initial suggested protocols and multi-jurisdictional agreements can be obtained through the POST clearinghouse, upon request.*



12.0

AFTER-ACTION EVALUATION

12.1 After-action team debriefings should be conducted.

► *Evaluation and analysis of critical incidents affords opportunity for individual and team assessment, helps to identify training needs, and reinforces sound risk management practices. When appropriate, the debriefings should include specialized units and resources.*



13.0

SPECIALIZED FUNCTIONS
AND SUPPORTING RESOURCES

13.1 SWAT K-9 Teams

► *These guidelines are intended as helpful guidance for agencies who utilize K-9 teams on a recurrent basis for deployment with a tactical team.*

Definition of a SWAT K-9 Team

► *A SWAT K-9 team is a designated unit, consisting of a handler and dog, which is specifically selected, trained, and equipped to work in conjunction with SWAT /tactical teams to assist in tactical incidents.*

Formation and Policy Considerations

- Agencies should establish procedures for both initial selection and full deployment of canine handlers with the SWAT team, which are consistent with POST K-9 guidelines.
- Agencies should establish procedures for the selection of dogs used as part of the SWAT K-9 team.
- Not all police canines are suitable for SWAT operations.

Planning

- SWAT K-9 handlers should be provided with appropriate SWAT-specific safety and communications equipment appropriate to the assigned tactical mission, consistent with department policy.
- SWAT K-9 teams should participate in mission briefings prior to a tactical operation, after-action evaluations and team debriefings.

Training

- Agencies should establish SWAT K-9 core skills proficiency levels for K-9 tactical teams.
- Agencies should conduct core skills proficiency assessment on an ongoing basis.
- [Appendix E](#) provides a suggested listing of core competencies for SWAT K-9 teams.
- SWAT teams and SWAT K-9 teams should jointly participate in documented quarterly scenario-based training to maintain SWAT K-9 team core competencies, consistent with the type of SWAT missions performed.
- It is recommended that the K-9 handler and K-9 successfully complete a SWAT orientation program that emphasizes basic SWAT procedures, practices, and equipment.

13.0 *continued*SPECIALIZED FUNCTIONS
AND SUPPORTING RESOURCES

- Command personnel who may assume SWAT K-9 Team command responsibilities and SWAT K-9 handlers should remain current on legal issues pertaining to law enforcement K-9 deployment.

Safety Considerations

- Rescue procedures for the SWAT K-9 team (i.e. handler down) should be developed, trained, and practiced prior to deployment.
- Medical emergency contingency planning should be incorporated as part of the rescue procedures.

Legal and Practical Issues

- SWAT K-9 Teams should be evaluated as to their suitability for deployment with a tactical team prior to deployment and on an ongoing basis.

13.2 Crisis Negotiations Team

Definition of a Crisis Negotiations Team

► *A Crisis Negotiations Team (CNT) is a designated group of personnel specifically selected, trained, and equipped to assist in the resolution of critical incidents by means of communication and negotiation with criminal suspects and other persons, often in conjunction with the SWAT/tactical unit.*

Formation

- Agencies that field a SWAT team, or who participate in a regional or multi-jurisdictional team, should develop a Crisis Negotiations component for response to identified critical incidents.
- A Crisis Negotiations Team may be developed as an integral part of the SWAT team/unit, or as a separate entity with its own command structure.

Policy Considerations

► Agencies should organize CNT with regard to the following policy considerations:

- Development of written operating procedures.
- Identification of personnel responsible for operations, training, and equipment maintenance.
- Development of written criteria for the activation and deployment of a Crisis Negotiations Team.
- Institution of procedures for establishing and running the Negotiations Operations Center in coordination with the Tactical Commander and the Incident Commander.

CNT Operational Functions

► Agencies should develop resources sufficient to perform the four CNT operational functions:

- Communications/Negotiations
- Intelligence
- Tactical Liaison
- Logistics.

Initial Training

- CNT members should successfully complete a POST-certified Basic Crisis Negotiator course or its equivalent.
- [Appendix F](#) contains a listing of recommended topics for the Basic Crisis Negotiator course.

Recurrent Core Competency Training

- CNT members should participate in documented quarterly training that maintains proficiency in core competencies, consistent with the type of SWAT missions identified by agency policy. Periodic scenario-based training, in conjunction with the SWAT team, is encouraged.
- [Appendix G](#) provides a suggested listing of CNT core competencies.

CNT Supervision and Management

- Command personnel who may assume CNT command responsibilities should attend a SWAT or critical incident commander course, or its equivalent, which includes curriculum regarding crisis negotiations protocols.

13.3 Long Rifle/Observer Teams

Definition of a Long Rifle/Observer Team

► *A Long Rifle/Observer Team is a designated unit of law enforcement officers who are selected, trained, and equipped to work as an element of the SWAT team in the resolution of critical incidents by providing observation, cover, and the employment of precision fire.*

- Long Rifle/Observer Teams are most often a component of SWAT. However, it is recognized that some agencies train and deploy Long Rifle/Observer Teams in coordination with, but distinct from, the SWAT team.

Formation and Policy Considerations

- Agencies should develop sufficient training and resources to perform the basic functions of the Long Rifle/Observer Team.
- A Long Rifle/Observer Team should consist of two officers, cross-trained as both Long Rifle Operator and Observer.

Initial Training

- Long Rifle Operators should not be deployed until successful completion of a POST-Certified Basic Long Rifle Course, or its equivalent.
- [Appendix H](#) provides information about the Basic Long Rifle Course.

Recurrent Core Competency Training

- Long Rifle Operators should participate in documented and verifiable training on a monthly basis that maintains individual and team core competencies consistent with the type of SWAT missions performed.

Long Rifle/Observer core competencies fall within three general categories:

- Fundamentals of Precision Shooting
- Tactics
- Observation/Communication

Long Rifle Operators should demonstrate proficiency on at least a quarterly basis with assigned firearms.

Safety Considerations

- Appropriate safety precautions should be incorporated into Long Rifle/Observer Team training.
- The use of a safety officer is recommended.

▶ Refer to *POST Guidelines for Student Safety in Certified Courses* for further training safety information.

13.4 SWAT Operations in a Weapons of Mass Destruction (WMD)/Terrorism Event

▶ SWAT teams may be tasked with preparing the tactical component of the governmental response to a potential exposure to chemical, biological, radiological, nuclear, or explosive (CBRNE) hazards. Agencies should recognize that tactical operations in a CBRNE environment are highly specialized. SWAT teams may not be prepared to handle these incidents alone, and should consider a coordinated regional response by local, state, and federal agencies.

13.0 *continued*

**SPECIALIZED FUNCTIONS
AND SUPPORTING RESOURCES**

13.5 SWAT Waterborne Operations

► *Definition*

For the purposes of this section, waterborne operations refer to the deployment of specially trained SWAT Operators to engage in tactical operations associated with the waterborne environment.

Needs Assessment

- A needs assessment should be conducted to determine the type and extent of SWAT waterborne missions and operations appropriate to the agency.

Training

- SWAT teams who anticipate utilizing waterborne support in recurrent missions should complete initial vessel orientation and training prior to deployment.
- SWAT Teams who anticipate utilizing waterborne support for recurrent missions should incorporate maritime training in the annual training plan.
- [Appendix I](#) provides a listing of SWAT operator core competencies associated with the maritime environment.

Planning

- Consideration should be given to the proper selection of equipment related to locally identified mission profiles.
- Vessel operators should participate in the development phase of mission planning to ensure appropriate assets are in place for the identified mission profile.
- Prior to commencing underway operations, the vessel operators and crew should conduct a safety briefing, including vessel safety and emergency procedures.

Multi-jurisdictional Issues

- Agencies involved in waterborne tactical operations should develop protocols, agreements, and/or working relationships with other agencies that may be operationally affected due to statutory, cross jurisdictional, or multi-jurisdictional requirements.

13.6 SWAT AIRBORNE OPERATIONS

► *Definition*

For the purposes of this section, a tactical airborne operation refers to the use of air support as a resource in coordination with SWAT to resolve critical incidents.

■ Formation and Policy Considerations

A needs assessment should be conducted to determine the type and extent of SWAT air support missions and operations appropriate to the particular agency.

- The agency, in coordination with SWAT and the air support provider, should develop procedures for the tactical use of the aircraft.

Planning

- Aircrews should participate in the development phase of mission planning and risk assessment to ensure appropriate assets are in place for the identified mission parameters.
- Aircrews should participate with SWAT in after-action evaluation of operations and debriefings.

Safety Considerations

- Prior to commencing operations, a designated air crew member should conduct a safety briefing, including aircraft safety and emergency procedures.

Training

- SWAT teams who utilize air support for recurrent missions should incorporate airborne training with the aircraft and air crew members in the annual training plan.

Firearms

- Agencies should develop policies regarding use of firearms and firearms training in an airborne environment.
- Weapons safety is of extreme importance in airborne operations. SWAT teams involved in airborne weapons utilization should conduct periodic training using the aircraft as a shooting platform.

APPENDIX A

BASIC SWAT TEAM OPERATIONAL COMPONENTS

■ SWAT teams should develop resources sufficient to fulfill the following three minimum operational components:

1. **Command and Control Element**

- a. Planning, organizing, staffing, and directing the overall SWAT operation
- b. Coordination with the Crisis Negotiations Team
- c. Liaison with allied agencies
- d. Mission documentation
- e. Communications
- f. Medical support
- g. Mission debriefings

2. **Containment Element**

- a. Control of inner perimeter
- b. Evacuation
- c. Tactical deliveries (chemical munitions, equipment, etc.)
- d. Precision long rifle/observer deployment and support

3. **Entry/Apprehension/Rescue Element**

- a. Scouting missions
- b. Breaching
- c. Enter, search, and secure objective(s)
- d. Rescue operations
- e. Subject/suspect detention

APPENDIX B

BASIC SWAT COURSE TOPICS

■ These course topic recommendations are designed for officers who are assigned to a SWAT/tactical team. The topics address the basic concepts of SWAT, and include practical application and problem solving simulations as effective learning methods. Typical scenarios would include barricaded subjects, hostage situations, warrant service, active shooters, and other high-risk situations. The course should include the following topics:

1. **Introduction**
 - a. Course Objectives
 - b. POST SWAT Project and Guidelines
 - c. Historical Perspective of the SWAT Concept
2. **Performance Evaluation of Team Members**
 - a. Core Competency Training and Compliance
3. **Policy Issues**
 - a. Legal Issues/Civil Liability
 - b. Use of Force
 - c. Mutual Aid Procedures
 - d. SWAT Policies and Procedures
 - e. Importance of Correct Terminology
4. **Basic SWAT Concepts**
 - a. Common SWAT Responses
 - b. Incident Command and Direct Supervision of the SWAT team
 - c. SWAT Activation Criteria
 - d. Team Composition and Duties
5. **Psychological Considerations**
 - a. Post-Trauma Stress
 - b. Stress Management
 - c. Mental Conditioning for Confrontations

Appendix B *continued***Basic SWAT Course Topics**

- 6. Physical Considerations**
 - a. Fitness Standards for SWAT Team Members
 - b. Lifetime Fitness Recommendations
 - c. Physical Training for SWAT Team Members
 - d. Emergency Medical Procedures
- 7. Overview of Individual and Team Equipment**
 - a. Uniform Equipment
 - b. Weapons and Firearms
 - c. Communications Devices
 - d. Support Equipment and Technology
- 8. Operational Planning**
 - a. Importance of Planning
 - b. Structured Planning Format
 - c. Principles of Containment
 - d. Intelligence Gathering
 - e. Pre-Event Planning
 - f. Contemporaneous Planning
 - g. Implementation/Resolution
 - h. Incident De-Briefing
- 9. Overview of Specialized SWAT Functions**
 - a. Canines
 - b. Airborne
 - c. Crisis Negotiations
 - d. Explosive Breaching
 - e. Long Rifle/Observer
 - f. Rescue Operations
 - g. Mobile Assaults
 - h. SWAT Response to WMD-related incidents

Appendix B *continued*

Basic SWAT Course Topics

10. **Command Post Operations**
 - a. Field Command Post
 - b. Tactical Operations Center
 - c. Media Considerations
11. **Individual and Team Movement**
 - a. Cover and Concealment
 - b. Team Communications
 - c. Overcoming Obstacles
 - d. Practical Application
12. **Basic Entry and Search Techniques**
 - a. SWAT Arrest and Control
 - b. Buildings and Structures
 - c. Mechanical Breaching
 - d. Open Area Searches
 - e. Practical Application
13. **Chemical Agents in SWAT Operations**
 - a. Overview of Chemical Agents
 - b. Less Lethal Munitions
 - c. Practical Application
14. **Diversionsary Devices**
 - a. Overview of Diversionsary Devices
 - b. Practical Application
15. **Crisis Negotiation**
 - a. Negotiation Concepts and Strategies
 - b. Relationship Between SWAT and Crisis Negotiation Teams

Appendix B *continued*

Basic SWAT Course Topics

- 16. Individual and Team Firearms Training**
 - a. Handguns
 - b. Shoulder-fired Weapons
 - c. Practical Application
- 17. Training Scenarios and Problem-Solving Simulations**
 - a. Table Top Exercises
 - b. Reality-based Exercises

APPENDIX C

SWAT CORE COMPETENCIES

■ This list is intended to assist agencies in determining areas of responsibility for individual SWAT teams and in developing an annual SWAT training plan.

1. **Weapons, Munitions, and Equipment**

- a. Armored Vehicle Operations
- b. Equipment Familiarization and Maintenance
- c. Firearm Skills (live fire)
 - (1) Handgun
 - (2) Low light/night training
 - (3) Shoulder-fired weapons
- d. Individual Operator's Uniform Maintenance and Wear
- e. Ladder and Other High Angle Access
- f. Lighting Systems (personal, weapons, other)
- g. Mechanical Breaching
 - (1) 12-gauge shotgun breaching
 - (2) Rams, picks, pullers, etc.
- h. Munitions
 - (1) Chemical agents: Options and delivery systems
 - (2) Less lethal impact munitions and delivery
 - (4) Light/sound diversionary devices
 - (5) Other less lethal devices
- i. Night Vision Equipment
- j. Use of Ballistic Shields
- k. Weapons Maintenance

Appendix C *continued*

SWAT Core Competencies

2. **Individual and Team Movement/Tactics**
 - a. Active Shooter Response
 - b. Aircraft Intervention
 - c. Barricaded Subject Operations
 - d. Booby Traps
 - e. Camouflage Techniques
 - f. Conducting Evacuations
 - g. Containment Techniques
 - h. Cover and Movement
 - i. Covert Clearing
 - j. Downed Officer/Citizen Rescues
 - k. Dynamic Clearing
 - l. Emergency Deployment Techniques
 - m. Entries
 - n. High Risk Warrant Service
 - (1) Contain & call-outs
 - (2) Dynamic
 - (3) Remote takedowns
 - (4) Ruses, etc.
 - o. Homicide Bombers
 - p. Immediate Action Drills
 - q. Long Rifle Initiated Assaults
 - r. Night Movement
 - s. Rappelling (rural and/or urban)
 - (1) Airborne
 - (2) Static
 - t. Reactionary Responses
 - u. Rescue Operations – Basic
 - v. Rural Operations

Appendix C *continued*

SWAT Core Competencies

- w. Scouting
 - x. Searching Techniques
 - y. Small Unit Tactics
 - z. Tactical Operation Center
 - aa. Vehicle Assaults
 - (1) Bus assaults
 - (2) Car/van/truck assaults
- 3. Decision-Making
 - a. Mission and Tactical Contingency Planning
 - b. Training Simulations (scenario-based training)
 - c. Barricaded subject/suspect
 - d. High Risk Warrant (dynamic, contain & call-outs, etc.)
 - e. Hostage situations
 - (1) Suicide intervention
 - (2) Other
 - f. Warrant Service Work-ups and Planning
- 4. Specialized Functions and/or Supporting Resources
 - a. Airborne Operations
 - b. Counter-Terrorism
 - c. Executive Protection
 - d. Explosive Breaching
 - e. Long Rifle/Observer
 - f. Marijuana Grow Operations
 - g. Rescue Operations – Advanced
 - h. Riot Response
 - i. Surveillance
 - j. SWAT Canine Integration

Appendix C *continued***SWAT Core Competencies**

- k. Tactical Emergency Medical Support
- l. Team Leader Training
- m. Train/Trolley Assaults
- n. Waterborne Operations
- o. WMD Response

APPENDIX D

SWAT/TACTICAL COMMANDERS' COURSE TOPICS

■ These course topic recommendations are designed for supervisory and command level officers who have SWAT/tactical team responsibility. The topics address the employment of SWAT teams, long rifles, and observers, negotiators, containment, command posts, and other special operations resources. Typical training scenarios would include barricaded subjects, hostage situations, warrant service, active shooters, and other high-risk situations. The course should include the following topics:

1. **Introduction**
 - a. Course Objectives
 - b. POST SWAT Project and Guidelines
2. **Definition of a Critical Incident**
 - a. History of Tactical Operations
3. **Administrative Duties and Responsibilities**
 - a. Personnel Selection and Retention
 - b. Core Competency Training and Compliance
 - c. Documentation
 - d. Policy and Procedures Update and Compliance
 - e. Equipment/New Technology
4. **Legal Issues**
 - a. Civil Liability/Case Law
 - b. Use of Force
5. **Mutual Aid Procedures**
 - a. Policy
 - b. MOU's

Appendix D *continued***SWAT/Tactical Commanders' Course Topics**

- c. Communications
- 6. **Deployment Guidelines**
 - a. Suspect Initiated Events
 - b. Department Initiated Events
- 7. **Tactical Team Operations**
 - a. Warrant Service
 - b. Hostage Rescue
 - c. Barricaded Suspect/Subject
 - d. Mobile Suspect Interdiction
 - e. Open Area Clearing
 - f. Specialty Tactics
 - g. Protection Details
- 8. **Command and Control**
 - a. Incident Command
 - b. Tactical Command
- 9. **Command Post Operations**
 - a. Definition and Functions
 - b. Duties and Responsibilities
 - c. Communications
- 10. **Tactical Operation Procedures**
 - a. Situation Assessment
 - b. Operational Planning
 - c. Force Options
 - d. Medical Support
 - e. Briefing
 - f. Post Operational Debriefing

Appendix D *continued***SWAT/Tactical Commanders' Course Topics**

11. Tactical Components/Capabilities

- a. SWAT Team
- b. Long Rifle/Observer Team
- c. Crisis Negotiations Team
- d. Tactical Dispatch

12. Tactical Considerations/Missions

- a. Containment team (SWAT or Patrol)
- b. Tactical Emergency Medical Support (TEMS)
- c. Air Support
- d. Evacuation
- e. Arrest/Reaction Team
- f. Chemical Agents
- g. Less Lethal Munitions
- h. Breaching
- i. Throw Phone/Food Delivery
- j. Hostage Rescue
- k. Bomb Squad
- l. WMD

13. Training Scenarios and Problem-Solving Simulations

- a. Table Top Exercises
- b. Reality-based Exercises

APPENDIX E

CORE COMPETENCIES FOR SWAT K-9 TEAMS

■ SWAT K-9 handler:

1. Firearms qualification with assigned weapon(s) at least twice per year with K-9 in close proximity to handler.
2. Team and stealth movement techniques (tactical obedience)
3. Team approach to objective
4. Team entry into objective
5. Directed and non-directed tactical searches
6. Confined space and limited access insertion and extraction
7. Limited access searching (confined spaces – attics, crawlspaces, vehicle interiors, etc.)
8. Long-line utilization
9. Ability to recall K-9 during tactical searches
10. Auditory alert by K-9 upon locating inaccessible suspect
11. Hand and/or audible down commands for K-9 during tactical search
12. Calm/controlled behavior by K-9 during search exercises.
13. Calm/controlled behavior by K-9 with team during live fire exercises.
14. Operating in a chemical agent and smoke environment
15. Operating in conjunction with diversionary device deployment
16. Tactical out and team arrest procedures.
17. Tactical tracking consistent with agency procedures
18. Suspect containment
19. Suspect apprehension
20. Suspect distraction
21. Clearing high-risk areas (entryways, stairwells, hallways, etc.)
22. Extraction of a non-compliant high-risk subject
23. Other skills consistent with agency mission profile, based on local needs

APPENDIX F

BASIC CRISIS NEGOTIATOR COURSE RECOMMENDED COURSE TOPICS

■ These course topic recommendations are designed for personnel who are assigned to a Crisis Negotiation Team (CNT.) These topics address the basic concepts of crisis negotiations, and include practical application and problem solving simulations as effective learning methods. The course should include the following topics:

1. Historical Perspective
 - a. Significant Events Affecting Early Negotiations
 - b. Modern Day Negotiations
 - c. Centralized vs. Decentralized Team Concepts
2. Basic Negotiations Theory
 - a. Three “Cs” of Negotiations
 - (1) Containment
 - (2) Control
 - (3) Communication
3. Crisis Negotiations Team Structure
 - a. Various Agency Standards
 - (1) Command Post Operations
 - (2) ICS
 - (3) Tactical Element
 - (4) Positions, Roles, Responsibilities
 - b. Logistics
 - (1) On Site Support – CNT
 - (2) On Site Support - Tactical

Appendix F *continued*

Basic Crisis Negotiator Course Recommended Course Topics

- c. Intelligence
 - (1) Interview
 - (2) Subject Profile
 - (3) Information Sharing
- 4. Incident Types
 - a. Hostage Situations
 - b. Non-Hostage Situations
 - c. Special Circumstances
 - (1) Custodial/Corrections Incidents
 - (2) Suicide by Cop
 - (3) Repeat Offenders
 - (4) Law Enforcement Personnel
- 5. Subject Types
 - a. Mental Health Issues
 - (1) Psychological Disorders and Diagnosis
 - b. Suicide
 - c. Interrupted Crimes
 - d. Domestic Violence
 - e. Terrorism
 - f. Chemical Influence
- 6. Response Protocol
 - a. Team Activation
 - (1) First Responder Evaluation
 - (2) Department Policy Issues

Appendix F *continued*

Basic Crisis Negotiator Course Recommended Course Topics

7. Critical Incident Assessment
 - a. Risk Assessment
 - (1) Type of Incident
 - (2) Appropriate Action to Resolve
 - b. Walk away assessment
 - (1) To Negotiate or Not to Negotiate
 - c. Stockholm Syndrome
 - d. Victimology
 - e. Hostage Behavior
8. Equipment
 - a. CNT Specialized Equipment (Use and Maintenance)
 - b. Technology
9. Negotiation Techniques
 - a. Verbal Communications
 - (1) Face to Face
 - (2) Electronic Communications
 - (3) Third Party Communications
10. Negotiation Strategies
 - a. Communication Skills
 - (1) Active Listening
 - b. Indicators of Progress / Violence
 - c. Time Considerations
11. Surrender Phase
 - a. Tactical / CNT Coordination
 - b. Transfer of Communications

Appendix F *continued*

Basic Crisis Negotiator Course Recommended Course Topics

12. Debriefing
 - a. Incident Review
 - (1) Individual
 - (2) Team
 - (3) Tactical / CNT Joint Debriefing
 - b. Critical Incident Stress Debriefing
 - (1) Incident Driven
 - (2) Individual Assessment
13. Media Relations
 - a. Media Management
 - (1) 409.5 PC / Media Access
 - (2) No Fly Zones
14. Post Incident Considerations
 - a. Crime Scene
 - (1) Evidence
 - (2) Securing from the Scene
 - b. HOBAS / LEO
 - c. Documentation
 - (1) Reports and Recorded Material
15. Legal Aspects
 - a. Risk Management
 - b. Ethics
 - c. Case Law
 - d. Individual Negotiators' Resumes
 - (1) Expert Witness

Appendix F *continued***Basic Crisis Negotiator Course Recommended Course Topics**

16. Training Scenarios / Role-Playing
 - a. Safety
 - b. Group Scenarios
 - c. Debriefing of Scenarios
 - (1) Student Performance Evaluations

APPENDIX G

CRISIS NEGOTIATIONS CORE COMPETENCIES

■ CNT core competencies will diminish unless maintained through meaningful, recurrent training. Based upon a needs assessment, department policy, and sound risk management practices, Crisis Negotiators should maintain proficiency in the core competencies deemed necessary for their local area or region:

1. Core Competencies:
 - a. Knowledge of incident management, team roles and responsibilities
 - b. Equipment and technical knowledge
 - c. Communications skills
 - (1) Active listening
 - (2) Tactical communications
 - (3) Interview and Interrogation skills
 - d. Risk assessment/incident evaluation
 - (1) Behavioral/emotional factors
 - (2) Diminished capacity
 - e. Homicide/Suicide indicators
2. Expanded Listing - Knowledge of:
 - a. Drug/alcohol/medication interactions
 - b. Third-party intermediary skills
 - c. Juvenile issues
 - d. Faith-based negotiations
 - e. Extremist groups
 - f. Media influences and effects

Appendix G *continued*

Crisis Negotiations Core Competencies

- g. Critical incident assessment (feedback to Incident Commander)
- h. Suicidology ('Suicide by Cop')
- i. Mental disorders
- j. Special circumstances (negotiation w/known persons, agency personnel, etc.)
- k. Mutual aid protocols
- l. Linguistics
- m. Socio-cultural awareness
- n. Legal issues and case law regarding crisis negotiations
- o. Prison/jail/holding facility issues
- p. After action/incident reporting
- q. Emerging technology issues
- r. Joint training with tactical units and other groups
- s. Other high risk incidents

APPENDIX H

LONG RIFLE/OBSERVER TEAM COURSE TOPIC RECOMMENDATIONS

■ These course topic recommendations are designed for officers who are assigned to a Long Rifle/Observer Team. These topics address basic concepts of Long Rifle Team functions and include practical application and problem solving simulations as effective learning methods. The course should include the following topics:

1. Safety Issues
 - a. Classroom
 - b. Range
 - c. Operational
2. Weapons and Equipment Considerations
3. Roles and Duties
4. Common Mission Profiles
5. Legal Issues
 - a. Use of force – policy issues
 - b. Case studies
 - c. Documentation
 - (1) Training records
6. Fundamentals of Precision Shooting
 - a. Mental and physical preparedness
 - b. Optics

Appendix H *continued***Long Rifle/Observer Team Course Topic Recommendations**

- c. Low-light shooting
 - d. Fundamentals of shooting a scoped rifle
 - (1) Zeroing
 - (2) Cold bore zeroing
 - f. Wind and range estimation
 - g. Position shooting
 - h. Rifle care
 - i. Data books
7. Ballistics
- a. Internal ballistics
 - b. External ballistics
 - (1) Environmental factors
 - (2) Angle shooting
 - c. Terminal ballistics
 - (1) Intermediate barrier shooting
8. Basic Fieldcraft – Urban and Rural
- a. Camouflage
 - b. Cover and concealment
 - c. Hides
 - d. Movement

Appendix H *continued*

Long Rifle/Observer Team Course Topic Recommendations

9. Observation/Communication Skills
 - a. Observation/retention exercises
 - b. Intelligence gathering
 - c. Reporting
 - (1) Observation log
 - d. Diagramming
 - (1) Range cards
 - (2) Field sketching
 - e. Team member communications

10. Practical application and evaluation

APPENDIX I

TACTICAL WATERBORNE CORE COMPETENCIES

1. If limited to boat operations:
 - a. Use and maintenance of a Personal Flotation Device
 - b. Basic water safety techniques
 - c. Night and low light conditions
 - d. Familiarization with vessel operations, including safety briefing
 - e. Small boat tactics
 - f. Boarding techniques and tactics
2. If conducting surface swimmer operations:
 - a. Agency-approved swim test, to include water tread
 - b. Self-rescue techniques
 - c. Boarding and offloading techniques
3. If conducting sub-surface operations:
 - a. Certification from a recognized certifying agency, including NAUI, PADI, the military or equivalent.
 - b. Medical exam and certification for SCUBA as per Cal OSHA guidelines
 - c. Cal OSHA regulations pertaining to underwater operations

Woodland Police Decontamination Procedures.pdf



WOODLAND POLICE DEPARTMENT
1000 LINCOLN AVENUE, WOODLAND, CA 95695

Procedures

Approved By	Chief Bellini
Effective Date	December 16, 2015
Revision Date	

Disposal and Decontamination Procedures

Purpose

The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with a person's blood or body fluids:

USE OF WASTE CONTAINERS

Officer shall dispose of biohazards with the on-scene fire response vehicle or at the attending clinic/hospital, with their approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival. The biohazard waste container located at the station shall be leak proof, red in color or appropriately labeled with a biohazard warning and routinely emptied.

DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall wash their hands immediately on scene, if possible, or as soon as possible, following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one's hands, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the employee shall wash the exposed part of their body with soap and warm water and/or an approved disinfectant as soon as possible. If the skin becomes grossly contaminated body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee's skin are contaminated, the employee shall shower, as soon as possible, using warm water, soap and/or an approved disinfectant. Medical treatment should be obtained. Contaminated non-intact skin, e.g. injured skin or open wounds, shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

SHARPS AND ITEMS THAT CUT THROUGH OR PUNCTURE

All personnel shall avoid using or holding sharps, unless needed to do so, while assisting with a paramedic or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when practical, shall be into a puncture proof biohazard container. All sharps and items that cut or puncture, e.g. broken glass, razors and knives, shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. In addition, if a sharp object contains a known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs or a broom and a dustpan to clean up debris. If the material must be handheld, protective gloves must be worn.

DISPOSABLE PROTECTIVE EQUIPMENT

Contaminated disposable supplies (e.g. disposable gloves or N95 mask) shall be transported with the patient or suspect in the ambulance or police vehicle. The waste material shall then be disposed of in biohazard waste container at the hospital or police station. Disposable gloves are to be worn while placing the waste into the waste biohazard container, placing the gloves in with the waste, when through.

DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT

After using any reusable personal protective equipment, it shall be washed or disinfected and stored appropriately. If the personal protective equipment is non-reusable it shall be discarded in a biohazard waste container, as described in this manual. Any personal protective equipment that becomes punctured, torn or loses its integrity, shall be removed, as soon as feasible. If this situation resulted in a contaminated non-intact skin event, the decontamination of skin and mucus membrane procedure shall be followed. Contaminated reusable personal protective equipment that must be transported prior to cleaning it shall be placed into a biohazard waste bag and transported in the ambulance or police vehicle. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container and then included in the waste.

DECONTAMINATION OF NON-DISPOSABLE EQUIPMENT

Contaminated non-disposable equipment (e.g. flashlight, gun, baton, clothing, portable radio) shall be decontaminated as soon as possible. If it is to be transported, it shall be done by first placing it into a biohazard waste bag. Grossly contaminated non-disposable equipment items shall

be transported to a hospital, fire station or police station for proper cleaning and disinfecting. Porous surfaces, such as nylon bags and straps, shall be brushed and scrubbed with a detergent and hot water, laundered and allowed to dry. Nonporous surfaces, e.g. plastic or metal, shall be brushed and scrubbed with a detergent and hot water, sprayed with a germicide solution, rinsed and allowed to dry. Delicate equipment (e.g. radios, phones, wireless transmitters) should be brushed and scrubbed very carefully, using a minimal amount of a type of germicide that is approved by the Environmental Protection Agency, EPA. While cleaning equipment, pay close attention to handles, controls, portable radios and corners for tight spots. Equipment cleaning should not be done in the kitchen, bathrooms or other areas not designated as the cleaning decontamination area. Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces, blood clots, etc. should be first removed using a disposable towel or other means to prevent direct contact and properly disposed of.

DECONTAMINATION OF CLOTHING

Contaminated clothing, such as uniforms and undergarments, shall be removed, as soon as feasible, and rinsed in cold water to prevent the setting of blood stains. If the clothing may be washed in soap and hot water, do so as soon as possible. If the clothing must be dry cleaned, place it into a biohazard waste bag and give it to the exposure control officer. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing and inform them of the potential contamination. This dry cleaning will be done at the department's expense.

DECONTAMINATION OF VEHICLES

Contaminated vehicles and components, such as seats, radios and doors, shall be sprayed with the appropriate germicide and wiped down with paper towels. The items shall then be sprayed with clean water and wiped down with clean paper towels. This procedure shall be completed, as soon as feasible. Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces, blood clots, etc. should be first removed using a disposable towel or other means to prevent direct contact and properly disposed of.

DECONTAMINATION OF HOLDING CELLS

Contaminated holding cells and components, such as the sink and bench seat and doors, shall be sprayed with the appropriate germicide and wiped

down with paper towels. The item shall then be sprayed with clean water and wiped down with clean paper towels. This procedure shall be completed, as soon as feasible. Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces, blood clots, etc. should be first removed using a disposable towel or other means to prevent direct contact and properly disposed of.

DECONTAMINATION OF STATION AND CLEANING AREA

The ECO shall designate a location at the station that will serve as the area for cleaning and decontamination. This area is to be used to keep equipment clean and sanitary and for the employee to wash any potential contamination from their bodies. This area is to be thoroughly cleaned, after each use, and maintained in a clean and sanitary order, at all times. The application of cosmetics, smoking cigarettes, consuming food and drink are prohibited in this designated area, at all times.

* * *

LPR Guidelines.pdf



**WOODLAND POLICE DEPARTMENT
ALPR GUIDELINES**

DEFINITIONS

ALPR – Automated License Plate Recognition System, or Automated License Plate Reader

ALPR System – The system in its entirety, including all ALPR cameras, software, and collected data

Alert – An audible and/or visual signal activated upon the read of a license plate by the ALPR system that has NOT BEEN VISUALLY VERIFIED by the officer against the photo in the ALPR system.

Tentative Hit – An alert by the ALPR system that HAS BEEN VISUALLY VERIFIED by the officer against the ALPR hotlist and photo but HAS NOT BEEN VALIDATED by the officer or dispatch as a live query transaction OR CONFIRMED AS VALID with the original entering agency.

Live Query Transaction – A hit by the ALPR system that HAS BEEN VALIDATED as active but HAS NOT BEEN CONFIRMED as valid by the entering agency. Confirmation (Confirmed Hit) – A hit by the ALPR system that HAS BEEN CONFIRMED as valid and active by the original entering agency through secondary check.

Hotlist – Data files extracted from law enforcement databases which contain listings of stolen license plates, stolen vehicles, wanted persons, and other vehicles/persons actively being sought by a law enforcement agency such as Amber/Silver Alert vehicles/persons. These data extracts are generally facilitated numerous times per day in an effort to provide current data.

PROCEDURES

(a) Management

The Woodland Police Department, by and through the Captain, is solely responsible for the day-to-day operation and management of the ALPR system and for all tasks ancillary to its operation and management. The Captain shall assign Department personnel to operate and manage the ALPR system on a day-to-day basis. The Captain, through his or her designee, shall ensure that the ALPR system is operated in conformity with this Policy and other Department policies, procedures, rules and regulations. The Chief of Police shall enforce this Policy and shall act as the Department Head for all disciplinary and enforcement actions for any violations by Department personnel.

(b) Operations

1. **Installation and Functioning.** ALPR cameras may be mounted on a marked cruiser or unmarked vehicle or mounted to a fixed location. ALPR equipment will passively read the license plates of moving or parked motor vehicles using ALPR optical character recognition technology and compare them against various hot lists uploaded or created by the Woodland Police Department. Scanned data files collected by the system will, on an ongoing basis, be automatically uploaded from the ALPR camera to the Department's ALPR database.

2. Hot Lists. Designation of hot lists to be utilized by the ALPR system shall be made by the Captain or his/her designee. Hot lists shall be obtained or compiled from sources as may be consistent with the purposes of the ALPR system set forth in this Policy. These sources may include:

- NCIC Stolen Vehicle files, as available;
- NCIC Stolen plates and Stolen Canadian plates, as available;
- NCIC Wanted persons, as available;
- NCIC Missing or Endangered person files, as available;
- NCIC Supervised Release (Federal Probationers), as available;
- NCIC Nationwide Domestic Violence Protection Orders, as available;
- NCIC Violent Gang and Terrorist Organization File, as available;
- NCIC Sexual Offender;
- DMV Records of Suspended/Revoked Registrations.

3. Training. No member of this Department shall operate ALPR equipment or access ALPR data without first completing Department-approved training. Department-approved training will include the following requirements:

1. Create login and password
2. Inspection of the ALPR equipment
3. Deployment of the ALPR vehicle
4. Reacting to an immediate alert
5. Searching ALPR databases
6. Creating a BOLO

4. Login/Log-Out Procedure. To ensure proper operation and facilitate oversight of the ALPR system, all users will be required to have individual credentials for access and use of the systems and/or data. A routine check to ensure the equipment is working properly should be done at the beginning of each shift by the user logging into the system.

5. Auditing and Oversight. To ensure proper oversight into the use of the system and adherence to this policy, all activities (plate detections, queries, reports, etc.) are automatically recorded by the system for auditing purposes. System audits shall be conducted by the Patrol Lieutenant no less than annually. The audit report shall include an explanation regarding any data retained longer than one year (e.g. data retained as evidence in a criminal case).

6. Required Steps Preliminary to Police Action. Hot lists utilized by the Department's ALPR system may be updated by agency sources more frequently than the Department may be uploading them, and the Department's ALPR system will not have access to real time data. Further, there may be errors in the ALPR's read of a license plate. Therefore, an alert alone shall not be a basis for police action (other than following the vehicle of interest). Prior to initiation of a stop of a vehicle or other intervention based on an alert, an officer shall undertake the following:

- a) Verification of current status on hot list. An officer must receive confirmation, from someone or some system within the Department that the license plate is still stolen, wanted, or otherwise of interest before proceeding.
- b) Visual verification of license plate number. Officers shall visually verify that the license plate on the vehicle of interest matches identically with the image of the license plate number captured (read) by the ALPR, including both the alphanumeric characters of the license plate and the state of issue, before proceeding with a traffic stop.

7. Use in Connection With Serious Crimes/Incidents. Use of the ALPR should be considered to conduct license plate canvasses in the immediate wake of any homicide, shooting, robbery, kidnapping, sexual assault or AMBER ALERT, or other major crime or incident.

(c) Database Access and Privacy Concerns

- 1. The ALPR system database and software resides in a data center featuring full redundancy and access controls. The data remains property of the Woodland Police Department, and is managed according to this Policy.
- 2. The ALPR data contains no Personally Identifiable Information (PII) that may be used to connect license plate detection to an individual. It is only with permissible purpose that an investigator may make this connection (using other systems) and this access is already governed by the Federal Driver's Privacy Protection Act (DPPA).
- 3. All investigative queries into collected ALPR data are logged by user and available for auditing and review by the Department as outlined in this guideline.

(d) Data Retention

All data and images gathered by an ALPR are for the official use of the Woodland Police Department and because such data may contain confidential CLETS information, it is not open to public review. ALPR information gathered and retained by this Department may be used and shared with prosecutors or others only as permitted by law. All ALPR data downloaded to the server will be stored for a period of one year, and thereafter shall be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In those circumstances, the applicable data should be downloaded from the server onto portable media and booked into evidence.

Woodland Police ATD Control Procedures.pdf



WOODLAND POLICE DEPARTMENT
1000 LINCOLN AVENUE, WOODLAND, CA 95695

Procedures

Approved By	Chief Bellini
Effective Date	December 16, 2015
Revision Date	

ATD Control Procedures

Purpose

The intent of the Woodland Police Department Aerosol Transmissible Diseases (ATD) Control Procedures is to promote safe work practices and to provide an environment that reduces occupational exposure to ATDs such as tuberculosis (TB), severe acute respiratory syndrome (SARS), meningitis, pertussis (whooping cough), and seasonal influenza. The objectives of the procedures are to:

- Protect our employees from the illnesses associated with ATDs
- Provide appropriate treatment and counseling following an employee exposure incident

These procedures have been established in accordance with the Cal/OSHA ATD regulation, California Code of Regulations (CCR), Title 8, Section 5199.

Scope

The ATD regulation applies to police services provided during:

- Transport or detention of persons reasonably anticipated to be ATD cases
- Services provided in conjunction with health care or public health operations

Police services are considered a “referring employer” under the regulation if the following conditions are met:

- There is a process in place to screen persons for further evaluation by a health care provider based on readily observable ATD signs and symptoms
- Suspected ATD cases are referred or transported to a facility that can provide appropriate diagnosis, treatment, and isolation
- Non-medical transport only is provided (i.e. medical services are not expected to be provided)

Responsibilities

Chief of Police

The Chief of Police has the responsibility to:

- Designate the ATD Administrator
- Allocate resources and support to appropriately implement the ATD procedures including annual employee training
- Ensure employees comply with ATD procedures
- Review the results of the annual ATD procedure review and correct deficiencies if necessary

ATD Administrator

Investigations Lieutenant is the designated ATD Administrator and has the authority and full support of the Chief of Police to perform these duties. The Administrator has the responsibility to:

- Demonstrate knowledge in infection control principles and practices as they apply to the police department's facilities and operations
- Provide information on health alerts and community outbreaks from the local health officer during daily briefings
- Ensure ATD procedures are implemented in the department
- Determine department-specific methods for source control, cleaning/disinfection of work areas and vehicles, and referrals
- Implement communication procedures to inform employees and other employers involved in the exposure incident who may have had contact with the ATD case
- Document exposure incidents and implement the post-exposure evaluation process for affected employees
- Ensure employees receive initial and annual training in ATD procedures
- Offer required vaccinations and TB testing annually
- Maintain all required records for the ATD procedures, including employee medical records
- Conduct an annual review of the ATD procedures and provide a summary to the Chief

Watch Commanders/Supervisors

Watch commanders/supervisors have the responsibility to:

- Ensure compliance with the ATD procedures for employees under their direct supervision and control
- Train employees on department-specific safe work practices to reduce exposure to ATDs
- Ensure employees attend initial and annual training sessions
- Monitor the post-exposure evaluation process where an exposure incident has occurred

Police Officers/Employees

All exposed police officers and employees have a responsibility to:

- Recognize signs and symptoms of ATDs based on screening procedures
- Comply with safe work practices when exposure to a suspected ATD case occurs
- Provide input regarding the effectiveness of the procedures to the ATD Administrator, including input during the annual review
- Attend annual ATD training
- Receive vaccinations and annual TB testing offered by the department
- Follow post-exposure evaluation procedures if an exposure incident occurs

Occupational Exposure Determination

Cal/OSHA defines an occupational exposure as exposure from work activity or working conditions that is reasonably anticipated to create an elevated risk of contracting an ATD if protection measures are not in place.

The following units/divisions at the Woodland Police Department have the potential for occupational exposure as defined in the regulation:

- All Sworn personnel assigned to Patrol and Investigations Division
- Non-sworn personnel performing tasks that meet the definition of an occupational exposure (CSO assigned to Parking, Patrol, and CSI/Record Staff while conducting fingerprinting duties)

Screening Procedures (Health Care Providers Not Available)

The police department will initiate non-medical screening procedures based on readily observable symptoms and/or self-reports of the following conditions:

- Persistent cough for more than three weeks
- Signs and symptoms of a flu-like illness between March and October (non-seasonal flu months) or for more than two weeks any time of year; flu-like symptoms include coughing, fever, sweating, chills, muscle aches, weakness, malaise, or a combination.
- Person states he or she has a transmissible respiratory disease or an infectious ATD case, excluding the common cold and seasonal flu

The department screening criteria below are appropriate for persons in custody with suspected ATD. Screening may be performed at department facilities or in the field prior to transport where feasible. The privacy of the person(s) must be maintained during screening procedures.

Screening a potential TB case:

Cough for more than three weeks and one or more of the following symptoms:

- Unexplained weight loss (>5 lbs)
- Night sweats
- Fever
- Chronic fatigue/malaise
- Coughing up blood

A person who has had a cough for more than three weeks and who has one of the other symptoms must be referred to a health care provider for further evaluation unless that person is already under treatment. Consider referring a person with any of the above symptoms if there is no alternative explanation.

Screening other potential ATD cases:

Other vaccine preventable ATDs, including pertussis, measles, mumps, rubella ("German measles"), and chicken pox, should be considered. The following is a brief list of some findings that should prompt referral to a health care provider for further evaluation when identified through a screening process:

- Severe coughing spasms, especially if persistent; coughing fits may interfere with eating, drinking, and breathing
- Fever, headache, muscle aches, tiredness, poor appetite followed by painful, swollen salivary glands on one side or both sides of face under jaw
- Fever, chills, cough, runny nose, watery eyes associated with onset of an unexplained rash (diffuse rash or blister-type skin rash)
- Fever, headache, stiff neck, possibly mental status changes

Note: Seasonal influenza *does not* require referral. Examples of diseases requiring transfer to a health care facility include TB, SARS, measles, chicken pox, and pertussis. Refer to Appendix A to review additional signs and symptoms for common ATDs.

Any person who exhibits any of the above described findings and/or reports contact with individuals known to have any of these transmissible illnesses in the past two to four weeks should be promptly evaluated by a health care provider. Proceed to the Referral Procedures Section.

Health officials may periodically issue alerts for community outbreaks of other diseases. Local public health authorities will provide screening criteria that will be communicated by the ATD Administrator during daily briefings.

Referral Procedures

The on-duty supervisor will be notified of a suspected ATD case requiring referral to a health care facility for further evaluation. Immediately implement the source control and transmission reduction procedures until the person can be transferred.

Source Control and Transmission Reduction Procedures

The department will provide temporary control measures to protect employees during the period of time when a person requiring referral is waiting for transfer to another facility. These procedures have application in department facilities as well as in field operations where feasible.

Separation and masking of potential ATD source

Move the person to a separate room or area. If a common area must be used, seat the person at least three feet away from others. (Holding area or interview room)

Determine whether it is appropriate to offer the person awaiting transfer a surgical or procedure mask, tissues, and hand sanitizer or hand washing facilities. The source control supplies are located in the report writing room.

The person will be informed about the following police department controls to reduce the potential for disease transmission including:

- Cover your cough or sneeze with tissue and dispose of the tissue in the covered receptacle provided (where appropriate)
- Offer hand washing facilities for use (where appropriate)
- Wear the provided surgical or procedure mask (where appropriate)

Note: It is not necessary to offer a N95 respirator to the person awaiting transfer. Officers cannot insist on the use of source controls and must use judgment where the provision of alcohol-based hand sanitizers may be a security risk. Offering a surgical mask may not be advisable where the person is handcuffed or in respiratory distress.

Employee should use respiratory protection where source controls are not practical.

Employees will use an N95 respirator to enter the room or work area where a suspected ATD case is awaiting transfer where source control procedures are not feasible, or the source is non-compliant with the controls (e.g. refuses or is unable to don a surgical or procedure mask). Employees should use frequent hand hygiene when they come in contact with contaminated surfaces or articles. Cleaning and disinfection of the waiting area with appropriate personal protective equipment will be performed following transfer of the person. (See Cleaning and Disinfection Procedures Section).

The police department is utilizing N95 particulate respirators for protection against potentially infectious aerosols. Supplies of the single use respirators are available through the Professional Standards Sergeant.

Transfer of Suspected ATD Cases

Transfers will occur within five hours of the identification of the suspected case. The on-duty Watch Commander is responsible for determining if any of the following exceptions are applicable:

- If initial exposure to the suspected case occurs in the evening (after 3:30 p.m. and prior to 7 a.m.), the transfer must occur no later than 11:00 a.m.; or
- If the transfer cannot occur within the 5-hour period, the Watch Commander will document at the end of the 5-hour period and at least every 24 hours thereafter each of the following:
 - The police department has contacted the local health officer and determined that there is no facility with an appropriate airborne infection isolation room or area available within that jurisdiction.
 - Reasonable efforts have been made to contact establishments outside that jurisdiction, as provided in the procedures.
 - All applicable measures recommended by the local health officer or the infection control physician or other licensed health care professional have been implemented.
 - All employees who enter the room or area housing the individual are provided with and use appropriate personal protective equipment and N95 respiratory protection.

The local health officer contact information is provided below for suspected ATD cases that will require a period longer than five hours to transfer to a health care facility:

Transport by emergency medical services

When feasible, contact emergency medical services to transport the suspected ATD case.

Officers required to accompany the suspected ATD case in the ambulance will use N95 respiratory protection *unless the use of respiratory protection would result in a safety hazard*.

Transport in department vehicles (if applicable)

Officers involved in the transport of a suspected ATD case will use N95 respiratory protection unless the use of the respiratory protection would result in a safety hazard. The officers will consider the duration of the operation, the signs and symptoms being exhibited, and any potential safety hazards presented by the use of an N95 respirator during the specific operation.

Cleaning and Disinfection Procedures

The police department is required to clean and disinfect all contaminated work surfaces with the approved sanitizer after any exposure from a suspected or confirmed ATD case. Contaminated work surfaces include exposed areas at the police station and all transport vehicles.

The approved cleaning and disinfecting materials along with appropriate personal protective equipment must be available at each facility, including all transport vehicles. Supplies are located in report writing.

The holding area will be cleaned periodically by the Jan Pro Janitorial Services Company. Jan Pro will clean on Mondays and Fridays. The cleaning will include emptying trash, spray and wipe off counters, sweep holding area, and cleaning of sink and toilet in each holding cell.

Vehicles will be cleaned on an as needed basis by the officers. Officers will use cleaning supplies located in report writing.

Communication Procedures

The ATD Administrator is responsible for communicating with department employees who have had contact with a suspected ATD case when another employer, local health authorities, or the health care provider notify the department of a confirmed ATD case.

The police department is also responsible for communicating the information to other employers involved in the exposure incident (e.g. fire department, ambulance service) to the extent that exposure information is available.

When the diagnosing health care facility reports an ATD case to the local public health officer, the department will receive notification of a confirmed case from the health care facility and/or the local public health officer. The ATD Administrator or the Professional Standards Sergeant is responsible for implementing the following communication procedures upon notification:

- Receive feedback from the local health authority or the health care provider on the disease status of the suspected ATD case. Woodland Healthcare Occupational Health will report disease status to the City of Woodland Human Resource Department. The Human Resource Department will then notify the Professional Standards Sergeant.
- ***Immediately*** contact other employers who had employees involved in the specific exposure incident *no later than 72 hours after receiving notification.*

(Note: This is a *maximum* timeframe and would not be considered appropriate for an illness such as meningitis where life threatening illness may develop within 48 hours. The department will adjust the timeframe depending on the nature of the specific illness and input from the local health officer.) ***The department will not provide the identity of the source patient to other employers.***

- Woodland Fire Department (530) 661-5860
AMR (916) 563-0600
Yolo Co Sheriff Office (530) 666-5282
Davis PD (530) 747-5400
W Sacramento PD (916) 372-3375
Winters PD (530) 795-2261
- ***Immediately*** communicate with affected department employees about the confirmed ATD case and indicate that an exposure analysis is in progress with completion expected *no later than 96 hours after receiving notification*. **(Note:** This is a *maximum* timeframe and would not be considered appropriate for an illness such as meningitis where life threatening illness may develop within 48 hours. The department will adjust the timeframe depending on the nature of the specific illness and input from the local health officer.) Woodland Healthcare Occupational Health will report disease status to the City of Woodland Human Resource Department. The Human Resource Department will then notify the Professional Standards Sergeant.
- Begin the analysis of the exposure incident and report the results to the affected employees *within 72 hours after receiving notification except where the nature of the illness requires immediate action*.
- Notify affected employees of the results of the analysis *within 96 hours of receiving notification except where the nature of the illness requires immediate action*. Refer employees with significant exposure for medical evaluation as soon as possible. (See Exposure Incident and Post-Exposure Evaluation Section.)

Exposure Incident Analysis and Post-Exposure Evaluation

ATD Exposure Incident Analysis

An ATD exposure incident is an event where ***all the following have occurred***:

- An employee has been exposed to a person who is a case/suspected case of a reportable ATD, and
- Source control and risk reduction measures were not present or utilized, and
- It reasonably appears from the circumstances of the exposure that transmission of the ATD is likely to require medical evaluation

If an exposure incident occurs, the police department will take the following steps ***within 72 hours after receiving notification except where the nature of the illness requires immediate action***:

- The ATD Administrator will conduct an analysis of the exposure scenario to determine which employees had significant exposures. The ATD Administrator will notify employees who had significant exposure of the date, time, and nature of the exposure.
- The ATD Administrator will determine if any other employer's employees have been exposed and notify the employer.

Post-Exposure Evaluation and Follow-Up

In the event of an exposure incident, the police department will provide a post-exposure medical evaluation, as soon as feasible, to all employees who had a significant exposure. All post-exposure evaluations will be performed by Woodland Healthcare Occupational Health:

Occupational Health Provider Infectious Disease Specialist:	Woodland Healthcare Occupational Health
Address:	632 W Gibson Rd, Woodland CA
Phone Number:	(530) 668-2660

The police department will provide the health care professional with the following information:

- A copy of CCR, Title 8; Section 5199 located at <http://www.dir.ca.gov/title8/5199.html>
- A description of the exposed employee's duties as they relate to the exposure incident
- The circumstances under which the exposure incident occurred
- Any available diagnostic information relating to the source of the exposure that could assist in the medical management of the employee
- The police department's medical records for the exposed employee(s)

The police department will request the following information from the health care professional:

- An opinion regarding whether precautionary removal from the employee's regular assignment is necessary to prevent spread of the disease agent and what type of alternate work assignment may be provided
- A written opinion from the health care professional limited to the following information:
 - The employee's test and infectivity status
 - A statement that the employee has been informed of the results of the medical evaluation and has been offered any applicable vaccinations, prophylaxis, or treatment

- A statement that the employee has been told about any medical conditions resulting from the exposure that require further evaluation or treatment
- Any recommendations for precautionary removal from the employee's regular assignment
- Any limitations on respirator use related to the medical condition of the employee or the working conditions in which the respirator will be used

All other findings or diagnoses will remain confidential and will not be included in the written report. The police department will obtain and provide the employee with a copy of the written opinion within 15 working days from the completed medical evaluation.

Medical Services

Vaccination Recommendations

The police department offers and recommends all employees in the identified job classifications in the Occupational Exposure Determination Section receive the following vaccination at no cost to the employee:

Vaccine	Schedule
Seasonal Influenza	One dose annually

If the employee declines to accept the vaccination, he or she must sign the Declination Statement (Appendix B) and forward to the Professional Standards Sergeant for required record keeping.

Note: Seasonal influenza vaccine will be provided during the period designated by the CDC for administration and need not be provided outside of those periods.

Latent Tuberculosis Infection (LTBI) Annual Test

The police department maintains a surveillance program for LTBI. All employees in the identified job classifications in the Occupational Exposure Determination Section will receive annual TB tests. (Refer to Appendix D for the complete definition of LTBI.)

Employees with a positive baseline TB test will have an annual symptom screen.

If the employee's TB test indicates a conversion (a change in the TB test results from negative to positive) the police department will refer the employee to the following health care professional Woodland Healthcare Occupational Health:

Occupational Health Provider Infectious Disease Specialist:	Woodland Healthcare Occupational Health
Address:	632 W Gibson Rd, Woodland CA
Phone Number:	(530) 668-2660

In the case of a conversion, the department is responsible for following requirements in the regulation:

- Provide a copy of the ATD regulation (8 CCR 5199) and the employee's TB test records to the health care provider.
- If the department has determined the source of the infection, the department will also provide any available diagnostic test results including drug susceptibility patterns relating to the source patient.
- The department will request with the employee's consent that the health care provider perform any necessary diagnostic tests and inform the employee about appropriate treatment options.
- The department will request the health care provider determine if the employee is a TB case or suspected case and to do all of the following:
 - Inform employee and the local health officer in accordance with Title 17
 - Consult with the local health officer and inform the employer of any infection control recommendations related to the employee's activity in the workplace
 - Recommend whether precautionary removal from the employee's regular assignment is necessary to prevent the spread of disease by the employee and what type of alternate work assignment may be provided; the department will request the recommendation for precautionary removal immediately via phone or fax and that a written opinion within 15 days containing the information outlined in paragraph (h)(9) of the regulation
- In cases where the health care provider or local health officer recommends precautionary removal from regular job duties, the department will maintain the employee's earnings, seniority, and other employee rights and benefits, including the employee's right to his or her former job status, as if the employee had not been removed from his/her job. These provisions do not extend to any period of time during which the employee is unable to work for reasons other than precautionary removal.

Training

All employees assigned to tasks where occupational exposure may occur will receive training:

- At the time of initial assignment to tasks where occupational exposure may occur
- At least annually thereafter
- When changes such as introduction of new engineering or work practice controls or modification of tasks affect the employee's occupational exposure

Training will be interactive and tailored to the education and language level of all exposed police department employees. It will include the following:

- An explanation of ATDs, including the signs and symptoms that require further medical evaluation
- Screening methods and referral procedures
- Source control measures and how these measures will be communicated to persons the employees contact
- Procedures for temporary risk reduction measures prior to transfer
- Respiratory protection training
- Review of the medical services provided
- Exposure incident reporting procedures and communication procedures
- Vaccine information and education

- Location of written procedures (ATD Control Procedures and Respiratory Protection Program) and how employees can provide feedback on the effectiveness of the procedures

The training will be offered to employees and will include an opportunity for questions and answers with a person who is knowledgeable about the police department's exposures and ATD control procedures. Training not given in person (e.g. web-based training or training videos) will provide for interactive questions to be answered within 24 hours by a knowledgeable person.

Record Keeping

The Professional Standards Sergeant will maintain:

- Employee training records
- Employee medical records (including vaccination records, declination forms, post-exposure medical evaluations)
- Exposure incident records (including the ATD Suspect Case Referral Log)
- Inspection, testing, and maintenance records for engineering controls (If applicable, records of building ventilation system and other air handling systems or air filtration systems for holding cells or rooms where suspect ATD cases await transfer, or smoke tests for vehicles used to transport suspect ATD cases without the use of employee respiratory protection)
- Respiratory Protection Program records per Title 8 CCR Section 5144, Respiratory Protection and the department program
- Records of annual ATD procedures review

Employee training records will include the following information:

- The date(s) of the training session(s);
- The contents or a summary of the training session(s);
- The names and qualifications of persons conducting the training or those who are designated to respond to interactive questions; and
- The names and job titles of all persons attending the training sessions.

Training records will be maintained for three years from the date on which the training occurred.

Employee medical records for each employee with an occupational exposure incident will include:

- The employee name and employee identification.
- The employee's vaccination status since employed with the Woodland Police Department. This includes dates of vaccinations, declination statements, and medical records relative to the employee's ability to receive vaccinations.
- A copy of examination results, medical testing, evaluation, and follow up of exposure incidents.

- A copy of all written opinions provided by the health care professionals as required and following an exposure incident and/or the results of TB assessments.

The Woodland Police Department will ensure employee medical records are kept confidential and are not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by this regulation and by law. Medical records are retained and coordinated by the Human Resource Department.

Records will be maintained per Title 8, CCR, Section 3204, Access to Employee Exposure and Medical Records, and made available upon employee request. Employee medical records will be maintained for at least the duration of employment plus 30 years.

Engineering control records, if applicable, will be maintained for a minimum of five years and will include the names and affiliations of the persons performing the test, inspection, or maintenance; the date; and any significant findings or corrective actions.

ATD Control Procedures Review

An annual review of the ATD Control Procedures will be conducted by the ATD Administrator and by employees regarding the effectiveness of the procedures in their respective work areas. Deficiencies found will be corrected. The review(s) will be documented in writing and reviewed by the Chief of Police. Corrective actions will be initiated where identified.

Appendix - A

Signs and Symptoms of Common Aerosol Transmissible Diseases

Acellular Pertussis (Whooping cough)

- Severe coughing spell that ends in a “whooping” sound
- Runny nose
- Sneezing
- Low-grade fever

Diphtheria

- Sore throat/hoarseness
- Painful swallowing
- Swollen glands (neck)
- Thick, gray membrane covering throat and tonsils
- Rapid breathing
- Fever and chills

Influenza/H1N1

- No energy
- High fever 100 - 105° F
- Bad headaches
- Aching muscles/joints
- Eye pain, discomfort in bright light
- Coughing and sore throat
- Shortness of breath
- Persistent vomiting
- Confusion and dizziness

Measles (Rubella)

- Full body rash - small red spots with white center inside the mouth
- Hacking cough
- Runny nose
- High fever
- Red eyes

Mumps

- Swelling of the salivary glands
- Fever lasting two-three days
- Sore muscles
- Loss of appetite
- Headache
- Earache aggravated by chewing
- Aversion to light and a stiff neck
- Abdominal pain, nausea, and vomiting

Severe acute respiratory syndrome (SARS)

- Headache
- An overall feeling of discomfort
- Body aches
- Chills
- Sore throat
- Runny nose
- Diarrhea

Tetanus

- Fever
- Breathing difficulty
- Stiffness and spasms in the jaw, neck, chest, back, and abdomen

Tuberculosis

- Unexplained weight loss
- Fatigue
- Fever
- Night sweats
- Chills
- Loss of appetite
- Coughing that lasts three or more weeks
- Coughing up blood
- Chest pain or pain with breathing or coughing

Varicella Zoster (VZV) - Chickenpox

- Blisters filled with fluid
- Mild fever
- Backache
- Headache
- Sore throat
- Rash (red spots)

Appendix B

Seasonal Influenza Vaccination Declination Statement (Mandatory)

I understand that due to my occupational exposure to aerosol transmissible diseases, I may be at risk of acquiring seasonal influenza. I have been given the opportunity to be vaccinated against this infection at no charge to me. However, I decline this vaccination at this time. I understand that by declining this vaccine, I continue to be at increased risk of acquiring influenza. If during the season for which the CDC recommends administration of the influenza vaccine I continue to have occupational exposure to aerosol transmissible diseases and want to be vaccinated, I can receive the vaccination at no charge to me.

Employee Signature

Date

Appendix C

Definitions

For a complete list of definitions found in the ATD standard, refer to Cal/OSHA Title 8, Chapter 4, Section 5199; Subsection (b) at <http://www.dir.ca.gov/title8/5144.html>.

Aerosol transmissible disease (ATD) or aerosol transmissible pathogen (ATP)

A disease or pathogen for which droplet or airborne precautions are required, as listed in Appendix A of the standard.

Airborne infection isolation (All)

Infection control procedures as described in Guidelines for Preventing the Transmission of *Mycobacterium tuberculosis* in Health-Care Settings. These procedures are designed to reduce the risk of transmission of airborne infectious pathogens, and apply to patients known or suspected to be infected with epidemiologically important pathogens that can be transmitted by the airborne route.

Airborne infection isolation room or area (AIIR)

A room, area, booth, tent, or other enclosure that is maintained at negative pressure to adjacent areas in order to control the spread of aerosolized *M. tuberculosis* and other airborne infectious pathogens and that meets the requirements stated in subsection (e)(5)(D) of this standard.

Airborne infectious disease (AirID)

Either: (1) an aerosol transmissible disease transmitted through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the disease agent for which All is recommended by the CDC or CDPH, as listed in Appendix A, or (2) the disease process caused by a novel or unknown pathogen for which there is no evidence to rule out with reasonable certainty the possibility that the pathogen is transmissible through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the novel or unknown pathogen.

Airborne infectious pathogen (AirIP)

Either: (1) an aerosol transmissible pathogen transmitted through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the infectious agent, and for which the CDC or CDPH recommends All, as listed in Appendix A, or (2) a novel or unknown pathogen for which there is no evidence to rule out with reasonable certainty the possibility that it is transmissible through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the novel or unknown pathogen.

CDC

United States Centers for Disease Control and Prevention www.cdc.gov.

CDPH

California Department of Public Health and its predecessor, the California Department of Health Services (CDHS).

Case

Either of the following:

- (1) A person who has been diagnosed by a health care provider who is lawfully authorized to diagnose, using clinical judgment or laboratory evidence, to have a particular disease or condition.
- (2) A person who is considered a case of a disease or condition that satisfies the most recent communicable disease surveillance case definitions established by the CDC and published in the Morbidity and Mortality Weekly Report (MMWR) or its supplements.

Droplet precautions

Infection control procedures as described in Guideline for Isolation Precautions designed to reduce the risk of transmission of infectious agents through contact of the conjunctivae or the mucous membranes of the nose or mouth of a susceptible person with large-particle droplets (larger than 5 µm in size) containing microorganisms generated from a person who has a clinical disease or who is a carrier of the microorganism.

Emergency medical services

Medical care provided pursuant to Title 22, Division 9, by employees who are certified EMT-1, certified EMT-II, or licensed paramedic personnel to the sick and injured at the scene of an emergency, during transport, or during interfacility transfer.

Exposure incident

An event in which all of the following have occurred: (1) An employee has been exposed to an individual who is a case or suspected case of a reportable ATD, or to a work area or to equipment that is reasonably expected to contain ATPs associated with a reportable ATD; and (2) The exposure occurred without the benefit of applicable exposure controls required by this section, and (3) It reasonably appears from the circumstances of the exposure that transmission of disease is sufficiently likely to require medical evaluation.

Field operation

An operation conducted by employees that is outside of the employer's fixed establishment, such as paramedic and emergency medical services or transport, law enforcement, home health care, and public health.

Guideline for Isolation Precautions

The Guideline for Isolation Precautions: Preventing Transmission of Infectious Agents in Healthcare Settings, June 2007, CDC, which is hereby incorporated by reference for the sole purpose of establishing requirements for droplet and contact precautions.

Health care provider

A physician and surgeon, a veterinarian, a podiatrist, a nurse practitioner, a physician assistant, a registered nurse, a nurse midwife, a school nurse, an infection control practitioner, a medical examiner, a coroner, or a dentist.

Health care worker

A person who works in a health care facility, service or operation, or who has occupational exposure in a public health service described in subsection (a)(1)(D).

High hazard procedures

Procedures performed on a person who is a case or suspected case of an aerosol transmissible disease or on a specimen suspected of containing an ATP-L, in which the potential for being exposed to aerosol transmissible pathogens is increased due to the reasonably anticipated generation of aerosolized pathogens. Such procedures include, but are not limited to, sputum induction, bronchoscopy, aerosolized administration of pentamidine or other medications, and pulmonary function testing. High Hazard Procedures also include, but are not limited to, autopsy, clinical, surgical and laboratory procedures that may aerosolize pathogens.

Individually identifiable medical information

Medical information that includes or contains any element of personal identifying information sufficient to allow identification of the individual, such as the patient's name, address, electronic mail address, telephone number, or social security number, or other information that, alone or in combination with other publicly available information, reveals the individual's identity.

Infection control PLHCP

A PLHCP who is knowledgeable about infection control practices, including routes of transmission, isolation precautions, and the investigation of exposure incidents.

Initial treatment

Treatment provided at the time of the first contact a health care provider has with a person who is potentially an AirID case or suspected case. Initial treatment does not include high hazard procedures.

Latent TB infection (LTBI)

Infection with *M. tuberculosis* in which bacteria are present in the body, but are inactive. Persons who have LTBI but who do not have TB disease are asymptomatic, do not feel sick, and cannot spread TB to other persons. They typically react positively to TB tests.

Local health officer

The health officer for the local jurisdiction responsible for receiving and/or sending reports of communicable diseases, as defined in Title 17, CCR. NOTE: Title 17, Section 2500 requires that reports be made to the local health officer for the jurisdiction where the patient resides.

M. tuberculosis

Mycobacterium tuberculosis complex, which includes *M. tuberculosis*, *M. bovis*, *M. africanum*, and *M. microti*. *M. tuberculosis* is the scientific name of the group of bacteria that cause tuberculosis.

Negative pressure

A relative air pressure difference between two areas. The pressure in a containment room or area that is under negative pressure is lower than adjacent areas, which keeps air from flowing out of the containment facility and into adjacent rooms or areas.

Non-medical transport

The transportation by employees other than health care providers or emergency medical personnel during which no medical services are reasonably anticipated to be provided.

Novel or unknown ATP

A pathogen capable of causing serious human disease meeting the following criteria:

- (1) There is credible evidence that the pathogen is transmissible to humans by aerosols; and
- (2) The disease agent is:
 - (a) A newly recognized pathogen, or
 - (b) A newly recognized variant of a known pathogen and there is reason to believe that the variant differs significantly from the known pathogen in virulence or transmissibility, or
 - (c) A recognized pathogen that has been recently introduced into the human population, or
 - (d) A not yet identified pathogen.

NOTE: Variants of the human influenza virus that typically occur from season to season are not considered novel or unknown ATPs if they do not differ significantly in virulence or transmissibility from existing seasonal variants. Pandemic influenza strains that have not been fully characterized are novel pathogens.

Occupational exposure

Exposure from work activity or working conditions that is reasonably anticipated to create an elevated risk of contracting any disease caused by ATPs or ATPs-L if protective measures are not in place. In this context, “elevated” means higher than what is considered ordinary for employees having direct contact with the general public outside of the facilities, service categories, and operations listed in subsection (a)(1) of this standard. Occupational exposure is presumed to exist to some extent in each of the facilities, services, and operations listed in subsection (a)(1)(A) through (a)(1)(I). Whether a particular employee has occupational exposure depends on the tasks, activities, and environment of the employee, and therefore, some employees of a covered employer may have no occupational exposure. For example, occupational exposure typically does not exist where a hospital employee works only in an office environment separated from patient care facilities, or works only in other areas separate from those where the risk of ATD transmission, whether from patients or contaminated items, would be elevated without protective measures. It is the task of employers covered by this standard to identify those employees who have occupational exposure so that appropriate protective measures can be implemented to protect them as required. Employee activities that involve having contact with, or being within exposure range of cases or suspected cases of ATD, are always considered to cause occupational exposure. Similarly, employee activities that involve contact with, or routinely being within exposure range of, populations served by facilities identified in subsection (a)(1)(E) are considered to cause occupational exposure. Employees working in laboratory areas in which ATPs-L are handled or reasonably anticipated to be present are also considered to have occupational exposure.

Physician or other licensed health care professional (PLHCP)

An individual whose legally permitted scope or practice (i.e., license, registration, or certification) allows him or her to independently provide, or be delegated the responsibility to provide, some or all of the health care services required by this section.

Public health guidelines

- (1) In regards to tuberculosis, applicable guidelines published by the CTCA and/or CDPH as follows, which are hereby incorporated by reference:

- (A) Guidelines for Tuberculosis (TB) Screening and Treatment of Patients with Chronic Kidney Disease (CKD), Patients Receiving Hemodialysis (HD), Patients Receiving Peritoneal Dialysis (PD), Patients Undergoing Renal Transplantation and Employees of Dialysis Facilities, May 18, 2007.
- (B) Guidelines for the Treatment of Active Tuberculosis Disease, April 15, 2003 including related material: Summary of Differences Between 2003 California and National Tuberculosis Treatment Guidelines, 2004, Amendment to Joint CDHS/CTCA Guidelines for the Treatment of Active Tuberculosis Disease, May 12, 2006, Appendix 3 - Algorithm for MDR-TB Cases and Hospital Discharge, May 12, 2006.
- (C) Targeted Testing and Treatment of Latent Tuberculosis Infection in Adults and Children, May 12, 2006.
- (D) California Tuberculosis Controllers Association Position Statement: The Utilization of QuantiFERON – TB Gold in California, May 18, 2007.
- (E) Guidelines for Mycobacteriology Services in California, April 11, 1997.
- (F) Guidelines for the Placement or Return of Tuberculosis Patients into High Risk Housing, Work, Correctional, or In-Patient Settings, April 11, 1997.
- (G) Contact Investigation Guidelines, November 12, 1998.
- (H) Source Case Investigation Guidelines, April 27, 2001.
- (I) Guidelines on Prevention and Control of Tuberculosis in California Long-Term Health Care Facilities, October 2005.
- (J) Guidelines for Reporting Tuberculosis Suspects and Cases in California, October 1997.
- (K) CTCA recommendations for serial TB testing of Health Care Workers (CA Licensing and Certification), September 23, 2008.
- (2) In regards to vaccine-preventable diseases, the publication cited in the definition of Epidemiology and Prevention of Vaccine-Preventable Diseases.
- (3) In regards to any disease or condition not addressed by the above guidelines, recommendations made by the CDPH or the local health officer pursuant to authority granted under the Health and Safety Code and/or Title 17, California Code of Regulations.

Referral

The directing or transferring of a possible ATD case to another facility, service or operation for the purposes of transport, diagnosis, treatment, isolation, housing, or care.

Referring employer

Any employer that operates a facility, service, or operation in which there is occupational exposure and which refers AirID cases and suspected cases to other facilities. Referring facilities, services and operations do not provide diagnosis, treatment, transport, housing, isolation or management to persons requiring All. General acute care hospitals are not referring employers. Law enforcement, corrections, public health, and other operations that provide only non-medical transport for referred cases are considered referring employers if they do not provide diagnosis, treatment, housing, isolation or management of referred cases.

Reportable aerosol transmissible disease (RATD)

A disease or condition which a health care provider is required to report to the local health officer, in accordance with Title 17 CCR, Division 1, Chapter 4, and which meets the definition of an aerosol transmissible disease (ATD).

Respirator

A device which has met the requirements of 42 CFR Part 84, has been designed to protect the wearer from inhalation of harmful atmospheres, and has been approved by NIOSH for the purpose for which it is used.

Respirator user

An employee who in the scope of their current job may be assigned to tasks which may require the use of a respirator, in accordance with subsection (g).

Respiratory Hygiene/Cough Etiquette in Health Care Settings

Respiratory Hygiene/Cough Etiquette in Health Care Settings, CDC, November 4, 2004, which is hereby incorporated by reference for the sole purpose of establishing requirements for source control procedures. (Website)

Screening (health care provider)

The initial assessment of persons who are potentially AirID or ATD cases by a health care provider in order to determine whether they need airborne infection isolation or need to be referred for further medical evaluation or treatment to make that determination. Screening does not include high hazard procedures.

Screening (non health care provider)

The identification of potential ATD cases through readily observable signs and the self-report of patients or clients. Screening does not include high hazard procedures.

Significant exposure

An exposure to a source of ATPs or ATPs-L in which the circumstances of the exposure make the transmission of a disease sufficiently likely that the employee requires further evaluation by a PLHCP.

Source control measures

The use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD, such as persistent coughing.

Surge

A rapid expansion beyond normal services to meet the increased demand for qualified personnel, medical care, equipment, and public health services in the event of an epidemic, public health emergency, or disaster.

Susceptible person

A person who is at risk of acquiring an infection due to a lack of immunity as determined by a PLHCP in accordance with applicable public health guidelines.

Suspected case. Either of the following:

- (1) A person whom a health care provider believes, after weighing signs, symptoms, and/or laboratory evidence, to probably have a particular disease or condition listed in Appendix A.
- (2) A person who is considered a probable case, or an epidemiologically-linked case, or who has supportive laboratory findings under the most recent communicable disease surveillance case definition established by CDC and published in the Morbidity and Mortality Weekly Report (MMWR) or its

supplements as applied to a particular disease or condition listed in Appendix A.

TB conversion

A change from negative to positive as indicated by TB test results, based upon current CDC or CDPH guidelines for interpretation of the TB test

Test for tuberculosis infection (TB test)

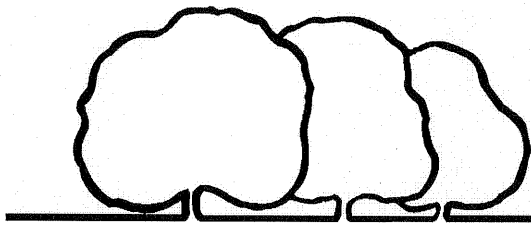
Any test, including the tuberculin skin test and blood assays for *M. Tuberculosis* (BAMT) such as interferon gamma release assays (IGRAs) which: (1) has been approved by the Food and Drug Administration for the purposes of detecting tuberculosis infection, and (2) is recommended by the CDC for testing for TB infection in the environment in which it is used, and (3) is administered, performed, analyzed and evaluated in accordance with those approvals and guidelines. NOTE: Where surveillance for LTBI is required by Title 22, CCR, the TB test must be approved for this use by the CDPH.

Tuberculosis (TB)

A disease caused by *M. tuberculosis*.

* * *

Travel and Travel Reimbursement (rev 10.1.07).pdf



City of Woodland

POLICY AND PROCEDURE

Policy No: 16-102
Division: Finance
Related Policies: none

Effective Date: October 1, 2007
Distribution: All Departments
Last Revision: August 10, 2004

SUBJECT Travel and Travel Reimbursement

POLICY The City of Woodland will provide compensation according to this policy when City of Woodland business, duties or responsibilities necessitate travel.

APPLICABILITY This policy extends to all City of Woodland elected and appointed officials, volunteers and employees where appropriate. For travel relating to Peace Officers Standard Training (POST) OR Standards and Training Corrections (STC) the reimbursement guidelines established by the State shall apply and not this policy. Employees engaged in the transportation of prisoners are exempt from this policy.

APPROVALS			
NAME	DATE	NAME	DATE
Department Directors:	September 18, 2007	City Manager:	September 18, 2007
		<i>[Signature]</i>	

1.0 APPROVAL OF WORK RELATED TRAVEL AND TRAVEL EXPENSES

- 1.1** For travel *within* California, the respective Department Director's (or Designee's) approval shall be required for payment of travel advances or reimbursement for travel expenses.
- 1.2** All *out-of-state* work related travel must be pre-approved by the City Manager prior to travel or before city funds are committed, whichever is earlier. A copy of the City Manager's approval (letter, memorandum, or e-mail) shall be included with any payment request (Travel Advance or Reimbursement).
 - 1.2.1** Exception: travel to the Tahoe/Reno region does not require City Manager approval.
- 1.3** The travel advance or reimbursement claim must show the destination and purpose of travel.

2.0 TRANSPORTATION

- 2.1** Allowable transportation costs include, but are not limited to, personal auto, airplane, train, bus and taxi fares, bridge tolls, parking and car rental.
 - 2.1.1** Personal Auto Mileage Reimbursement shall be compensated at the IRS reimbursement rate in effect at the time of travel. Where the employee prefers to travel by a personal automobile the mileage reimbursement will NOT exceed what the normal airfare would have cost. The employee will be required to submit a copy of proof of automobile insurance to their department *before* traveling.
 - 2.1.1.1** To be reimbursed for personal automobile mileage, a driver must: 1) possess a valid California driver's license, 2) carry liability insurance in the amount of at least \$50,000 for bodily injury and property damage for the automobile being driven, and 3) accept the condition that any damage to the car, or any service or repair incurred on the trip will be the driver's responsibility since these costs are included in the City's per mile cost reimbursement.
 - 2.1.2** Airplane, train, buses and car rental shall be reimbursed based on the actual amount of the fare. All travel reservations will be made using the most economical fare available; receipts will be required.
 - 2.1.3** Taxi fares, bridge tolls, parking will be reimbursed based on actual amounts; receipts will be required.
 - 2.1.4** Individuals receiving monthly automobile allowance shall be eligible for personal auto mileage reimbursement only when the one-way distance traveled is 100 miles or more. In the case where the one-way distance traveled is 100 miles or more, the mileage reimbursement will be based on total miles driven.

3.0 COMPENSABLE TRAVEL TIME

- 3.1 Federal Fair Labor Standards Act (FLSA) regulations regarding travel time will be followed, except where terms of a Memorandum of Understanding between the City and a City employee association contains language which supersedes the FLSA regulations.
- 3.2 One-Day Trips. Employees are in paid status during normal work hours and additional travel time beyond the standard commute time. Travel time between home and a public transportation terminal or the destination, that is one hour or less, is standard commute time and therefore not compensable work time. Mealtime is also not considered work time.
- 3.3 Overnight Trips. Employees are in paid status during normal work hours and travel time in excess of the standard commute time (defined above). Mealtimes and sleep periods are not considered work time.
- 3.4 Travel time will be paid for the minimum amount of time required for the most efficient mode of travel available. For example, if travel aboard a public transportation airline would result in a 1.5-hour flight but the employee wishes to drive for the employee's convenience (and takes eight hours), only 1.5 hours for the flight time would be compensated.
- 3.5 The employee's supervisor should ensure that the employee's days off, travel time and training time are scheduled in advance. When possible, the schedule should accommodate the individual employee and ensure compensable travel time is minimized.
- 3.6 Non exempt employees shall not perform any duties in excess of normal work hours and/or pre-approved overtime without specific approval from supervisor.

4.0 MEALS REIMBURSEMENT

- 4.1 Local Travel. Travel is considered local if it is within a 50-mile radius. Original receipts and copies of the conference schedule will be required to substantiate ALL expenses excluding meals. The maximum daily rate for lunch meal expense reimbursement is \$12.00. This allowance does not apply if lunch is provided by the conference/seminar.
- 4.2 Out-of Town or Overnight Travel. This is defined as travel outside of a 50-mile radius or travel that requires the traveler to be away from home for at least one night. Original receipts and copies of the conference schedule will be required to substantiate all expenses excluding meals. The maximum daily meal allowance of \$50.00 will be provided without receipts being required. If the travel reimbursement combines Calcard and cash (out of pocket) expenses for meals, a copy of the travel reimbursement form should be included with the employee's Calcard reconciliation.
 - 4.2.1 If any meals are included as part of the conference schedule (i.e., working breakfast, keynote speaker during lunch, etc.), the corresponding meal allowances will be subtracted from the

maximum daily allowance. If a special meal is purchased as part of the event (i.e., dinner banquet), that meal allowance will also be subtracted from the maximum daily allowance.

4.2.2 The following meal rates will be used to determine amounts subtracted (see 4.2.1 above) and for partial travel days.

4.2.2.1 \$10.00 for breakfast

4.2.2.2 \$12.00 for lunch

4.2.2.3 \$25.00 for dinner

4.2.2.4 \$3.00 for incidentals (i.e., coffee, newspaper, water)

4.3 Other meal expenses.

4.3.1 Tips are allowed but will be counted within the maximum daily meal reimbursement amount of \$50.00.

4.3.2 No reimbursement will be allowed for alcoholic beverages.

4.4 Meal Reimbursement for Council Members. City of Woodland Code section 2-1-43 provides that **actual expenses** incurred by council members on authorized council business shall be reimbursed. Therefore, the maximum amounts per meal specified in paragraphs 4.1 and 4.2 above will not apply to council members. To be reimbursed, council members will be required to have receipts for the meals; in absence of a meal receipt, the amounts in paragraph 4.1 and 4.2 will apply. Provisions of paragraph 4.3 will also apply to council members.

5.0 LODGING

5.1 Reimbursement for lodging shall be at the single occupancy rate (or the minimum rate specified by the conference program) for as many nights as necessary. The accommodations should be economical but practical; receipts will be required for reimbursement.

6.0 TRAVEL ADVANCE

6.1 Employees should use their Calcards to pay for travel expenses, whenever possible.

6.2 Employees may request a cash travel advance up to \$10 per day, but not to exceed \$200, from their department administrative secretary, other designated petty cash manager, or the Finance Administrative Secretary if department does not maintain an individual petty cash fund, to cover travel expenses for which a Calcard might not be accepted. Request for travel advance checks by non Calcard holders and for prior approved exceptions, are to be submitted to Finance according to City Check Request Procedures. Requests for travel advance (cash or check) will be coordinated with the appropriate department staff responsible for travel arrangements.

- 6.3 Within 10 working days of returning from an event for which a travel advance had been paid, the employee shall submit a reconciliation report to the Finance Department. Such reconciliation shall have the proper approval as noted in this policy.
- 6.4 If the amount of the travel advance was less than the actual travel expenses identified in the reconciliation report, the difference will be paid to the employee. If the amount of the travel advance was greater than the actual travel expenses identified in the reconciliation report, the employee shall submit payment for the difference to the Finance Department at the time the reconciliation is filed.

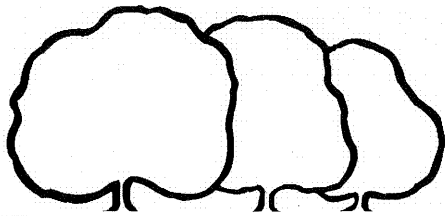
7.0 TRAVEL REIMBURSEMENTS AND ADVANCE RECONCILIATION FORMS

- 7.1 Claims for reimbursement and advance reconciliation forms shall be filed with the Finance Department within ten (10) working days following the end of the event. Any exception to this policy must be requested by the Department Director and approved by the City Manager. Maximum exception for reimbursement will be 30 working days following the event.
- 7.2 For reimbursements that require a receipt, conference or meeting schedule or another kind of verification, all items must be attached when the reimbursement or reconciliation form is submitted.

8.0 NON-ATTENDANCE OF SCHEDULED EVENT

- 8.1 Registrants have the responsibility of attending classes, seminars, conferences or any other functions for which they are registered and for which the City has paid registration fees.
- 8.2 Registrants are expected to make a reasonable attempt to cancel and/or reschedule travel in advance of a possible absence. The registrant is also expected to make a reasonable attempt to get refunds and/or credits for all paid travel arrangements in advance of a possible absence.
- 8.3 If the registrant does not attend the scheduled event and the non-attendance was not approved by a Department Director or the City Manager, the registrant must reimburse the City for all registration fees, including, but not limited to, vehicle rentals, hotel accommodations and airline tickets. In cases of unforeseen circumstances, the registrant must obtain approval within a reasonable period from the Department Director to be exempted from reimbursing the City for all paid travel fees.
- 8.4 The City Manager will approve all absences for the City Council, Department Directors and Appointed Officials.
- 8.5 The Department Directors will approve all absences for departmental employees and volunteers.

Use of City Computers Elec Mail and Internet Access.pdf



City of Woodland

POLICY AND PROCEDURE

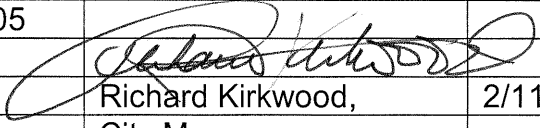
Policy No: 31-102
Division: City Manager
Related Policies:

Effective Date: July 22, 2002
Last Revision: February 11, 2005
Distribution: All Departments

SUBJECT USE OF CITY COMPUTERS, ELECTRONIC MAIL AND INTERNET ACCESS

POLICY: The use of City owned computer equipment/software, Electronic Mail, and access to the Internet should be limited to official City business, unless otherwise explicitly stated.

APPLICABILITY: The policy applies to all City of Woodland employees and volunteers.

APPROVALS			
Name	Date	Name	Date
Karl Diekman, Fire Chief,	2/11/05	Carey Sullivan, Police Chief	2/11/05
Joan Drayton, Finance Director	2/11/05	Dan Gentry, PRCS Director	2/11/05
Gary Wegener, PW Director	2/11/05	Tricia Stevens, CDD Director	2/11/05
Paul Miller Library Services Director	2/11/05	 Richard Kirkwood, City Manager	2/11/05

POLICIES

1.0 Appropriate Use and Content

- 1.1 Official Use. The City encourages its employees to use computer hardware and software as a resource to gain and process various types of information. Usage should be limited to City business during work hours.
- 1.2 Illegal Activities. Under no circumstances will the City tolerate the use of City computer systems to conduct illegal activities.
- 1.3 Software Licensing. Software manufacturers allow users to install their applications based on explicit licensing terms. Generally, the number of authorized users is determined either by the number of installed systems or the number of concurrent users. A standard set of applications is installed on the City computers based on purchasing arrangements between the City and the software provider. Installation of any software without the approval of Information Systems is prohibited. In all cases, employees will adhere to the manufacturers' licensing terms and conditions.

2.0 Internet

- 2.1 Copyrighted Information. There is a huge volume of information available on the Internet. In most cases, users can read and use the information for free. In some cases, however, items accessible via the Internet are protected by copyright law, such as company logos and news photos published by various news organizations. Internet use by staff will be consistent with the law.
- 2.2 Responsibilities and Privileges. Internet technology, as predicted by many information system strategists, will dominate the computing world. It is the City's responsibility to prepare the organization for the new era by providing access to the Internet and necessary training for utilizing the technology. It is staff's responsibility to learn the technology in order to perform their duties more effectively. The City provides the access to the Internet, but it DOES NOT have the control over what is available on the Internet. Therefore, it is also the responsibility of the staff to limit their Internet usage to a proper level in terms of the content of the usage. Due to limited resources, the City cannot provide Internet access on every computer.

3.0 Electronic Mail (E-Mail)

- 3.1 General Information. E-mail is not a secure medium, particularly with e-mail sent via the Internet. Other important considerations include:
 - 3.1.1 Keep messages short and to the point.
 - 3.1.2 Generally limit messages to one subject.
 - 3.1.3 Unless you explicitly delete messages, they are saved and take up disk space on the *network* system.

- 3.1.4 Act in a professional and courteous manner. Be specific in your addressing for distribution because, in many instances, sending a message to everyone is not appropriate.
- 3.1.5 Remember that in e-mail, immediacy of transmission does not always translate into immediacy of receipt. Staggered schedules, leaves, and system outages all result in a delayed message receipt.
- 3.1.6 Since attachments generally tend to double the size of messages, use of the e-mail system's built-in text editor is preferred to using word processors such as Microsoft Word. Attachments greater than 1MB should be compressed prior to transmission. The City is charged by external service providers for the size, number, and priority of e-mails sent to and received via the Internet. There are also indirect costs (in storage space and server-side processes) related to the size of e-mails maintained within the City's internal e-mail system.

3.2 Inappropriate E-Mail Messages.

E-mail is for business purposes and should not include inappropriate material. Examples of inappropriate material includes, but is not limited to, the following:

- 3.2.1 "Chain e-mail" or any non-City related electronic messages designed to continually replicate.
- 3.2.2 Partisan political literature.
- 3.2.3 Commercial notices.
- 3.2.4 Announcements or ventures of a personal nature.
- 3.2.5 Sectarian or proselytizing information.
- 3.2.6 Cultural/educational/recreational activities for which a fee is required are not appropriate for general broadcast.
- 3.2.7 Bulletin boards may be created by Information Systems to provide a forum for some of the above activities.

3.3 Professional Use

- 3.3.1 When not officially representing the City and a message could be perceived as City business or opinion, a disclaimer will be added to the signature block. An example of a disclaimer would be, "the opinions expressed herein are my own and do not necessarily represent those of the City of Woodland".

4.0 Security

- 4.1 General Information. Computer systems are a City resource and access to them is provided as a City communications tool. Employees with legitimate business purposes may have the need to view your electronic mail messages. It is also possible that others may view your messages inadvertently, since there is no guarantee of privacy for an electronic mail message. Under some circumstances communications sent by e-mail may be subjected to disclosure under the Public Records Act or litigation.

- 4.2 Accessibility and Monitoring. All information stored on or sent over City computer system can be accessed and monitored. The City reserves the right to monitor the system for reasons including, but not limited to, the following:
- To evaluate employee work performance
 - To safeguard the employer's property
 - To prevent the presence of drugs and alcohol in the workplace
 - To ensure the employer's right to retrieve its property in the event an employee entrusted with the property is not available (i.e. document or file)
- 4.3 Passwords. The City uses passwords to maintain access security to computer systems and information. Employees will not willfully divulge passwords to unauthorized personnel. Employees will also avoid actions that might make password easily available to unauthorized users (i.e. writing password in roll a deck, etc). Employees will notify the Information System Division immediately upon any password compromise.

5.0 External Access

The following circumstances apply to external access to City computer systems:

- 5.1 Access Categories. Access to City computer systems from outside the City's network shall be limited to the following categories. Except for 5.1.2 below, the Department Director must first approve any external access under this paragraph.
- 5.1.1 Personnel working at remote City locations, those without direct network connectivity.
 - 5.1.2 Management employees exempt from FLSA overtime requirements while working from home or while off-site at a conference, meeting, or vacation.
 - 5.1.3 Employees participating in the City's Telecommuting Program.
 - 5.1.4 Employees requiring external system access in order to perform on-call or call-back duties from an off-site location as authorized by a Department Director.
 - 5.1.5 Consultants/Contractors/Vendors requiring external system access to provide services to the City as specifically approved by both the Department Director and the Information Systems Manager.
- 5.2 Wireless Connectivity. Wireless connections to the City network will be considered external connections and will only be made after prior approval and coordination from the Information Systems Division. The provisions of paragraph 5.1 above apply equally to wireless connectivity.

5.3 Access Procedures. Department Directors may authorize external access, as needed, to conduct their operations. The Information Systems Division will manage the process for documenting authorizations and ensure appropriate security measures are in place.

6.0 Misuse

If it is discovered that you are misusing a City computer system, you may be subject to disciplinary action, up to and including discharge.

COW Training and Travel Policy.pdf



POLICY AND PROCEDURE

Policy No: 16-102
Division: Finance
Related Policies: none

Effective Date: October 1, 2007
Distribution: All Departments
Last Revision: August 10, 2004

SUBJECT Travel and Travel Reimbursement

POLICY The City of Woodland will provide compensation according to this policy when City of Woodland business, duties or responsibilities necessitate travel.

APPLICABILITY This policy extends to all City of Woodland elected and appointed officials, volunteers and employees where appropriate. For travel relating to Peace Officers Standard Training (POST) OR Standards and Training Corrections (STC) the reimbursement guidelines established by the State shall apply and not this policy. Employees engaged in the transportation of prisoners are exempt from this policy.

APPROVALS			
NAME	DATE	NAME	DATE
Department Directors:	September 18, 2007	City Manager:	September 18, 2007
		s/	

1.0 APPROVAL OF WORK RELATED TRAVEL AND TRAVEL EXPENSES

- 1.1** For travel *within* California, the respective Department Director's (or Designee's) approval shall be required for payment of travel advances or reimbursement for travel expenses.
- 1.2** All *out-of-state* work related travel must be pre-approved by the City Manager prior to travel or before city funds are committed, whichever is earlier. A copy of the City Manager's approval (letter, memorandum, or e-mail) shall be included with any payment request (Travel Advance or Reimbursement).
 - 1.2.1** Exception: travel to the Tahoe/Reno region does not require City Manager approval.
- 1.3** The travel advance or reimbursement claim must show the destination and purpose of travel.

2.0 TRANSPORTATION

- 2.1** Allowable transportation costs include, but are not limited to, personal auto, airplane, train, bus and taxi fares, bridge tolls, parking and car rental.
 - 2.1.1** Personal Auto Mileage Reimbursement shall be compensated at the IRS reimbursement rate in effect at the time of travel. Where the employee prefers to travel by a personal automobile the mileage reimbursement will NOT exceed what the normal airfare would have cost. The employee will be required to submit a copy of proof of automobile insurance to their department *before* traveling.
 - 2.1.1.1** To be reimbursed for personal automobile mileage, a driver must: 1) possess a valid California driver's license, 2) carry liability insurance in the amount of at least \$50,000 for bodily injury and property damage for the automobile being driven, and 3) accept the condition that any damage to the car, or any service or repair incurred on the trip will be the driver's responsibility since these costs are included in the City's per mile cost reimbursement.
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 - 2.1.3** Taxi fares, bridge tolls, parking will be reimbursed based on actual amounts; receipts will be required.
 - 2.1.4** Individuals receiving monthly automobile allowance shall be eligible for personal auto mileage reimbursement only when the one-way distance traveled is 100 miles or more. In the case where the one-way distance traveled is 100 miles or more, the mileage reimbursement will be based on total miles driven.

3.0 COMPENSABLE TRAVEL TIME

- 3.1** Federal Fair Labor Standards Act (FLSA) regulations regarding travel time will be followed, except where terms of a Memorandum of Understanding between the City and a City employee association contains language which supersedes the FLSA regulations.
- 3.2** One-Day Trips. Employees are in paid status during normal work hours and additional travel time beyond the standard commute time. Travel time between home and a public transportation terminal or the destination, that is one hour or less, is standard commute time and therefore not compensable work time. Mealtime is also not considered work time.
- 3.3** Overnight Trips. Employees are in paid status during normal work hours and travel time in excess of the standard commute time (defined above). Mealtimes and sleep periods are not considered work time.
- 3.4** Travel time will be paid for the minimum amount of time required for the most efficient mode of travel available. For example, if travel aboard a public transportation airline would result in a 1.5-hour flight but the employee wishes to drive for the employee's convenience (and takes eight hours), only 1.5 hours for the flight time would be compensated.
- 3.5** The employee's supervisor should ensure that the employee's days off, travel time and training time are scheduled in advance. When possible, the schedule should accommodate the individual employee and ensure compensable travel time is minimized.
- 3.6** Non exempt employees shall not perform any duties in excess of normal work hours and/or pre-approved overtime without specific approval from supervisor.

4.0 MEALS REIMBURSEMENT

- 4.1** Local Travel. Travel is considered local if it is within a 50-mile radius. Original receipts and copies of the conference schedule will be required to substantiate ALL expenses excluding meals. The maximum daily rate for lunch meal expense reimbursement is \$12.00. This allowance does not apply if lunch is provided by the conference/seminar.
- 4.2** Out-of Town or Overnight Travel. This is defined as travel outside of a 50-mile radius or travel that requires the traveler to be away from home for at least one night. Original receipts and copies of the conference schedule will be required to substantiate all expenses excluding meals. The maximum daily meal allowance of \$50.00 will be provided without receipts being required. If the travel reimbursement combines Calcard and cash (out of pocket) expenses for meals, a copy of the travel reimbursement form should be included with the employee's Calcard reconciliation.
 - 4.2.1** If any meals are included as part of the conference schedule (i.e., working breakfast, keynote speaker during lunch, etc.), the corresponding meal allowances will be subtracted from the

maximum daily allowance. If a special meal is purchased as part of the event (i.e., dinner banquet), that meal allowance will also be subtracted from the maximum daily allowance.

4.2.2 The following meal rates will be used to determine amounts subtracted (see 4.2.1 above) and for partial travel days.

4.2.2.1 \$10.00 for breakfast

4.2.2.2 \$12.00 for lunch

4.2.2.3 \$25.00 for dinner

4.2.2.4 \$3.00 for incidentals (i.e., coffee, newspaper, water)

4.3 Other meal expenses.

4.3.1 Tips are allowed but will be counted within the maximum daily meal reimbursement amount of \$50.00.

4.3.2 No reimbursement will be allowed for alcoholic beverages.

4.4 Meal Reimbursement for Council Members. City of Woodland Code section 2-1-43 provides that **actual expenses** incurred by council members on authorized council business shall be reimbursed. Therefore, the maximum amounts per meal specified in paragraphs 4.1 and 4.2 above will not apply to council members. To be reimbursed, council members will be required to have receipts for the meals; in absence of a meal receipt, the amounts in paragraph 4.1 and 4.2 will apply. Provisions of paragraph 4.3 will also apply to council members.

5.0 LODGING

5.1 Reimbursement for lodging shall be at the single occupancy rate (or the minimum rate specified by the conference program) for as many nights as necessary. The accommodations should be economical but practical; receipts will be required for reimbursement.

6.0 TRAVEL ADVANCE

6.1 Employees should use their Calcards to pay for travel expenses, whenever possible.

6.2 Employees may request a cash travel advance up to \$10 per day, but not to exceed \$200, from their department administrative secretary, other designated petty cash manager, or the Finance Administrative Secretary if department does not maintain an individual petty cash fund, to cover travel expenses for which a Calcard might not be accepted. Request for travel advance checks by non Calcard holders and for prior approved exceptions, are to be submitted to Finance according to City Check Request Procedures. Requests for travel advance (cash or check) will be coordinated with the appropriate department staff responsible for travel arrangements.

- 6.3 Within 10 working days of returning from an event for which a travel advance had been paid, the employee shall submit a reconciliation report to the Finance Department. Such reconciliation shall have the proper approval as noted in this policy.
- 6.4 If the amount of the travel advance was less than the actual travel expenses identified in the reconciliation report, the difference will be paid to the employee. If the amount of the travel advance was greater than the actual travel expenses identified in the reconciliation report, the employee shall submit payment for the difference to the Finance Department at the time the reconciliation is filed.

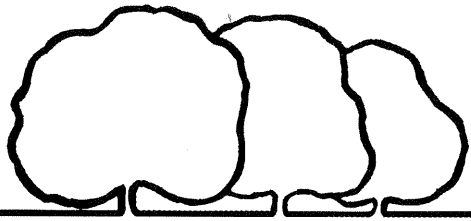
7.0 TRAVEL REIMBURSEMENTS AND ADVANCE RECONCILIATION FORMS

- 7.1 Claims for reimbursement and advance reconciliation forms shall be filed with the Finance Department within ten (10) working days following the end of the event. Any exception to this policy must be requested by the Department Director and approved by the City Manager. Maximum exception for reimbursement will be 30 working days following the event.
- 7.2 For reimbursements that require a receipt, conference or meeting schedule or another kind of verification, all items must be attached when the reimbursement or reconciliation form is submitted.

8.0 NON-ATTENDANCE OF SCHEDULED EVENT

- 8.1 Registrants have the responsibility of attending classes, seminars, conferences or any other functions for which they are registered and for which the City has paid registration fees.
- 8.2 Registrants are expected to make a reasonable attempt to cancel and/or reschedule travel in advance of a possible absence. The registrant is also expected to make a reasonable attempt to get refunds and/or credits for all paid travel arrangements in advance of a possible absence.
- 8.3 If the registrant does not attend the scheduled event and the non-attendance was not approved by a Department Director or the City Manager, the registrant must reimburse the City for all registration fees, including, but not limited to, vehicle rentals, hotel accommodations and airline tickets. In cases of unforeseen circumstances, the registrant must obtain approval within a reasonable period from the Department Director to be exempted from reimbursing the City for all paid travel fees.
- 8.4 The City Manager will approve all absences for the City Council, Department Directors and Appointed Officials.
- 8.5 The Department Directors will approve all absences for departmental employees and volunteers.

Policy Against Harrassment in the Work Place.pdf



City of Woodland

POLICY AND PROCEDURE

Policy No: 106-101
Division: Human Resources
Related Policies:

Effective Date: August 25, 1997
Distribution: All Departments

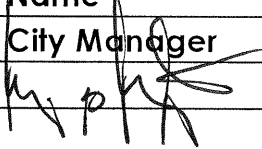
SUBJECT	Policy Against Harassment in the Workplace

POLICY

The City strictly prohibits harassment of an employee, job applicant, or a member of the public by any person conducting City business on the basis of race, sex, religious creed, color, national origin, ancestry, age, marital status, sexual orientation, medical condition, political or union affiliation, physical or mental disability or any other basis protected by statute. Such harassment is demeaning and harmful to both the victim and the City. It can result in high turnover, absenteeism, low morale, the loss of productivity and an uncomfortable atmosphere in which to work. The City will not tolerate any such harassment of or by its employees, job applicants, or any member of the public by any person conducting City business. The City will take action to stop such harassment.

This policy does not restrict nor inhibit any supervisor from their responsibility or in their ability to direct, critique and discipline employees in a non-discriminatory manner.

APPLICABILITY The policy applies to all City of Woodland employees and volunteers.

APPROVALS			
Name	Date	Name	Date
Associations	8/97	City Manager	8/25/97
City Attorney	8/97		
Department Directors	6/97		

PROCEDURES

1.0. Harassment Prohibited

Harassment includes conduct that has the purpose or effect of unreasonably interfering with an individual's work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties or any other condition of employment or career development. This policy prohibits harassment in any form, including:

- 1.1 Oral or Written harassment such as epithets, jokes, derogatory comments or slurs based on race, sex, religious creed, color, national origin, ancestry, age, marital status, sexual orientation, medical condition, political or union affiliation, physical or mental disability or any other basis protected by statute;
- 1.2 Physical harassment such as assault, touching, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual; and
- 1.3 Visual harassment such as derogatory posters, cartoons or drawings, based on one of the categories above.
- 1.4 Sexual harassment includes, any unsolicited, offensive or unwelcome sexual advances, requests for sexual favors, and other oral or written, visual, or physical conduct of a sexual nature which occurs under any of the following circumstances:
 - 1.4.1 Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
 - 1.4.2 Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual; or
 - 1.4.3 Other examples of sexual harassment include unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; and the display or use in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.

Sexual Harassment includes gender based harassment by a person of the same gender.

2.0 Retaliation Prohibited

Harassment also includes any act of retaliation against an employee for reports of violations of this policy or for participating in the investigation of a harassment complaint and is strictly prohibited.

3.0 Procedures regarding all complaints of harassment including retaliation

3.1 Employee Responsibility

It is important that employees inform the City as soon as possible about any prohibited harassment because nothing can be done to remedy the situation if the City does not know that it exists.

3.1.1 Any individual who believes that they have been or are being harassed in violation of this policy shall report this violation to a supervisor, Department Director, the Human Resources Manager or any supervisor with whom the individual feels comfortable speaking.

Any individual who feels comfortable doing so should let a fellow employee know when that employee's behavior or comments are offensive or unwelcome to the recipient. Individuals are not required to handle these situations on their own. If an individual is not comfortable handling a situation directly with another employee, the individual should immediately report the conduct to one of the persons listed above. In any event, if the conduct is offensive or unwelcome, such conduct shall be reported to a supervisor immediately.

3.1.2 Any individual who is aware or suspects that another person has been harassed in violation of this policy shall report this violation to a supervisor, Department Director, the Human Resources Manager, or any supervisor with whom the individual feels comfortable speaking.

3.2 Supervisor Responsibility

Each supervisor has the responsibility of maintaining a work environment free of harassment. This responsibility includes being available to discuss this policy with the employees that they supervise and to assure the employees that they are not required to endure any form of prohibited harassment. If an employee alleges that harassment has occurred, it is the responsibility of the supervisor to take immediate action by reporting the allegation of harassment to the Human Resources Manager.

3.3 Investigation

The City will investigate all complaints of harassment in a prompt and thorough manner. The City's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties involved. Whenever appropriate, the Personnel Officer will inform the Department Directors of the affected department(s) that a complaint has been filed. The Assistant City Manager is responsible for directing an investigation into such allegations and for implementing appropriate remedial action, where warranted.

3.4 Resolution

After investigation, if the Assistant City Manager finds that harassment has occurred, the City will take appropriate and immediate action to end any harassment and prevent its recurrence. Where appropriate,

the City may first work to resolve the matter informally. In that case, the complainant will not be required to meet with the alleged harasser. If the matter is not suitable for informal resolution, appropriate formal action will be taken pursuant to Rule 14 of the City's Personnel Rules. If formal action is required, the complainant may be required to testify at a hearing.

3.5 Discipline

Any employee found to have violated this policy will be disciplined. Specific action taken will depend upon the specific circumstances.

4.0 Harassment Involving the Public

4.1 The City strictly prohibits harassment of any member of the public by any person conducting City business or otherwise representing the City. If any member of the public believes they have been harassed, they are urged to contact the City Manager for investigation and appropriate action.

4.2 If an employee feels that he or she is being subjected to harassment by a member of the public, the employee should report such harassment to his or her supervisor for investigation and appropriate action. Employees will not be penalized for refusing to tolerate harassment from a member of the public.

5.0 Further Information

Employees are urged to contact the Human Resources Department if they have any questions or concerns about this policy.

Workers Compensation Temporary Modified Alternative Duty Agreement Form.pdf



WOODLAND POLICE DEPARTMENT

Initial
Modification

WORKERS' COMPENSATION

LIMITED / MODIFIED/ LIGHT DUTY AGREEMENT

Employee Name: _____ Date of Injury/Onset of Illness: _____

Job Title: _____ Supervisor Name: _____

Bureau: _____ Date Assigned to Temp. Alternative Work by Physician: _____

Temp. Alternate Work Start Date - From: _____ Temp. Alternate Work End Date - To: _____

Description of Work Restrictions, per Treating Physician: (List specifically what is stated in medical note.)

Assignment Type: ☐ **Modified** - *Task replacement ☐ **Light Duty** - Excusing tasks ☐ **Limited** - Reduced hours

*If Accommodated, Supervisor's Name: _____ Alternative Bureau/ Division: _____

Description of Accommodation(s) Offered: _____

Work schedule: ☐ Unchanged ☐ Changed _____ Work hours per Day from _____ am/pm to _____ am/pm

Work Days: ☐ Sunday ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday

Reason/Discussion Points: _____

☐ **Lexipol Policy 1032 - Temporary Modified-Duty Assignments was given to employee by Supervisor.**

I agree to follow the work restrictions as prescribed above by my treating physician. I understand that I need to adhere to the agreed upon temporary restrictions and accommodations while on and off duty. I understand that temporary assignments subject to operational considerations and are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment. Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period. I understand that prior to returning to full-duty status, I will be required to provide certification from my treating medical professional stating that I am medically cleared to perform the essential functions of their jobs without restrictions or limitations.

Additional Comments/Notes: _____

This agreement shall be in effect from date of employee signature and shall not exceed 90 days unless in writing.

The work restrictions and accommodations were reviewed with the employee on: _____

Employee's Signature: _____ Date: _____

Supervisor's Signature: _____ Date: _____

Bureau Commander's Signature: _____ Date: _____

For Department / HR Use:

Temp. Alternate Work assignment extended per physician's note (no changes to restrictions or temp. assignment):

☐ Date: _____ ☐ Date: _____ ☐ Date: _____

Information for Temporary Modified-Duty Assignments

Definitions:

- **Modified Duty:** Modified duty may eliminate some tasks and replace them with others more suitable for the employee's physical limitations in the employee's normal position.

Example: Patrol officer reassigned to Investigations to work on a special project.

- **Light Duty:** Light duty typically involves excusing an employee from performing certain tasks that they would normally perform.

Example: Records Specialist who continues normal work, but is not able to lift more than 10 pounds.

- **Limited Duty:** Limited duty may reduce the normal hours that someone normally works in a day.

Example: Sergeant permitted to work only 6 hours per day per physician's note.

Things to consider:

- Employers and employees alike can benefit from encouraging employees who have been injured on or off the job to get well and return to work as soon as possible.
- When considering a temporary alternate work assignment and schedule it is best to consider what the employee "can do" over what the employee "cannot" do.
- Temporary modified-duty assignments should be meaningful and add value to the Department.
- Temporary modified-duty assignments are a management prerogative and not an employee right.
- The availability of temporary modified-duty assignments should be determined on a case-by-case basis, consistent with the operational needs of the Department.
- Supervisors shall keep the Bureau Commander apprised of the employee's status and ability to perform the modified-duty assignment.
- Modified-duty assignments that extend beyond 90 days will require a written status report and request for an extension to the Bureau Commander with an update of the employee's status and anticipated date of return to regular duty.
- Extensions (*beyond the initial 90 days*) require approval of the Chief of Police and Human Resources Department (Lexipol Policy 1032.4.2 (c)).
- Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations (Lexipol Policy 1032.6).

INDEX / TOPICS