DEPARTMENT MANUAL

SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT

Sheriff's Department Manual –

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Volume 1 Philosophy and Organization

1.100. Department Philosophy

The motto, "Dedicated to Your Safety," states the essential purpose of the San Bernardino County Sheriff's Department. Dedicated means being devoted to a cause, to an ideal, or to a purpose, committed to a goal, or to a way of life. The Department is dedicated to protect the right of all persons within its jurisdiction to be free from criminal attack, to be secure in their possessions, and to live in peace. We, the members of the Department, stand ready to serve the people of San Bernardino County by performing the law enforcement function in a professional manner, as it is to these people that the Department is ultimately responsible.

1.102. Department Vision Statement

We believe in being a high performance, inclusive department with high professional standards of integrity, ethics, and behavior guided by the letter and the spirit of the law, and the Law Enforcement Code of Ethics. We will relentlessly investigate

criminal acts and arrest those guilty of violating the law, while building positive relationships with those we serve.

This requires each of us to:

- Treat all people with respect, fairness and compassion;

Value each employee's and citizen's contribution to the Department and the community regardless of position, assignment or role;

- Create a work environment that encourages innovation, input and participation, and values each member's diversity;
- Work in a partnership with each other and the community to reach an environment where we are all accountable and responsible to one another.

1.104. Department Value Statement

We believe in strong, effective law enforcement services. We believe in high professional standards of integrity, ethics and behavior guided by the letter and spirit of the law, and the Law Enforcement Code of Ethics.

- We believe in a balance between personal and professional life.
- We believe in attaining and maintaining excellent physical conditioning, current intellectual competence, and optimum mental health.
- We have a personal and professional commitment to improve our communities and

earn their trust, respect and support through active partnerships, involvement and service.
- We believe we should treat all people with respect, fairness, and compassion.
- We believe in loyalty and support for each other and the community without compromise of the high ethical standards of law enforcement.
- We believe in recognition for, and valuing each individual's contribution to the Department and the community regardless of position, assignment or role.
- We believe in open and honest communications, both internal and external.
- We believe in an empowering work environment that encourages innovation, input and participation, and values each member's diversity.
- We believe in all members working together to achieve Departmental goals through partnership with each other and the community.
- We believe in initiative and autonomy at all levels with responsibility for our own actions and the actions of those we lead and influence.
- We believe in an equitable system that evaluates each person on their merits and provides for appropriate recognition and just sanctions.

We have pride in the law enforcement profession with a productive work ethic and a high level of commitment to the Department and the community.

1.106. Equal Employment Opportunity

It is the policy of the Department and the San Bernardino County Board of Supervisors to be fair and impartial in all its relations with its employees and applicants for employment without regard to race, color, religion, marital status, sex, age,

national origin, ancestry, or physical and mental handicap. This positive commitment shall be supported by a San Bernardino County Equal Employment Opportunity Plan to ensure equal employment opportunity for all in both securing County employment and in promotional opportunities at all job levels.

1.106.10 Objectives of Equal Employment Opportunity

The general objectives of the Equal Employment Opportunity Plan are:

- To establish and maintain employment levels for minorities, women, and other protected groups in proportion at least equal to their availability in the County labor force.
- To take such Equal Employment Opportunity as is necessary to distribute this employment representation throughout job classes in the Department.
- To make efforts to eliminate and prevent occurrence of arbitrary, unnecessary, and
- artificial practices which relate to employment or promotion within the Department.
- To make efforts to upgrade and fully utilize existing women and minority resources within the Department.
- To communicate the Department's Equal Employment Opportunity policy and activities into the community.
- To develop organizational strength from within the Department to actively monitor and enforce the Equal Employment Opportunity Program.

1.106.20 Interpreter Services

All persons who are non-English-speaking or have limited-English proficiency ("LEP") that limits communication shall be provided equal access to services and information. All members are

responsible for ensuring the public is treated with dignity and respect, identifying language needs of the public.

Members shall utilize available resources to assist members of the public when needed.

Effective communication with persons who are non-English speaking or LEP shall be achieved through available bilingual staff, translated written materials, or contracted interpreter/translation services, which can be accessed through the Sheriff's Dispatch Centers.
Members shall request bilingual staff or translator when necessary to ensure effective communication. If an appropriate bilingual staff member is not available, members shall seek the assistance of contracted interpreter/translation services via the Sheriff's Dispatch Centers.

Members shall not interpret or act as an interpreter between members of the public having confidential legal communications between their attorney or attorney representative.

1.108. The Law Enforcement Mission

The basic law enforcement task is the prevention of crime. As this basic function is not performed completely, the Department must respond by taking all necessary steps to assure the identification, detection, and apprehension of the perpetrators. In addition, steps must be taken to recover stolen property. These tasks of identification, detection, apprehension of the perpetrators, and recovery of property represent the primary elements of criminal investigations. In accomplishing these duties, the deputy conducting the investigation must

gather all available information, some of which may later be used as evidence in a court of law.

Decisions in law enforcement operations frequently must be made in an instant, and the lives of deputies and others may depend upon the quality of those decisions. A deputy is confronted in stress situations with both criminal and non-criminal behavior, and he must be capable of making a reasonable response in both cases. A deputy must base his conduct and action in each instance upon the facts of the situation as they reasonably appear, relying upon his experience, training, and judgment to guide him toward morally justified and lawful decisions and actions.

What is reasonable in terms of appropriate law enforcement action or what constitutes probable cause depends on the individual circumstances of each situation, and different facts may justify either an investigation, a detention, a search, an arrest, or no action at all. The requirement that legal justification be present imposes a limitation on a deputy's action. In every case, a deputy must act reasonably within the limits of his authority as defined by statute and judicial interpretation, thereby ensuring that the rights of both the individual and the public are protected.

1.110. Department Objective

A society free from crime and disorder remains an unachieved ideal; nevertheless, consistent with the values of a free society, it is the primary objective of the Department to as closely as possible approach that ideal. In doing so, the Department's role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of law enforcement of all persons. It is not of the Department to legislate, to render legal judgments, or to punish.

1.114. Member Development

The training provided at the Sheriff's Academy is a continuation of the selection process whereby efforts are made to screen out those who are lacking in law enforcement aptitude. In all training, emphasis is placed on developing the reasoning ability and judgment of each safety member.

A safety member's training continues after academy graduation through their assignment with training officers, roll call training, and supervision. It is the responsibility of all members to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisors and commanders have the responsibility not only to train subordinates to perform assigned tasks, but also to familiarize all subordinates with their supervisor's job as well, so that members are prepared to assume additional responsibilities should the need arise.

The Department has an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that Department members be properly trained. This is true not only at the entrance level where safety members must receive basic training prior to their assumption of full law enforcement responsibilities but is a continuous process throughout their careers.

To comply with Peace Officer Standards and Training (P.O.S.T.), every safety member below the rank of captain shall satisfactorily complete twenty-four hours of P.O.S.T.-certified training every two years after completion of the basic training course. Training is also provided to accommodate Department needs and to actualize the interest and concern which the Department has for the self-improvement and personal development of its members.

In fulfilling its commitment to provide professional law enforcement service the Department encourages all members to further their education to the highest level possible. The Department shall make every effort to cooperate with members in arranging duty schedules and assignments to facilitate and encourage such individual effort.

1.118. In-Service Training

Continual professional training and perishable skills training will be periodically provided to all safety members to ensure the most current methods of training.

1.120. Specialized Training

Specialized training will be provided for those functions and assignments requiring specialized skills, knowledge, and technical proficiencies beyond those gained in basic training or other post-academy training. The division captain and supervisors will assess the training needs of employees newly assigned to special assignments, special duties and special unit positions. Those training needs will be met as soon as reasonably possible.

1.122. Promotional Training

Once the selection process has resulted in promotion, the Department provides training to prepare newly appointed supervisors and their added responsibilities. Dependent upon the level of supervision or management involved, an attempt is made to familiarize individuals with problems which they may face and to assist them in developing suitable responses to those problems.

1.124. Supervisors as Trainers

Members on-going training is the responsibility of their supervisors. Supervisors are expected to be familiar with the mechanics of the learning process and to routinely apply them to their supervisory tasks.

1.126. Participation of Command Staff in Training

To assure that policy is disseminated as accurately as possible and to allow the Department and its employees members to benefit from the experience, knowledge, and attitudes of commanding and executive staff members on a policy-making level, it is desirable that such members participate in the formal training process to the greatest extent possible.

1.128. Advanced Education or Training

The Department engages in programs whereby selected members are granted leave with full salary to participate in advanced education or training programs. The selection process for such courses is designed to choose the most qualified while, at the same time assuring the Department receives the value of the individual's acquired knowledge by selecting from among the most qualified, those members whose careers have time remaining to benefit the Department.

1.130. Participation in Community Service Organizations

Employees are encouraged to participate in the management of Department-affiliated service organizations. By contributing their time to such activities, employees not only achieve personal development and growth, but enhance their value to the Department and make a vital contribution toward harmonious employee-management relations.

1.136. Decisions Consistent with Department Objectives

Department administration involves the efficient and economic management of a large complex organization which performs its functions through the acts of its employees. Department functions involve the interaction of people, not only within its ranks, but in all personal contacts between its employees and members of the public. Department administration is, therefore, occupied to a large extent with improving the ability of its employees to properly perform the law enforcement task and with strengthening the relationship which exists between all employees and the public they serve. Thus, recognition of the human factor is an administrative challenge in the Department's effort to provide a consistent and professional response to the community's law enforcement needs.

Department personnel are required to make decisions involving the public and other employees in response to both administrative and operational problems. The decision process involves more than loyalty; it requires an insight into the objectives and purposes of the Department, its duty under the law and to the people, and the manner and means by which the task is to be performed and the objectives achieved. The decision must be a balance of involved interest, considering what is best for the public, the Department, and any individual involved. That decision must then result in effective action directed toward the accomplishment of the Department's objectives. The requirement that such insight be exercised is implicit in all decision making, and it is the thread which binds the complex and difficult law enforcement task into a coordinated and effective force.

1.138. Commitment to Public Service

Often, because there are no other public or private agencies available, the public relies upon the Department for assistance and advice in the many routine and emergency situations

which develop in an urban society. For this reason and because there is frequently a potential for crime, the Department regularly responds to incidents where it is not contemplated that an arrest shall be made.

Saving lives and aiding the injured, locating and providing for many other miscellaneous needs are basic services provided by the Department. To satisfy these requests, the Department responds to calls for service and renders such aide or advice as is necessitated or indicated by the situation.

1.140. Commitment to the Prevention of Crime

Peace in a free society depends on voluntary compliance with the law. The primary responsibility for upholding the law therefore lies not with law enforcement, but the people. Since crime is a social phenomenon, crime prevention is the concern of every person living in society. Society employs full-time professional peace officers to prevent crime, to deter it, and when that fails, to apprehend those who violate the law.

Crime is a symptom of ills within society, which are not the responsibility of the Department to cure. The Department is responsible, however, for interacting with the community to generate understanding so that there may be public support for crime prevention. Community involvement is essential to facilitate a free flow of information between the public and the Department, to assist in the identification of problem areas, and to inform the public of crime statistics and trends.

Additionally, knowledge of the community is necessary so that a Department employee may be instilled with a sense of concern for the crime problems and law enforcement needs in his assigned area of responsibility.

The prevention of crime remains as a basic obligation of society. When it becomes necessary to rely on law

enforcement action to secure compliance with the law, society has failed in the responsibility.

1.142. Commitment to the Deterrence of Crime

While there are certain crimes that cannot be deterred, crimes committed against property and against innocent victims in public places are reduced by law enforcement patrol. Street crime is curbed by the potential criminal's fear of immediate apprehension or by the likelihood of his detection. The deterrence of crime requires the investigation of behavior which reasonably appears to be criminally directed.

In deploying patrol forces to deter crime and to inspire public confidence in its ability to ensure a peaceful environment, the Department must strike a balance between the desirable deterrent effect of visible patrol and any undesirable appearance of oppression. In the long-run, however, it must be the people, not the Department, who determine the limitations on their freedom.

1.144. Commitment to the Recovery of Property

The actual costs of crime are difficult to measure; there cannot be a dollar value assigned to the broken bodies, ruined lives, and human misery which are its products. However, it is possible to observe the steadily mounting cost of lost and stolen property. This loss as well as the other costs must ultimately be borne by its victims.

To minimize the losses due to crime, the Department makes every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.

1.146. Commitment to the Apprehension of Offenders

The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator, and has as its objective the voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, it is the duty of the Department to initiate the criminal justice process by identifying and arresting the perpetrator, to obtain necessary evidence, and to cooperate in the prosecution of the case.

As the certainty of swift and sure punishment serves as an effective deterrent to crime, the Department must diligently strive to solve all crimes and to bring the perpetrators to justice.

1.202. The Departmental Manual

Established June 27, 1983, the Department Manual is, and shall be, a composite of current objectives, principles, policies, procedures, and rules and regulations governing the operations of the San Bernardino County Sheriff's Department. The manual incorporates portions of many previously established manuals, orders, policies and approved practices.

1.204. Purpose of the Department Manual

The objectives, principles, policies, procedures, and rules and regulations set forth in the Department Manual are guides to the actions of members of the Department and establish parameters for commanders in establishing orders, guidelines, and procedures concerning their respective station/division/bureau.

1.206. The Definition of Policy

Policy consists of principles and values which guide the performance of a Department activity. Policy is not a statement of what must be done in a particular situation; rather, it is a

statement of guiding principles which shall be followed in activities which are directed toward the attainment of Department objectives.

Policy is formulated by analyzing objectives and determining through research those principles which shall best guide the Department in achieving its objectives. Policy is based upon law enforcement ethics and experience, the desires of the community and the mandate of the law, and a commitment to public service.

Policy is articulated to inform the public and Department members of the performance of the law enforcement function. Additionally, policy establishes operational standards to assist Department members in the necessary exercise of discretion in discharging their responsibility.

A member in the performance of their duty is confronted with an infinite variety of complex situations which require action. Since policy is objective rather than situation oriented, it is broad enough in scope to encompass most situations. Policy, therefore, must be stated in general terms.

1.208. The Legality of Manual Contents

If any section, subsection, item, clause, or phrase contained in the Department Manual is found to be unlawful or otherwise incorrect or inapplicable, such findings shall not affect the validity of the remaining portions of the Department Manual.

1.210. Previous Regulations Revoked

All manuals, orders, and other regulations of the San Bernardino County Sheriff's Department existing prior to June 27, 1983, are hereby revoked; however, orders, guidelines, and procedures previously established by commanders for their respective

station/division/bureau shall remain in effect when they do not conflict with the provisions of the Department Manual.

1.214. Organization of the Manual

The Department Manual is comprised of seven volumes, identified as follows:

- Volume 1, "Philosophy and Organization"
- Volume 2, "Administration and Management"
- Volume 3, "Field Operations and Activities"
- Volume 4, "Property and Evidence"
- Volume 5, "Uniforms"
- Volume 6, "Volunteer Units and Personnel"

A decimal system is used to number each section of the Department Manual. An example of a typical reference number used in the Department Manual would be "2.360.80."

In this example, the number "2" at the beginning of the sequence indicates that the material is contained in Volume 2. The "360.80" indicates that the material is in section 360.80 of Volume 2 of the Department Manual.

This reference number is read as "two, three-sixty, point eight-zero."

1.214.10 Employee Access to Department Policy

Members may access the Department Manual through "Starlink."

Units, Divisions, and Bureaus including but not limited to County Counsel, Internal Affairs, and Civil Liabilities may maintain hard-

copy versions of the manual to assist them in the accomplishment of their specific duties.

Employees may print and retain hard-copy versions of Department policy sections for reference or training purposes.

1.216. Bureau, Division, and Unit Manuals

Each bureau, station/division, and unit is unique in its jurisdiction and responsibility. Therefore, a deputy chief or station/division/unit commander may authorize the formulation of a procedure manual that is exclusive to their specific operation for the purpose of addressing and/or clarifying operations and procedures for their bureau, station/division, or unit not specifically covered in the Department Manual.

The Detention and Corrections Bureau Deputy Chiefs are responsible for review and approval of policies directly related to the Detention and Corrections Bureau in the Department's Detention and Corrections policy manual. Every commander of a Department detention facility is responsible for maintaining a division procedure manual for operations specific to their facility.

Requirements for the creation of a bureau/station/division/unit procedure manual are as follows:

- The numbering system of a bureau, station/division, or unit procedure manual shall be similar to that used in the Department Manual.
- Any suggested changes to a bureau, station/division, or unit procedure manual shall be directed through the proper chain of command within the bureau, station/division or unit.
- A reference shall be made within each bureau, station/division or unit procedure, to the

applicable Department Manual section that it is supplementing or addressing.
  - The station/division/unit commander or their designee, shall be responsible for the maintenance and revision of the procedure manual.
  - The station/division/unit commander shall approve all procedures.
  - At least one copy of the current bureau/division/unit procedure manual shall be readily available for access by employees, in a "common" area of the bureau, station/division, or unit.

If any procedure, or rule set forth in a bureau/station/division, or unit procedure manual conflicts with any policy section or any portion of policy contained within the Department Manual, the Department Manual shall have precedence.

1.220. Department Policy Manual Committee

The standing "Department Policy Manual Committee," under the direction of the Board of Deputy Chiefs, shall be chaired by a Sheriff's Captain. The Sheriff's Legal Counsel shall sit as a member of the committee. The committee's composition shall be determined by the chairman. The Forms Committee and the Uniform and Safety Equipment Committee shall be sub-committees of the Policy Manual Committee.

The Department Policy Manual Committee Shall:

- Formulate and monitor procedures to keep the Department Manual up-to-date on a consistent basis, with periodic additions of revised materials, and excision of outdated materials.
- Identify policy areas that need to be revised, added, or deleted in the Department Manual, and delegate the

formulation of content and the writing for such policy areas to the most appropriate departmental personnel identified.

- Review and edit proposed policies to ensure consistency with other policy manual provisions in content, format, language, and mechanics.
- On a quarterly basis, archive the current Department Manual for reference purposes.
- When new policy is authorized, ensure all Station/Division Commanders receive notification of the addition/revision.

1.222. Rules of Grammar

The following rules of grammar shall apply throughout the Department Manual.

- CONSTRUCTION OF TENSES. The present tense includes the past and future tenses; and the future, the present.
- CONSTRUCTION OF GENDER. The masculine gender includes the feminine and neuter gender.
- CONSTRUCTION OF SINGULAR AND PLURAL. The singular number includes the plural; and the plural, the singular.
- MANDATORY AND PERMISSIVE VERBS. "Shall" is mandatory. "May" and "should" permissive, although "should" strongly encourages compliance.

1.224. Revisions to the Department Manual

The Department Manual may be revised by the following methods:

- The Sheriff may issue amendments.
- Any member of the Department may suggest policy revisions and submit them in writing, to his Deputy Chief, using the chain of command.
- Upon review and concurrence, the Deputy Chief shall forward the suggestion to the Manual Committee for review and editing.
- The Board of Deputy Chiefs shall review all proposed policy and may forward it to the Office of the Sheriff with its recommendation or return it to the Manual Committee with instructions for further action.
- The Manual Committee may accomplish non-substantive policy changes that correct or clarify existing policy, with prior notice to the Chairman of the Board of Deputy Chiefs.
- No substantive revisions, additions, or deletions to the Department Manual shall be accomplished without the approval of the Sheriff or his designee.

1.232. Department Definitions - General Terms

The following general terms and phrases used in the Department Manual are defined.

Absentee Citation – A citation or notice to appear issued by an employee, but not personally delivered to the violator by the employee at or near the time of the violation.

Adult – Generally, an adult is any person eighteen years of age or older.

Armament – Refers to items of weaponry and personal protective equipment utilized or accessed by a deputy, or cached by a unit, division, bureau, or the Department.

Booking – The process of formally registering the custody of an arrested person in Department records, and the acceptance of that person into the Detentions and Corrections system.

Call for Service – A request for response (by a member of the public or another agency, etc.) formally entered into the dispatch queue; or a visit made by an employee to a location in response to a station assignment, a Department communication, or in the furtherance of an investigation.

Hazardous Material – Refers to any substance or mixture of substances that is flammable, corrosive, toxic, an irritant, a sensitizer, or pressure-generated as defined in the California Administrative Code.

He – When used in the Department Manual, this term shall refer to both the masculine and the feminine gender, unless otherwise indicated.

Incident Command Post – a location established in the field for the purpose of directing operations during an emergency incident.

Intoxicant – Refers to any substance which, when ingested, causes physical, mental, or emotional distortions; or that adversely alters behaviors or perceptions.

Juvenile – Generally, a juvenile is a person who is under the age of eighteen.

Minor – Refers to any person under the age of eighteen; however, a person under the age of twenty-one may be considered a minor with respect to sentencing and

commitment to the California Youth Authority, or under the Alcohol Beverage Control Act.

Personal Service Citation – A citation or notice to appear issued by an employee for a violation witnessed by the employee and delivered immediately in person to the violator.

Policy – Guidelines and processes adopted by the Department, a bureau, a division, or a unit to ensure operational consistency and to provide direction in the accomplishment of Department goals and objectives. Department policy is contained in the Department Manual. A bureau, division, or unit may also maintain a policy manual, as approved by the bureau Deputy Chief or division commander, provided it does not conflict with the Department Manual.

POST – Refers to the California Commission On Peace Officer Standards and Training.

Procedure – A procedure is a detailed description of a specific process required to perform a task or operation. A procedure is more precise than policy in that it expressly dictates how a task or operation shall be completed.

Qualification – The trimesterly process of use-of-force instruction, training, and testing developed, approved, and presented by the Sheriff's Training Center.

Roll Call/Briefing – The required meeting of employees, generally scheduled at the beginning of a specific watch or shift, during which the dissemination of safety, tactical, and administrative information is accomplished.

Weapon (or Service Weapon) – Generally refers to a safety employee's service handgun; or that primary handgun with which the safety employee is armed when on-duty. This term may also refer to any implement or object which may be used to inflict harm or injury; or to defend against attack.

1.234. Department Definitions - Administrative Terms

The following administrative terms and phrases used in the Department Manual are defined.

Assignment – A post, position, unit, or division to which an employee has been formally transferred or rostered. The term may also be used to describe a specific duty or task to be performed.

Chain of Command – Refers to the process of communication between various ranks, classifications, and/or organizational components: whereby a communication travels from one supervisory level to another; across organizational segments if applicable; and then again from one supervisory level to another until it reaches its intended destination.

Coordinator – A coordinator is a safety member who is assigned to oversee a volunteer unit, generally within a division.

Deputy – Generally, refers to an employee who is a safety member of the Department, either regular or reserve status. The term may also be used to refer to a specific rank.

Deputy Sheriff – Generally, refers to an employee who is a safety member of the Department, holding the civil service classification of probationary Deputy Sheriff or Regular Deputy Sheriff.

Detail – Refers to a specific task assignment rather than an organizational unit. A combination of individual members, teams, and/or units may be assigned to a detail, which has a specific law enforcement focus or objective. Generally, a detail will have a specific time span, and is not perpetual.

Employee – Any person employed by the Department, including volunteers when they are on duty.

Professional Staff Member – A member of the Department who does not possess peace officer powers as defined in the Penal Code.

Incident Commander – A term used to describe a safety member who is in command of an emergency situation; or who is in command of a detail or field units at a planned event.

Lines of Command – Refers to the organizational route the Sheriff's authority takes through his immediate subordinates, and through their subordinates, down the lines of direct

command to the lowest level of organizational authority and responsibility.
Member – Refers to any person employed by the Department, including volunteers, whether they are on or off duty.
Officer – Generally, an officer is any safety employee currently working for a law enforcement agency. This term, when preceded by a modifier, may also refer to a professional staff employee, as in the case of "Range Officer."
Officer In Charge – Commonly referred to as an "OIC," this term describes a designated safety member having temporary authority and responsibility for a shift, unit, or detail for a time period.
Permanent Employee – Any person employed by the Department who has successfully completed the entry-level probation period is said to be a "permanent employee."
Range Master – The employee in charge of the range facility at the Sheriff's Training Center.
Range Officer – An employee assigned to the Sheriff's Range, is responsible for conducting firearms training.
Rank – The civil service title of the classification held by an employee.
Reassignment – The formal transfer of an employee from one division to another. The formal transfer or promotion of an employee to an Executive Staff assignment is also considered to be a reassignment.
Regular Status – An employee achieves "regular status" when he has successfully completed the probationary period for his assigned classification.
Reserve Deputy Sheriff – Refers to a citizen who is qualified to perform law enforcement duties as described under Penal Code section 832.6; and who has been granted authority and appointed by the Sheriff.
Safety Member – A member of the Department who possesses peace office powers as described in the Penal Code.
Supervisor – An employee of higher rank or classification who is responsible for monitoring and evaluating the work

performance and professional conduct of members of a lower rank or classification, within a specific organizational unit.
Trimester – Refers to the four-month period of time beginning on the first day of July, November, and March of each calendar year during which all safety members are required to successfully complete the qualification process.
Watch Commander – A safety employee who is responsible for and in charge of a specific watch or shift within a division.

1.236. Department Definitions - Organizational Terms

The following organizational terms and phrases used in the Department Manual are defined.
Board of Chiefs – The advisory and review board composed of those employees of the Department holding the rank of Deputy Chief.
Bureau – An organizational segment of the Department generally consisting of a number of divisions having similar functional and/or geographic jurisdictions.
Commander – A term used to describe an employee in charge of a Department division.
Contract City – Refers to an incorporated city which contracts with the San Bernardino County Sheriff's Department for law enforcement services.
County – Refers to the County of San Bernardino.
Department – Refers to the San Bernardino County Sheriff's Department.
Division – Generally, a division is an organizational sub-component within a bureau having a specific geographical and/or functional jurisdiction.
Executive Staff – Refers to the collective group of Department administrators having the rank of Deputy Chief, Executive Officer, Assistant Sheriff, Undersheriff, or Sheriff.
Jurisdiction – The scope of authority and responsibility exercised by an organizational segment within the Department;

determining the geographical and/or functional boundaries within which it may operate.

Office of the Sheriff – Refers to the collective group of Department administrators having the rank of Assistant Sheriff, Undersheriff, or Sheriff.

Organization – This term refers to the structural assembly of the Department, describing the organizational separation of Department duties and responsibilities to ensure coordination and the accomplishment of goals and objectives.

Outlying Station – An outlying station is any Department building or facility that is geographically separate from the Sheriff's Headquarters building.

Valley / Mountain Patrol Bureau - Refers to the geographical expanse serviced by Central Station (including the contract cities of Grand Terrace and Loma Linda); Chino Hills Station (including the contract city of Chino Hills); contract cities of Highland and Rancho Cucamonga; Fontana Station, Twin Peaks Station, Yucaipa Station (including the Barton Flats Resident Post and the contract city of Yucaipa); and the Big Bear Station (including the contract city of Big Bear Lake).

Desert Patrol Bureau – Refers to the geographical expanse serviced by Barstow Station (including the Baker Resident Post and the Trona Satellite Station); Victor Valley Station (including the satellite stations of Phelan and Lucerne Valley); Colorado River Station (including the contract city of Needles, Havasu Landing Resident Post, and Parker Dam Substation); the contract cities of Adelanto, Hesperia, and Victorville; the contract town of Apple Valley; and the Morongo Basin Station (including the contract city of Twenty-nine Palms and Town of Yucca Valley).

Residence Post – Refers to the assignment of a safety member to a geographically isolated area, in which the safety member's housing is provided in lieu of the establishment of a station or satellite station.

Satellite Station – A building or facility, located in a semi-remote location within a division's geographical jurisdiction, established

for the purpose of supplying an office and base of operations to persons assigned to that location.
Station – Refers to the facility or building wherein the command of a division is housed.
Substation – Generally, a substation is an un-staffed off-site facility or office established by a division to aid in the administration of specific functions or programs of that division (i.e. a community liaison office, a Police Activities League building, etc.).
Team – A team is an organizational sub-component of a unit.
Unit – A unit is an organizational sub-component of a division.

1.238. Department Definitions - Fiscal and Accounting Terms

The following budget, fiscal, and accounting terms and phrases used in the Department Manual are defined.
Budget – The Department budget is determined by the County Board of Supervisors based on priority, need, and the availability of funds. The Department's budget process involves the development of a measurable plan, for a specific period of time, which effectively employs the funding to achieve department goals and objectives.
Cost Center – The Department budget is subdivided into cost centers for divisions. The cost center is, in effect, the budget for the division.
Fiscal Year – The Department's fiscal year is a twelve-month period beginning July 1 and ending June 30.
Appropriation – An appropriation is a specific, formal action (as by the Board of Supervisors) to reserve funds and budget them for specific use or purpose.
Encumbrance – An encumbrance is a pre-expenditure reserve or set-aside of currently-budgeted funds intended to accomplish a future purchase, or pay for a future cost.
Expenditure – An expenditure occurs when budgeted funds are actually spent, for goods, services, salaries, etc.

1.302. Chain of Command

The Sheriff must necessarily limit the number of persons who report directly to him. Clearly defined lines of authority are drawn to establish the structural relationship between each employee and the Sheriff. The Chain of Command is designed to resolve matters at the lowest possible level of supervision within the structure.

Each employee shall be aware of his relative position within the organization and to whom he is immediately responsible.

Employees shall operate within the Chain of Command and keep their supervisors appraised to current activities. When a question or problem cannot be answered or solved by his immediate supervisor, it is appropriate for the employee to continue to the next level of supervision.

Generally, the Sheriff maintains an open door policy regarding all matters concerning the Department. The Sheriff is available by appointment to any member of the Department.

1.302.10 Primary Deputy: Deputy in Charge of Scene

The primary deputy is typically the first deputy to arrive on the scene of a law enforcement incident. This safety member is generally considered in control of deployment, and decision-making throughout the incident, unless directed otherwise by a supervisor or relieved by a member of higher rank.

All members shall recognize and respect the position of the primary deputy by efficiently and effectively carrying out all lawful orders that they may issue.

1.302.15 Safety Member of Senior Rank Assuming Control

A safety member of senior rank may take command of a situation by identifying themselves and informing the safety member then in charge. Such assumption shall be undertaken whenever the situation appears to the safety member of senior rank to be beyond the control of the safety member then in charge, when jurisdiction is concurrent over a particular duty, or for disciplinary purposes.

1.302.20 Unique Role of Dispatchers

Radio dispatchers in a law enforcement organization fall into a unique position relative to the chain of command. While deputy sheriffs are not subordinate in rank to the dispatchers, the dispatcher is given the responsibility for many important decisions governing the deputies in the field.

Because the deputy in a field unit may not be aware of the total circumstances influencing a decision or assignment made by his dispatcher, the deputy should carry out each assignment or instruction received by his dispatcher without question or unnecessary delay.

Accordingly, radio dispatchers shall be held accountable for such decisions and assignments. Dispatchers shall solicit guidance from the watch commander or supervisor, when possible, if in doubt as to the proper or advisable course of action. In all cases, the dispatcher shall notify the watch commander and other appropriate personnel as soon as possible in the event of serious occurrences.

That successful conclusion of many tactical operations as well as the safety of many members of the Department is dependent upon the coordination and communication provided by the radio dispatcher. Therefore, arguing or disputing an assignment with a radio dispatcher shall not be tolerated. Any disagreement should be aired over a telephone

or in person, at such times as the tactical situation shall not be jeopardized.

When an employee, who is in the process of carrying out an assignment made by his radio dispatcher, becomes aware of another request or need for service, he shall advise his dispatcher immediately. It shall be the responsibility of the dispatcher to cause both tasks to be completed and, in such cases, the dispatcher shall advise the field employee as to whether he should continue on his previous assignment or direct his immediate attention toward the more recent request or need for service.

1.306. Organizational Flexibility

The ability of the Department to make organizational adjustments to meet the changing needs is essential in obtaining the maximum benefit from the expenditure of assigned resources. However, to ensure stability, the basic Department structure should not be changed in the absence of a demonstrated need or to satisfy temporary requirements.

There must be continuing staff inspections to ensure the Department organizational needs are being met. In addition, each division commander has the responsibility to maintain the organizational viability of his command through constant evaluation.

1.306.10 Assignment of Professional Staff Employees

The Department's effectiveness is enhanced when deputies are available to perform those tasks and functions that specifically require peace officer knowledge and capability.

To this end, civilian employees are placed in positions and assigned duties where there is no need for those specialized skills. This division of duties and assignments allows deputies to

be more available for calls for service that require peace officer skills.

1.320. Sheriff

The Sheriff, an elected County department head, leads the Department and has the ultimate authority and responsibility concerning all functions of the Department.

The Sheriff directly supervises, on a routine basis, the activities of the following personnel:

- The Undersheriff
- The Sheriff's Field Representatives

1.322. Undersheriff

The Undersheriff is second in command of the Department and assumes command in the absence of the Sheriff. The Undersheriff performs various functions and assumes specific responsibilities as directed by the Sheriff.

Additionally, the Undersheriff directly supervises, on a routine basis, the activities of the following personnel/divisions:

- Assistant Sheriff/Criminal Operations
- Assistant Sheriff/Support Operations
- Sheriff's Executive Officer
- Administrative Services Division
- Professional Standards Division
- Civil Liabilities Division
- Undersheriff's Secretary

1.324. Office of the Sheriff

The Office of the Sheriff consists of the Sheriff, the Undersheriff, the Assistant Sheriff in charge of the Criminal Operations, and

the Assistant Sheriff in charge of the Support Operations. References in this manual to the Office of the Sheriff refer specifically to these four positions.

The Office of the Sheriff is responsible for the administration of the Department. Largely through the delegation of authority within a rigid organizational structure, the Office of the Sheriff directs and controls all functions of the Department, although certain functions are identified throughout this manual that are not delegated below the Office of the Sheriff.

1.328. Criminal Operations Group

The Criminal Operations Group is directly supervised by an Assistant Sheriff, and is divided into the following organizational components:

- Bureau of Field Operations – Valley / Mountain Patrol
- Bureau of Field Operations – Desert Patrol
- Specialized Operations Bureau
- Criminal Intelligence Division

1.330. Support Operations Group

The Support Operations Group is directly supervised by an Assistant Sheriff, and is divided into the following organizational components:

- Support Services Bureau
- Detentions and Corrections Bureau
- Information Services Bureau
- Public Affairs Division
- The Legislative Liaison

1.334. Bureaus

A Bureau is directly supervised by a Deputy Chief and is divided into organizational components called Divisions, which are commanded by captains or lieutenants.

1.334.10 Valley/Mountain Patrol Bureau

The Valley/Mountain Patrol Bureau is comprised of the following divisions:

1. Central, which includes:
    1. Contract City of Grand Terrace
    2. Contract City of Loma Linda
    3. Contract San Manuel Indian Reservation and Casino
2. Contract City of Chino Hills
3. Contract City of Highland

- Contract City of Rancho Cucamonga
- Fontana
- Twin Peaks
- Yucaipa Station, which includes:
    - Barton Flats Resident Post
    - Contract City of Yucaipa
- Big Bear, which includes:
    - Contract City of Big Bear Lake

1.334.15 Desert Patrol Bureau

The Desert Patrol Bureau is comprised of the following divisions:

1. Contract City of Adelanto
2. Contract Town of Apple Valley
3. Barstow, which includes:
    1. Baker Resident Post
    2. Trona Substation / Resident Post
4. Colorado River, which includes:
    1. Contract City of Needles
    2. Havasu Landing Resident Post
    3. Parker Dam Substation
5. Contract City of Hesperia

6. Morongo Basin, which includes:
    1. Contract City of Yucca Valley
    2. Contract City of 29 Palms
7. Contract City of Victorville
8. Victor Valley, which includes:
    1. Lucerne Valley
    2. Phelan

1.334.20 Special Operations Bureau

The Special Operations Bureau comprises the following divisions:

- The Emergency Operations Division, which includes:
    - Aviation Unit
    - Volunteer Forces Unit
        - Reserve Deputy Sheriff
        - Citizens on Patrol (COP's)
        - Search and Rescue
        - Aero Squadron
        - Chaplain Corps
        - Dive Team
        - Equestrian Unit
        - Medical Reserve Corps
        - Explorer Program
- The Gangs/Narcotics Division, which includes:
    - Gang Unit
    - Inland Regional Narcotic Enforcement Team (IRNET)
    - Regional Methamphetamine Task Force (RMTF)
    - California Multi-Jurisdictional Methamphetamine Enforcement Team (CALMMET)
    - High Intensity Drug Trafficking Area 50(HIDTA)
    - Drug Enforcement Administration Team (DEA)
    - Parcel Team
    - Marijuana Eradication Team (MET)
    - Asset Forfeiture
    - Human Trafficking Unit
    - San Bernardino County Auto Theft Task Force (SANCATT)

    - Electronic Surveillance Unit (ESU)
    - High Tech Crimes
- The Specialized Investigations Division, which includes:
    - Crimes Against Children Detail
    - Homicide Detail
    - Cold Case Team
    - Polygraph Detail
- The Criminal Intelligence Division, which includes:
    - Law Enforcement Intelligence Network Center (LEINC)
    - Dignitary Protection
    - Cal-Gang Administration
    - Threat Assessment
    - Extremist Groups
    - Outlaw Motorcycle Gangs
    - Joint Terrorism Task Force (JTTF)
- The Specialized Enforcement Division, which includes:
    - Fugitive Apprehension Teams
    - Arson/Bomb
    - Special Weapons and Tactics (SWAT)
    - Hostage/Crisis Negotiators

1.334.25 Personnel Services Bureau

The Personnel Services Bureau is comprised of the following divisions:
Training Division, which includes:

- Academy Administration
- Basic Academy
- Range (Use of Force)
- Advanced Officer's Training
- Correctional Training Officer Program
- Field Training Officer Program
- Reserve Training
- Emergency Vehicle Operations Center (EVOC)

Employee Services Division, which includes:

- Employee Development
- Fiscal Services
- Concealed Weapon Permits
- Background Investigations
- Records Division

1.334.30 Detentions and Corrections

The Bureau of Detentions and Corrections has the responsibility for the operation of the Department's jail system and for the custody, security, rehabilitation, and care of all sentenced and pre-sentenced inmates held in the Department's jail facilities. This Bureau also has the responsibility for the administration of records and processes involving inmate court appearances, housing locations, bail fines, and proposed release dates. This Bureau also provides guidance and direction to the Department's Type I jail facilities.

The Detention and Corrections Bureau is comprised of the following sub-components:

- Glen Helen Rehabilitation Center, which includes:
    - Glen Helen Women's Correctional Center
    - Glen Helen North
- West Valley Detention Center
- Central Detention Center

- High Desert Detention Center
- Correctional Standards and Operations Division, which includes:
    - Administrative Support Unit
    - Inmate Services Unit
    - Health Services Unit
    - Maintenance Services Unit
    - Transportation Services Unit
    - Food Services Unit
    - Population Management Unit, which includes:
        - Classification Detail
        - Early Release Detail
        - Out of Custody Programming Detail
        - Hospital Ward Detail

The Deputy Chief in charge of the Detentions and Corrections Bureau is directly responsible to the Assistant Sheriff of Support Operations.

1.334.35 Field Support Services Bureau

The Field Support Services Bureau is comprised of the following divisions:

- Coroner Division
- Scientific Investigations Division
    - CAL-ID Section
    - Forensic Science Laboratory
    - Evidence/Property
- Information Service Division
    - Communications
    - Technical Services
    - Records

1.334.40 Administration/Courts Bureau

The Administration/Courts Bureau is comprised of the following divisions:

- Administrative Services Division
- Court Services Division

1.336. Sheriff's Executive Officer

The Executive Officer is directly supervised by the Undersheriff, and is responsible for coordinating major Departmental construction projects and liaison with allied agencies.

1.340. Divisions

A division, generally, is directly supervised by a Captain; although certain divisions may be supervised by a Lieutenant. The person in charge of a division may also be referred to as a division commander.

A division may be divided into organizational components called units, which are typically supervised by Sergeants.

1.340.10 Bureau of Administration

The Bureau of Administration is responsible for a variety of fiscal operations which permit budgeted appropriations to be expended for departmental needs in an orderly manner.

This Bureau is divided into the following sub-components:

1. Automotive Unit - Coordinates fleet-related operations for the Department.
2. Financial Unit - Administers budget-related functions within the Department.
3. Contracts Unit - Administers all Department contracts, memorandums of understanding, and Board Actions.

4. Field Support Unit - Assists headquarters and certain off-site facilities with minor remodeling and maintenance projects.

This Bureau is responsible for coordinating and directing a variety of diverse fiscal functions which are necessary for the day-to-day departmental operations; including, but not limited to, the following:

1. Maintaining budget and accounting records.
2. Generating invoices for contract services.
3. Maintaining and reconciling the bail and fine revolving fund and other miscellaneous accounts.
4. Processing travel claims for expenses and mileage.
5. Reviewing and authorizing all requisitions for Departmental services, supplies, and fixed assets.
6. Monitoring expenditures under various purchase orders and verifying delivery of goods.
7. Expediting emergency requisitions.
8. Conducting internal financial audits of departmental unit expenditures.

The Bureau of Administration is under the command of a Sheriff's Captain and reports directly to the Undersheriff.

1.340.12 Central Station

The Sheriff's Central Station is a patrol division within the Valley / Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the unincorporated

areas in the San Bernardino area, and also to the contract cities of Grand Terrace and Loma Linda.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.14 Civil Liabilities

The Civil Liabilities Division serves as Department liaison with County Counsel, private defense attorneys, County Risk Management, and other agencies in the defense of the Department or its members concerning civil litigation. The division also maintains files and reports concerning Department member injuries, illnesses, and accidents related to benefits through state Workers' Compensation and the County Board of Retirement. This division is divided into the following sub-components:

- Liability Unit - Oversees the civil litigation process involving the Department and members; coordinates discovery, depositions, and meetings; reviews all use of force, traffic collision, and vehicle pursuit reports to ensure compliance with policies, training, and current law.
- Modified Duty Coordinator - Serves as liaison between injured Department members and County Risk Management Workers' Compensation Division. Also administers the Department's "Modified Duty" program.

Additional responsibilities of the division include, but are not limited to, the following:

- Conduct civil liability investigations in specific situations for the purpose of identifying and preserving evidence and other documentation associated with civil litigation involving the Department or its members.
  - Maintain and coordinate the distribution of reports relating to civil litigations, claims and traffic accidents involving on-duty Department members, Department member injuries, Workers' Compensation, and other specified reports as directed.
  - Respond to the scene of select use of force, traffic collisions, Lethal Force Encounters, and in-custody incidents, etc. in which liability and/or litigation is reasonably anticipated.

The commander of the Civil Liabilities Division reports directly to the Undersheriff.

1.340.16 Criminal Intelligence Division

A division within the Special Operations Bureau, the Criminal Intelligence Division is an investigative unit utilized by the Sheriff to gather information on matters considered too sensitive for assignment to general criminal investigative divisions/units.

One of the Criminal Intelligence Division's primary functions is the coordination of information related to criminal street gangs and outlaw motorcycle gangs, and the administration of the CALGANG system.

The Criminal Intelligence Division is not utilized for internal personnel investigations.

1.340.18 Employee Resources

A division within the Administrative Services Bureau, the Employee Resources Division is responsible for providing a full range of human resource services to employees and divisions within the Department.

This division is divided into the following sub-components:

- Payroll - provides centralized payroll accounting services to the Department.
- Backgrounds - Conducts in-depth personnel investigations to ensure potential employees are properly qualified for Department positions.
- Human Resources Liaison - works as the Department liaison with County Human Resources department to ensure consistent application of Human Resources-related regulations and procedures.
- S.E.A.T. - The Sheriff's Employee's Assistance Team provides financial and professional counseling assistance to

employees that have suffered catastrophic events in their lives.
- CCW Unit - Conducts investigations and maintains records related to the processing of concealed weapons permits countywide.

1.340.20 Information Services

Information Services is a division within the Support Services Bureau that is responsible for administering criminal records operations, public safety dispatching functions, and computer & technical services and support for the Department.

This division is divided into the following sub-components:

- Communications Unit - provides law enforcement dispatching services to the Department; including contract city jurisdictions. Communications may also contract to provide dispatching services for other agencies including school police.
- Records Unit - responsible for providing criminal records management services for the entire Department; including teletype functions and warrant operations.
- Technical Services Unit - administers and maintains computers, automated office equipment, and software systems for the Department; performs crime analysis functions; and develops and maintains internet, intranet, and specialized Department-specific computer programs.

1.340.22 Internal Affairs

The primary responsibility of the Internal Affairs Division is the investigation of allegations of misconduct and violations of policy by Department members. It is this division's responsibility to ensure that each investigation is complete; and that both the collection of all available evidence and the exploration of

every potential source of information have been comprehensive.

This is necessary so:

- Department members can be assured of protection from unfounded and exaggerated complaints.
- In the case of substantiated allegations of misconduct, the scope and degree of that misconduct is accurately determined.

The Internal Affairs Division also serves as the custodian of personnel records for the Department.

The commander of the Internal Affairs Division reports directly to the Undersheriff.

1.340.24 Public Affairs Division

The Public Affairs Division's mission is to act as a liaison between the Department and all members of the community we serve, including the media, labor unions, community groups, political leaders, and members of our own Department.

The primary function of this division is communication for the purpose of establishing and maintaining mutual understanding between community stakeholders.

This division is divided into the following sub-components:

1. Media Relations Unit - Disseminate news to media outlets.
2. Labor Relations Unit - Act as a liaison between local union representatives and the Department.
3. Crime Free Multi-Housing Unit - Coordinate the Department's Crime Free Multi-Housing program and other related programs.

4. Operation Clean Sweep Unit - Provide county-wide training in Operation Clean Sweep and school security assessments.
5. Multi-Media photograph and produce video for the Department and its related functions.
6. Community Liaison Unit - Promote positive relations between the Department and the community it serves.

The commander of the Public Affairs Division reports directly to the Assistant Sheriff of Support Operations.

1.340.26 Specialized Investigations

A division within the Specialized Operations Bureau, this division is responsible for the investigation of certain specific crimes that require enhanced expertise beyond that which a patrol division may possess.

This division is divided into the following sub-components:

- Homicide Unit
- Crimes Against Children Unit
- Polygraph Unit
- Hi-Tech Crime Unit

The Specialized Investigations Division may assist patrol division investigators or assume the responsibility for the investigation in other cases when requested to do so by the involved station or when assigned by the Office of the Sheriff.

Upon request, and with the approval of the Office of the Sheriff, the services of this division are available to any law enforcement agency in the County.

The Specialized Investigations Division shall have sole jurisdiction in all homicide cases occurring within the Department's primary

area of jurisdiction, as well as any other deaths of undetermined or questionable cause.

1.340.28 High Desert Detention Center

A maximum-security detention facility within the Bureau of Detention and Corrections. The High Desert Detention Center provides sentenced and pre-sentenced housing for a variety of inmate classifications.

1.340.30 Adelanto Station

The Sheriff's Adelanto Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the city of Adelanto under contract.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.32 Apple Valley Station

The Sheriff's Apple Valley Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the town of Apple Valley under contract.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.34 Barstow Station

The Sheriff's Barstow Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to unincorporated areas surrounding Barstow.

The Barstow Sheriff Station maintains two satellite stations, with resident deputies assigned to them, in the communities of Trona

and Baker. The Barstow Sheriff Station also operates a Type I Jail facility, which is attached to the station building complex in Barstow.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.36 Big Bear Station

The Sheriff's Big Bear Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the unincorporated

areas in the Big Bear area, and also to the contract City of Big Bear Lake.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.38 Central Detention Center

A maximum-security detention facility within the Bureau of Detention and Corrections, the Central Detention Center is a booking facility and provides for a variety of sentenced and pre-sentenced inmate classifications. This detention center also houses federal inmates, on a contract basis.

1.340.40 Chino Hills Station

The Sheriff's Chino Hills Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the City of Chino Hills.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement Unit
- Gang Unit or Team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.42 Colorado River Station

The Sheriff's Colorado River Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to unincorporated areas surrounding Needles, and also to the contract City of Needles.

The Colorado River Sheriff Station maintains a satellite station at Parker Dam, and has resident deputies assigned to Parker Dam and Havasu Landing. The Colorado River Sheriff Station also

operates a Type I Jail facility, which is attached to the station building complex in Needles.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.44 Court Services

A division within the Court Services Bureau, the Court Services division is responsible for providing public and judiciary security while facilitating professional operations at fourteen Superior Court facilities throughout San Bernardino County. This division also delivers civil process documents; including subpoenas, restraining orders, civil warrants, notices and

summons; and undertakes enforcement actions related to monetary and property judgments.

This division is divided into the following sub-components:

- Court Services Administration - administers the court security contract with the Superior Courts.
- Court Services Security - provides bailiff services as mandated by the Government Code.
- Court Services Civil - processes, serves, and enforces civil court orders.

1.340.46 Coroner

A division within the Field Support/Court Services Bureau, the Coroner Division is charged with investigating the cause and forensically determining the manner of any questionable death that occurs within the County of San Bernardino.

This division is divided into the following sub-components:

- Administrative Unit - administers and maintains all documentation generated by division personnel.
- Investigation Unit - investigates all reported questionable deaths, recovers and transports decedents.
- Morgue Unit - Confirms the identification of decedents and performs autopsies to determine the manner of death. This unit also stores and releases decedents to mortuaries for burial.

1.340.48 Emergency Operations

A division within the Administrative Services Bureau, the Emergency Operations Division is responsible for the operation and maintenance of all department aircraft, provides for

Search and Rescue operations and support, and coordinates emergency services during disasters and other critical incidents.

This division is divided into the following sub-components:

- Aviation Unit - provides aviation support to ground law enforcement divisions/agencies, fire-fighting agencies, and search and rescue operations. This unit also provides transportation for Department personnel throughout the county.
- Volunteer Forces Unit - Oversees the Department-wide volunteer program and coordinates emergency response and mutual aid incidents throughout the county.

1.340.50 Fontana Station

The Sheriff's Fontana Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the unincorporated areas in Mount Baldy, San Antonio Heights, Montclair, and Fontana.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post

- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.52 Glen Helen Rehabilitation Center

A detention facility within the Bureau of Detention and Corrections, the Glen Helen Rehabilitation Center provides housing for sentenced and pre-sentenced inmates of a variety of classifications.

This detention facility also provides inmate workers to other Sheriff's Department divisions and to various other County Departments for use in fire suppression, and other tasks.

1.340.56 Hesperia Station

The Sheriff's Hesperia Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the City of Hesperia under contract.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.58 Highland Station

The Sheriff's Highland Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the city of Highland under contract.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.60 Morongo Basin Station

The Sheriff's Morongo Basin Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the unincorporated areas in the Morongo Basin area, and also to the contract cities of Yucca Valley and Twentynine Palms.

The Morongo Basin Station also operates a Type I Jail facility, which is attached to the station building complex in Joshua Tree.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.62 Gang/Narctoics

A division within the Special Operations Bureau, the Gangs/Narcotics Division has general responsibility for the investigation of gang, crimes, narcotics and other controlled substance offenses; especially those offenses involving the

selling, manufacture, transportation, criminal conspiracy, and smuggling of such substances. Additionally, this division investigates public offenses such as vice, auto theft and human trafficking, as well as any other investigation that is most effectively conducted by undercover officers.

This division is divided into the following sub-components:

- Gang Unit
- Inland Regional Narcotic Enforcement Team (IRNET)
- Regional Methamphetamine Task Force (RMTF)
- California Multi-Jurisdictional Methamphetamine Enforcement Team (CALMMET)
- Marijuana Eradication Team (MET)
- DEA Task Force
- Southern California Drug Task Force - HIDTA Group 50
- Parcel Interdiction Team
- Highway Interdiction Team (HIT)
- Human Trafficking
- San Bernardino County Auto Theft Task Force (SANCATT)
- Electronic Surveillance Unit (ESU)
- High Tech Crimes

The Gangs/Narcotics Division may assist patrol division investigators or assume the responsibility for the investigation in other cases when requested to do so by the involved station or when assigned by the Office of the Sheriff.

Upon request, and with the approval of the Office of the Sheriff, the services of this division are available to assist any law enforcement agency in the County.

1.340.64 Rancho Cucamonga Station

The Sheriff's Rancho Cucamonga Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law enforcement and public safety services to the city of Rancho Cucamonga under contract.

The Rancho Cucamonga Station maintains a satellite station at the Victoria Gardens retail commercial complex, with a full-time staff assigned.

Based on operational needs, patrol divisions may be divided into the following sub-components:

1. Detective unit
2. Traffic Enforcement unit
3. Gang unit or team
4. Multiple Enforcement Team (or unit)
5. Bicycle Enforcement Team (or unit)
6. Marine Enforcement unit
7. Off-Highway Vehicle Enforcement Team (or unit)
8. Retail Thefts unit or team
9. K9 Team

Patrol divisions also may establish and maintain volunteer units, including:

1. Citizens On Patrol
2. Explorer Post
3. Mounted Posse
4. Reserve Deputy
5. Search and Rescue

1.340.66 Scientific Investigations

A division within the Field Support Bureau, the Scientific Investigations Division provides general forensic science services

to the Department, to the District Attorney's Office, and to other area law enforcement agencies.

This division is divided into the following sub-components:

- Serology/DNA
- Firearms/Trace
- Narcotics/Alcohol
- Property/Evidence
- CAL-ID
- Ten Prints
- Latent Prints
- Crime Scene Investigation

1.340.68 Specialized Enforcement Division

A division within the Special Operations Bureau, the Specialized Enforcement Division (SED) is responsible for the investigation of specific crimes that require enhanced expertise and capabilities beyond those of a patrol division.

This division is divided into the following sub-components:

- Arson/Bomb Unit – investigates and arrests suspects engaged in arson or explosives-related crime.
- Fugitive Apprehension Teams – arrests violent felons who have eluded capture.
- SWAT Team – strive~~s~~ to bring to a peaceful conclusion the most dangerous law enforcement incidents through the use of specialized weapons and tactics.

The Specialized Enforcement Division may assist patrol division investigators or assume responsibility for the investigation in other cases when requested to do so by the involved station or when assigned by the Office of the Sheriff.

Upon request, and with the approval of the Office of the Sheriff, the services of this division are available to assist any law enforcement agency in the County.

1.340.70 Training Center/Academy

A division within the Administrative Services Bureau, this division is responsible for the operation of the Sheriff's Basic Academy, the Sheriff's Range, the Emergency Vehicle Operations Center, and the Advanced Officer Training Unit.

Responsibilities of this division include:

- Scheduling, staffing, and administering regular and reserve recruit training classes.
- Maintain departmental training records.
- Develop and coordinate in-service training schools, as well as other specialized courses of instructions, including First Aid/CPR.
- Research, develop, and update the training curriculum and other materials utilized in recruit and in-service training schools.
- Maintain liaison with Peace Officer Standards and Training and process all P.O.S.T. applications and reimbursement claims.
- Maintain and operate video equipment.
- Produce training films and tapes and maintain a training film library.
- Maintain and operate reproduction equipment.
- Provide graphic arts and reproduction services for departmental training manuals and handouts.
- Maintain the Department's Report Writing Manual.

1.340.72 Twin Peaks Station

The Sheriff's Twin Peaks Station is a patrol division within the Valley/Mountain Patrol Bureau. It is responsible for delivering law

enforcement and public safety services to unincorporated areas surrounding Twin Peaks.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.74 Victor Valley Station

The Sheriff's Victor Valley Station is a patrol division within the Desert Patrol Bureau. It is responsible for delivering law enforcement and public safety services to unincorporated areas surrounding Victorville.

The Victor Valley Sheriff Station maintains two satellite stations, with deputies assigned to them, in the communities of Phelan and Lucerne Valley.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.76 Victorville Station

The Sheriff's Victorville Station is a patrol division within the Region II Bureau of Operations. It is responsible for delivering law enforcement and public safety services to the City of Victorville, under contract.

Based on operational needs, patrol divisions may be divided into the following sub-components:

- Detective unit
- Traffic Enforcement unit
- Gang unit or team
- Multiple Enforcement Team (or unit)
- Bicycle Enforcement Team (or unit)
- Marine Enforcement unit
- Off-Highway Vehicle Enforcement Team (or unit)
- Retail Thefts unit or team

Patrol divisions also may establish and maintain volunteer units, including:

- Citizens On Patrol
- Explorer Post
- Mounted Posse
- Reserve Deputy
- Search and Rescue

1.340.78 West Valley Detention Center

This is a maximum security facility which provides booking and housing for various types of inmates.

Within this complex is a medical unit which serves the inmate population of all County adult detention facilities; a law library for use by those inmates acting in "propria persona" or as their own attorney in the defense of their cases in the criminal courts; and a show-up room which is utilized by all local law enforcement agencies for conducting "line-ups" for identification purposes.

This facility is responsible for the operation of the jail ward, which is a security unit located at the San Bernardino County Medical Center. The jail ward receives both male and female prisoners

who are either seriously ill or injured and need more intensive care than can be provided at the housing facility. Prisoners include arrestees of all law enforcement agencies within the County.

This facility is also responsible for the operation of the Central Courthouse Holding facility and the Foothill Law and Justice Courthouse Holding facility, as well as the Transportation Detail.

1.402. Units

Units are organizational sub-components of divisions, and vary in size depending on their mission. Units may be subdivided into teams as determined necessary by the division commander.

For example, a detective unit at a patrol station may have gang team or MET team sub-components.

1.410. Advanced Officer Training

This unit operates within the Training Center/Academy Division, and is responsible for providing updated investigative, intelligence, case law, and supervisory training to law enforcement personnel at a level above that which is provided at the basic academy.

1.412. Arson/Bomb

This unit is part of the Specialized Enforcement Division, and includes investigators who specialize in explosives, firearms,

weapons of mass destruction, arson, fire-related crimes and hazardous materials.

In addition to other related investigations, this unit is responsible for the following:

- The licensing and related processing of persons concerning the possession, use, transportation, storage, and manufacture of explosives.
- The coordination of or actual performance of explosive ordinance disposal.
- The investigation of crimes involving explosives, weapons of mass destruction, or hazardous materials and the coordination of the disposal of such items.

1.414. Automotive

The Automotive Unit is part of the Administrative Services Division, and is responsible for:

- Managing the Sheriff's vehicular fleet.
- Installing accessories and equipment on fleet vehicles.
- Making minor repairs and adjustments when applicable to the fleet vehicles.
- Maintaining statistical records of vehicle costs for operation and maintenance.
- Administering the Department's automotive budget.

1.416. Aviation

The Aviation Unit is part of the Emergency Operations Division, and provides airborne law enforcement patrol throughout the County, and is responsible for the operation and maintenance of all Department aircraft.

1.418. Backgrounds

A unit within the Employee Resources Division, this unit conducts in-depth personnel investigations to ensure potential employees are properly qualified for Department positions.

1.420. Communications

This unit is part of the Information Services Division, and is responsible for providing law enforcement dispatching services to the Department: including contract city jurisdictions. The Communications unit may also contract to provide dispatching services for other agencies including school police.

1.422. Community Liaison

The Community Liaison Unit, a sub-component of the Public Affairs Division, operates to promote positive relations between the Department and the community it serves. Specifically, it develops relationships with a wide variety of community stake-holders to ensure that appropriate communication and understanding is maintained, related to law enforcement actions and operations.

1.424. Crime Free Multi-Housing

This unit is part of the Public Affairs Division, and is responsible for administration, coordination, and expansion of the Crime Free Multi-Housing program throughout the Department's jurisdiction.

1.426. Crimes Against Children Detail

As part of the Specialized Investigations Division, the Crimes Against Children Detail specializes in the investigation of child sexual abuse and serious child physical abuse involving any of the following:

- Sexual abuse of a child under fourteen where the suspect is an adult involving substantial sexual conduct

(e.g. when the act is committed by force or fear of immediate and unlawful bodily injury, penetration of the vagina or rectum of either the victim or offender by the penis or by any foreign object, oral copulation, or masturbation by or of the victim or suspect) and, one or more of the following exist:
  - Sexual abuse with multiple victims, multiple suspects, or multiple jurisdictions (crime occurred in more than one county, state, etc.
  - High profile victims or suspects (Law enforcement, school personnel, licensed daycares, prominent members of the community).
- Physical abuse resulting in great bodily injury requiring hospital admission i.e. broken bones, shaken baby syndrome, and burn injuries, especially victims two years old and younger.
- Internet child exploitation cases when a child is in immediate danger of sexual or physical abuse (e.g. Priority 1 Cybertip from NCMEC.)
- Child sex rings/Human Trafficking cases.
- Other child victim cases in which the skilled specialization of the Crimes Against Children Unit is appropriate.

The Crimes Against Children Detail generally does not investigate cases involving suspects who have been contacted and/or arrested by station personnel prior to the Crimes Against Children Detail being contacted.

The Crimes Against Children Detail will generally assist, but not assume investigations involving unidentified strangers sexually abusing/assaulting children.

The Crimes Against Children Detail will provide liaison with Children and Family Services and other protective and child advocacy organizations as needed.

All cases forwarded to the Crimes Against Children Detail must have prior approval of the Crimes Against Children Detail sergeant or his/her designee.

1.428. Emergency Vehicle Operations Center

This unit operates within the Training Center/Academy Division, and is responsible for providing updated training and legal updates related to emergency vehicle operation; including, but not limited to, patrol vehicles, motorcycles, and off-road vehicles.

1.434. Evidence/Property

This unit is part of the Scientific Investigations Division, and is responsible for the secure storage, maintenance, and final disposition of evidence/property taken by members of the Department and the proper recording thereof for both current and archival purposes, as prescribed by law.

1.436. Field Support

This unit is an organizational sub-component of the Administrative Services Division and is responsible for the following:

- Liaison with the County Facilities Management Department regarding the maintenance of County buildings/grounds utilized by the Department.
- Liaison with County Information Services Department regarding the installation, maintenance and repair of telephone lines and related equipment.
- Liaison with the Office of County Safety and Security.

1.438. Firearms Training Center (Range)

The Firearms Training Center, a unit of the Sheriff's Training Division, provides direct Use of Force training to members of the Department, and coordinates Use of Force training and qualification programs for outside agencies that contract with the Department for that service.

1.440. Forensic Science Laboratory (Crime Lab)

This unit is part of the Scientific Investigations Division, and is responsible for the following:

- Breath Section maintains the required records on all breath testing units, as well as their regular testing and periodic repair.
- Narcotics Section analyses all narcotic and controlled substance evidence.
- Physical Evidence Section analyses physical properties of evidence, including microscopic arson/explosives, gunshot residue evidence.
- Serology Section provides analyses of blood and other body fluids in an effort to discriminate between victims, suspects, etc.
- Toxicology Section provides analyses of blood and urine in cases involving the use of alcohol, drugs, and other intoxicants and toxins.
- Questioned Documents Section provides comparison of handwriting and typewritten characteristics from various documents and writings.
- Firearms Identification Section provides information on firearms, projectiles, and casings to suspect weapons, restoration of obliterated serial numbers, and manufacturer's identification marks, toolmark comparison.

1.442. High-Tech Crimes

The High-Tech Crime Unit is comprised of investigators and specialized equipment to provide investigative support to all

units of the Department as well as to other agencies as appropriate. This unit is part of the Specialized Investigations Division.

The High-Tech Crimes Unit provides support to investigations in the following areas:

- Seizure and search of electronic storage devices and media.
- Development of search warrants for evidence stored on electronic devices and media.
- Development of search warrants for service provider records.
- Recovery of data from electronic storage devices and storage media.
- Enhancement of video media.
- Enhancement of audio media.

1.444. Homicide

A part of the Specialized Investigations Division, the Homicide unit is responsible for assuming the lead role in homicide investigations within the Department's jurisdiction. This unit is also responsible for investigating deputy-involved shootings that result in an injury, and other select investigations as determined by the Office of the Sheriff.

1.446. Major Accident Investigation Team (MAIT)

The Department's Major Accident Investigation Team (MAIT) is comprised of MAIT trained investigators from around the Department with each contract city providing a minimum of two investigators. The team shall be managed by one deputy chief, one captain, and two lieutenants, (one lieutenant for each patrol bureau).

Each region shall have a minimum of two sergeants and one detective as first-line supervisors. The sergeants are responsible for the day to day oversight of their respective bureau team. The detectives may act as a supervisor in the absence of and/or at the discretion of a sergeant or command staff. MAIT shall respond to the following incidents:

1. Any Department employee-involved traffic collision which results in significant injury and/or liability.
2. All traffic collisions with significant liability to the Department or Contract City.
3. All Fatality collisions with probable criminal filings (e.g., felony hit & runs and DUIs).
4. Crimes in-progress involving vehicle collisions which result in a fatality.
5. At a Commander request.

*Generally, in cases involving Department employees, MAIT team members from the employees' station shall not be involved in the investigation.

Watch commanders at the scene of the collision shall contact the on-call MAIT supervisor for their respective bureau to discuss the specifics of the incident prior to a MAIT call-out.

The on-call region MAIT supervisor shall decide if a MAIT response is needed based on the following factors:

- Limited liability (i.e., single-vehicle fatal crash).
- No potential for criminal filing (i.e., the person at fault for the collision is deceased).
- The availability of traffic trained deputy on shift.

A station commander may request MAIT at any time if they feel it is necessary. Should a station commander desire a MAIT

response, they shall contact the MAIT commander and make the request.

1.448. Crime Scene Investigation

A part of the Scientific Investigations Division, this unit is responsible for crime scene processing, functional supervision of the Department evidence/property handling, photography, laboratory, and fingerprint processing, which includes:

- Processing of requested crime scene for physical evidence.
- Processing of clandestine laboratories and other requested toxic waste scenes.
- Field services for latent fingerprint searches and comparisons.
- Photographic recording of crime scenes and evidence.
- Training of Forensic Specialists in crime scene processing and evidence property handling.
- Developing and printing of Department film and maintenance of negative files.
- Providing technical processing for developing and recording of latent fingerprints and other crime scene trace supervision of the AFIS CAL-ID System.
- Maintaining the Department fingerprint and latent fingerprint files.
- Maintenance and operation of the mug shot system.
- Providing specialized identification service to the entire Department.

1.450. Labor Relations

As part of the Public Affairs Division, the Labor Relations Unit is responsible for the following:

- Establish and maintain positive liaison with labor and management representatives through personal confidence.
- Encourage and promote the exchange of ideas and information while fostering respect and confidence.
- Establish and maintain positive liaison with related governmental agencies, (i.e., National Labor Relations Board, Agricultural Labor Relations Board, Federal Mediation and Conciliation Service, State Conciliation Service, Federal and State Department of Labor, and law enforcement agencies.
- Assure that crimes evolving from labor-management disputes are investigated promptly and carried to their proper conclusion.
- Gather information regarding pending labor disputes from personal contacts and other sources including union, management, and governmental publications.
- Establish and maintain special files, including lists of labor and management organizations and their representatives. Files regarding dispute activity, pertinent laws, and court decisions should also be maintained.
- Assist departmental personnel. The labor/management relations representative provides expertise to assist departmental personnel in policing labor/management disputes.
- Meet with union and management representatives who are, or may be involved in, a labor dispute. Guidelines to prevent unlawful acts should be discussed with both labor and management representatives to encourage self-discipline and strict control over their personnel.
- Assure that picket lines are monitored. Picket lines should be monitored in an effort to reduce or prevent dispute-related crimes.

1.456. Media Relations

The Public Information Officer and Social Media Specialist assigned to the Public Affairs Division shall be responsible for the distribution of news and information to the media, public, and Department members on behalf of the Department.

Responsibilities include, but are not limited to:

- The release of information on matters of public interest, unless the information is legally protected.
- Establish and maintain favorable law enforcement-media relations.
- Provide accurate and timely information to the news media and public.
- Review and post press releases on the Department's website and social media accounts.
- Communicate and coordinate with Department personnel and investigators to ensure information released is accurate, not legally protected, and does not jeopardize an investigation.
- Provide media interviews on behalf of the Office of the Sheriff.

1.458. Morgue

The Morgue Unit is part of the Coroner Division, and is responsible for confirming the identification of decedents, performing autopsies to determine manner of death, and the storage/release of decedents to mortuaries for burial.

1.460. Multi-Media

This unit is part of the Publics Affairs Division, and is responsible for documenting Department events and producing media for

internal and external use through photographic and video production means.

1.462. Operation Clean Sweep

This unit is part of the Public Affairs Division, and is responsible for administration, coordination, and expansion of the Operation Clean Sweep program throughout the Department's jurisdiction.

1.464. Payroll

A unit within the Employee Resources Division, Payroll provides centralized accounting services to the Department; related to employee work, overtime, and leave issues.

1.466. Polygraph

As part of the Specialized Investigations Division, the Polygraph Unit provides polygraph services, as necessary, to all divisions of the Department. Polygraph services may also be provided to any law enforcement agency, as requested and approved.

1.468. Records

This unit, part of the Information Services Division, is responsible for providing services and support necessary to the operation of

the Department's line divisions relating to criminal records and warrants.

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

- Provide criminal records information services to departmental stations/divisions, contract cities, and other law enforcement agencies County wide.
- Maintain the integrity of the Sheriff's criminal records and warrants databases.
- Provide functional supervision of the automated wants and warrants system.
- Receive and process all felony and misdemeanor warrants into the automated wants and warrants system.
- Make records and warrant searches.
- Analyze legislation and proposals regarding record and warrant processing procedures.
- Maintain current and archival Department reports in automated databases, manual files, and microfilm.
- Receive and microfilm County jail release jackets.
- Provide copies of current and microfilmed reports and records to authorized persons and agencies.
- Seal records per court orders.
- Enter, update, and delete information on the Department of Justice and National Crime Information Center (NCIC) databases.

1.472. Technical Services

A unit within the Information Services Division, Technical Services develops, provides, and supports information systems that

enable Department personnel to do their job more efficiently and effectively.

Services provided include:

- Development and implementation of computer-based programs to aid field and office operations.
- Selection and installation of computer hardware and peripheral equipment.
- Continuous analysis and updating of software.
- Production of periodic and specialized statistical reports.
- Maintenance of Department databases.
- Training of personnel in the use of automated systems.

1.476. Transportation

This unit has the responsibility for transportation of inmates to and from court, as well as between all Sheriff's detention facilities.

Additionally, the Transportation unit is responsible for the return of arrestees wanted by this County being held by other agencies within the state. The Transportation unit shall be responsible for the safety, security, and protection of all arrestees while in transport.

This unit is based at the West Valley Detention Center.

1.478. Volunteer Forces Unit

As part of the Emergency Operations Division, the Volunteer Forces Unit is responsible for:

- Administrating, overseeing, and coordinating the operation of all volunteer units established and organized by the various divisions within the Department.

- Representing the Office of the Sheriff at emergency/disaster scenes within San Bernardino County unless relieved by the Executive Staff.
- Participating at the Emergency Operations Center (EOC) whenever the EOC is activated to coordinate law enforcement response and activities.
- Coordinating with federal, state, county, and city emergency service agencies, with the appropriate elements of the armed forces, and non-governmental support agencies.
- Auditing and inspecting division Emergency Operation Plans to ensure compliance with County policy.
- Making recommendations to the County Office of Emergency Services for consideration of all Department matters within the purview of the Office of Emergency Services responsibilities.
- Making recommendations to the Board of Supervisors for consideration of matters of policy decision insofar as they relate to the Sheriff's Department's emergency response responsibilities.
- Complying with existing guidelines set for by California State Offices of Emergency Services, Law Enforcement Master Mutual Aid Agreement, for coordination of law enforcement resources.

1.502. Order of Rank

The order of rank in the Department is as follows:

- Sheriff
- Undersheriff
- Assistant Sheriff
- Deputy Chief
- Captain
- Lieutenant
- Sergeant
- Detective/Corporal
- Deputy Sheriff
- Deputy Sheriff Trainee

The classifications listed above, except Deputy Sheriff Trainee, are defined as Peace Officers under section 830.1 of the Penal Code.

1.502.15 Acting Ranks

An acting rank is serving temporarily in a position of higher rank. All the authority, responsibilities, and duties of the officer in the higher position devolve upon the acting member.

A member temporarily filling the position of a superior, in an acting capacity, shall be vested with all the authority and responsibilities of the superior, but the acting member shall not interfere with, countermand, or modify the orders previously issued by the superior, except in an extreme emergency, or when authorized to do so.

1.504. Office of the Sheriff: Line of Succession

In the absence or incapacity of the Sheriff and/or other Department administrators, the duties and authority of the Sheriff, as well as the responsibility for the tactical command of

the Department, shall be assumed by the following personnel, in descending order of succession:

- The Undersheriff
- The Assistant Sheriff-Criminal Operations
- The Assistant Sheriff-Support Operations

1.508. Sheriff

The Sheriff is the chief law enforcement officer in the county and the chief executive/department-head of the Sheriff's Department. The Government Code of the State of California sets forth duties of the Sheriff. The Government Codes outlining the Sheriff's duties are 26600, 26601, 26602, 26604, 26605, 26614.

1.510. Undersheriff

The Undersheriff is second in command of the Department and assumes the duties of the Sheriff in his absence. The Undersheriff acts in the capacity of an administrator and executive to the Sheriff.

1.510.10 Undersheriff

Although removed from the general chain of command and not vested with administrative authority or responsibility of the four (4) members of the Office of the Sheriff, these two (2) divisions shall be described here due to their close structural association to the Office of the Sheriff.

1.512. Assistant Sheriff

The Assistant Sheriffs are of equal rank and each is responsible for the oversight of specified operations of the Department, as outlined in the organizational chart. In the absence of both the Sheriff and the Undersheriff, the Assistant Sheriff-Criminal

Operations, shall be next in line for command of the Department. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.514. Deputy Chief

A Deputy Chief has overall responsibility for the coordination of activities and operations of a bureau. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.514.10 Deputy Chief: Emergency Authority

When a situation arises which necessitates an immediate decision by a member of the Office of the Sheriff, and no member of the Office of the Sheriff can be reached and consulted, any Deputy Chief may assume the authority of the Office of the Sheriff and make such tactical decisions as the Deputy Chief deems necessary to protect life and property, preserve order, and otherwise accomplish the law enforcement objectives of the Department.

1.514.20 Executive Officer of Corrections and Support

An Executive Officer of Corrections and Support has overall responsibility for coordination and activities of the Detention and Corrections Support Bureau. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the County's job description.

New: 1-4-21

1.516. Captain

A Captain, under general direction, plans, organizes, and directs the operations and activities of a station/division or detention and corrections facility of the Sheriff's Department; has responsibility for establishing policies and procedures for assigned command. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.518. Lieutenant

A Lieutenant, under direction, manages and supervises the operation of a small specialized division within the Sheriff's Department; serves as second in command in the operation of a station/division, detention and corrections facility, or major investigative division within the Sheriff's Department. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.518.10 Lieutenant - Legislative Liaison

The Legislative Liaison is responsible for the research and analysis of proposed legislation for the Sheriff's Department.

1.520. Sergeant

A Sergeant, under direction, trains, assigns, directs, and supervises the activities of subordinate safety and professional staff personnel, completes assignments requiring the integration of law enforcement and technical skills, knowledge, and abilities; performs difficult investigations. Duties and responsibilities may include, but are not limited to, those duties

and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.522. Detective/Corporal

A Detective, under general supervision, conducts complex and specialized investigations requiring a high level of expertise; trains and evaluates Department employees and may supervise safety and professional staff in the absence of a sergeant. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.524. Deputy Sheriff

A Deputy Sheriff, under general supervision, patrols and protects life and property, conducts investigations of crime and performs work in custodial facilities. Deputy Sheriffs may perform other related duties as required by the Department. Duties and responsibilities may include, but are not limited to, those duties and responsibilities outlined in the Department's Performance Standards and the county's job description.

1.524.10 Deputy Sheriff

Under supervision, observes and directs movements and activities of prisoners within a custodial facility. Positions in this class perform related duties as required.

His duties may include, but are not limited to, the following:

- Receives instruction in the interpretation and application of laws contained in various state codes and local ordinances.
- Receives instruction in basic criminal and traffic accident investigation procedures.
- Learn techniques regarding crime scene preservation, witness interviews, and evidence collection.
- Participates in a firearms training course which deals with safety, care, and use of small firearms, as well as Department-issued weapons.
- May be assigned to specialized divisions or details.

1.536. Field Training Officer

Field Training Officer (FTO), for safety members shall hold the rank of a Deputy Sheriff or higher and shall complete the FTO Training Program prior to a field training assignment. Their duties may include, but are not limited to, the following:

- Training of new patrol deputies.
- Remediation of current patrol deputies.
- In-service training.
- Development of training for station personnel.
- Periodically instruct at the Training Division.
- Periodically attend meetings with the training staff for development of future training for the Department.

The Field Training Program Management Guide shall be in compliance with the Department Policy Manual.

1.604. General Standard of Conduct

The Law Enforcement Code of Ethics is adopted as a general standard of conduct for safety members of the San Bernardino County Sheriff's Department.

1.606. The Law Enforcement Code of Ethics

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

"I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided 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."

1.608. Commitment to County Public Service

This code establishes the standards of conduct required of public officials and employees for the proper operation of County government and has the force of law. These standards are intended to strengthen public service and to maintain and promote faith and confidence of the people in their government.

Public officials and employees are agents of the public purpose and serve for the benefit of the public. They shall uphold the Constitution of the State of California, the Charter of the County of San Bernardino, rules, regulations, and policies of the County, and shall carry out impartially the laws of the Nation, State, and County. In their official acts, they shall discharge faithfully their duties, recognizing that the public interest is paramount. Public officials and employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their position and consistent with law.

In the performance of their duties, all officials and employees shall support governmental objectives expressed by the electorate and interpreted by the Board of Supervisors and the County programs developed to attain these objectives.

Officials and employees shall adhere to work rules and performance standards established for their positions by the appointing authority. The County requires all officials and employees to use good manners, to be considerate, to be accurate in statement, and to exercise sound judgment in the performance of their work. During the hours covered by active County employment, no official or employee shall work for any other employer or agency and neither conduct nor pursue any unauthorized activity for remuneration. Officials and employees shall neither exceed their authority nor break the law or ask others to do so. They shall work in full cooperation with other

public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of the work.

No official or employee shall unlawfully grant any special consideration, treatment, or advantage to any person beyond that which is available to every other person in similar circumstances. No person shall be forced or discriminated against with respect to any appointment in the County service because of family or social relationships, sex, race, religion, national origin, marital status, age, physical handicap, political affiliation.

1.610. Respect for Constitutional Rights

No person has a constitutional right to violate the law; neither may any person be deprived of his constitutional rights merely because he is suspected of having committed a crime. The task of determining the constitutionality of a statute lies with an appellate court of proper jurisdiction, not with an officer who seeks to properly enforce the law as it exists. Therefore, an officer may enforce any federal, state, or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that statute. An officer who lawfully acts within the scope of his authority, makes reasonable inquiries, conducts investigations, and arrests on probable cause. However, when an officer exceeds his authority by unreasonable conduct, he violates the sanctity of the law which he is sworn to uphold.

1.612. Professional Demeanor

Members shall at all times be attentive to their duties and by their alertness and observation, demonstrate their interest in their work. They shall act with dignity, and maintain a professional bearing. They shall not, while on duty, read newspapers, periodicals, or similar material in public view, except in the line of duty. They shall not show a lazy disposition,

or lounge about or sleep while on duty, or place their feet on desks or other furniture in any Sheriff's Department's offices open to public view.

1.614. Interaction with the Public

In each of their contacts with the public, a Department member must be aware that their actions, appearance, and statements are those of the Department. For that reason, and because of the inherent potential for conflict in many law enforcement contacts, a member must develop a fair, impartial, and reasonable attitude and perform their task in a business-like manner. their statements must be the result of a considered judgment and be absent of personal opinion, bias, or editorial comment. Extended conversation which reflects the member's personal opinions shall normally be considered inappropriate.

1.616. Expected Behavior - Safety Members

Safety members shall make diligent efforts to arrest or locate wanted persons and to recover stolen or lost property. They shall observe and investigate all persons, while on foot or in vehicles, whose appearance, actions, or presence at a particular location seems suspicious. When so engaged, they shall use tact and good judgment in speech and conduct and shall, at all times, remain cautious and alert to the possibility of attack or flight by the suspect.

1.618. Respect Among Members

Members shall avoid conduct or speech that undermines the morale, efficiency, and/or productivity of the workplace. They shall treat each other with respect and courtesy, and shall refrain from engaging in conversation or communication that is derogatory or harmful to any other member. No member shall,

through specific actions or general demeanor, create or contribute to an environment within the workplace that a reasonable person would interpret or recognize as hostile, antagonistic, or derisive. Discourteous treatment of the public or other employees may be considered cause for disciplinary action and/or transfer for the purposes of maintaining a harmonious working environment.

1.618.10 Cooperation Between Members

Officers and employees of the Department shall conduct themselves in a manner that shall foster the greatest harmony and cooperation between each other and organizational units of the Department. Members shall not interfere with cases assigned to other officers, except with the consent of the assigned officer. Officers conducting investigations within County jurisdiction, but outside their assigned duty station, should notify the jurisdictional watch commander or dispatcher. However, if the activities of the visiting officer are of a serious nature, or significant enough to arouse the attention of the news media, he shall notify and brief the jurisdictional watch commander. For those cases that are potentially dangerous, officers are encouraged to request additional assistance to ensure officer safety.

1.620. Courtesy

Effective law enforcement depends on a high degree of cooperation between the Department and the public it serves. The practice of courtesy in all public contacts encourages understanding and appreciation; discourtesy breeds contempt and resistance. The majority of the public are law-abiding citizens who rightfully expect fair and courteous treatment by Department employees. While the urgency of a situation might preclude the ordinary social amenities, discourtesy under any circumstance is indefensible. The practice of courtesy by a member is not a manifestation of

weakness; it is, on the contrary, entirely consistent with the firmness and impartiality that characterizes a professional member of law enforcement.

1.622. Integrity

The public demands that the integrity of its law enforcement employees be above reproach. The dishonesty of a single employee may impair public confidence and cast suspicion upon the entire Department. Succumbing to even minor temptation can be the genesis of a malignancy which may ultimately destroy an individual's effectiveness and may contribute to the corruption of countless others. An employee must scrupulously avoid any conduct which might compromise the integrity of himself, his fellow employees, or the Department.

1.624. Confidentiality

Public trust is one of the greatest responsibilities that go with public employment. Information and processes, not normally available to the average citizen, are available to members of this Department. Members shall use this knowledge only as it applies to the ongoing operation of the Department. All information of this nature is confidential, and members are to follow statutes and departmental policies and procedures in this regard.

1.624.10 Confidential Information

Members shall treat the official business of the Department as confidential. They shall not provide official information, such as proposed movement of the force or Department regulations, to anyone except to those for whom it is intended, or as directed by a commanding officer, or under due process of law. They shall not provide information to any person, including members of the Department, any order that they may have received,

unless it is required by the nature of the order. They shall not reveal the identity of a witness, a complainant, or informant to any private person, except as mandated by law.

Members shall not communicate information which may delay an arrest, aid a person to escape, destroy evidence, or cause the loss of stolen or embezzled goods. They shall not communicate information regarding an arrest or a case which is currently under investigation, except in the course of their duties. In this case, no discussion shall take place between members and civilians not involved in the investigation. Members shall not communicate information regarding an impending arrest or case except in the course of the investigation or to a superior officer.

Members shall not divulge the residence address, telephone number, or personal information of any other member of the Department without first obtaining his permission. Any inquiries regarding status of employment shall be referred to the Sheriff's Employee Services Division.

1.626. Loyalty

In the performance of his duty to serve society, an employee is often called upon to make difficult decisions. He must exercise sound decision making in situations where his rights and liabilities and those of the Department depend upon his proper conduct and reasonable judgment. An employee's decisions are not easily made and occasionally they involve a choice which may cause him hardship or discomfort.

An employee must be faithful to his oath of office, the principles of professional law enforcement, and the objectives of the Department, and in the discharge of his duty he must not allow personal motives to govern his decisions and conduct.

1.628. Truthfulness

No member shall willfully depart from the truth, orally or in writing, when giving testimony in a court of law, when preparing criminal or administrative reports/documents, or in any matter under investigation by the Department or any other law enforcement agency.

Exceptions to this rule include:

- Communications/interactions during authorized undercover investigations.
- Communications/interactions during suspect interviews as allowed by current statutory and/or case law.

1.630. Compliance with Lawful Orders

All Department members shall comply with lawful orders issued by members of higher rank. A lawful order may be either oral or in writing. No member shall publicly criticize any order given by any supervisor or ranking member in a manner that disrupts the workplace or undermines the supervisor's authority. Department members shall obey lawful orders issued by members of higher rank regardless of whether such duties are specifically assigned to them by the Department Manual.

1.632. Competency

All members of the Department shall maintain sufficient competency to properly perform their assigned duties and assume the responsibilities of their positions.

Incompetence is defined as being incapable of the satisfactory performance of a member's assigned duties. Significant

deficiency in any of the following qualities is evidence of incompetency:

- Courage.
- Honesty.
- Emotional stability.
- Sound judgment.
- Industry.
- Alertness.
- Decisiveness.
- Power to observe.
- Initiative.
- Energy.
- Intelligence.
- The ability to get along with people.

Incompetency may be just cause for dismissal.

1.634. Obeying the Law

Members, while on or off duty, shall respect and obey all federal, state, and local laws and ordinances as well as the provisions of the Department Manual.

1.636. Rewards and Gratuities

Department members shall not solicit or accept rewards, presents, gratuities, or compensation other than that paid for by the County or for approved private employment.

Members shall not use their official position to solicit special privileges for themselves or others, such as free admission to places of amusement, discounts on purchases, or other favors. They shall not accept free meals, refreshments, or other things from persons engaged in business. An officer may use his badge to gain admission to any public gathering in the furtherance of his official duty.

Employees shall not receive any article whatsoever, whether as a gift or as the result of a purchase or trade, from suspects, prisoners, persons recently arrested, or known gamblers, prostitutes, or other persons of bad character or ill repute, or other persons whose vocation may profit from information obtained from the Department.

In the performance of their duties, Deputy Sheriffs frequently seize the personal property of citizens. The act of seizing another's property is one of the most invasive and litigated activities by law enforcement. In order to avoid any appearance that a seizure was for personal gain, employees shall not possess property that has been seized by the Department. This includes the purchase of seized property by a third party for an employee's use.

Deputies assigned to field duty shall not have in their possession a key to a business premise for the purpose of obtaining shelter, rest, or telephone service. Temporary exceptions may be made by the division commander when necessary for the performance of law enforcement activities.

Persons or organizations desiring to make contributions of money and/or equipment to the Department and/or designated volunteer organizations shall be referred to the division commander.

1.638. Adherence to Division Policy

Members shall, additionally, be familiar with and adhere to the written policies, rules, and procedures established by their assigned station, division, or detail.

1.642. Compliance with Subpoenas

Members are subject to being summoned to testify in a court trial or hearing. The Department recognizes subpoenas or

summons as an official order of the court. It is the responsibility of each member to comply with valid orders. Subpoenas requiring an appearance in civil matters, arising out of the course and scope of employment, shall be processed through the Civil Liabilities Division (refer to section 3/780).

1.644. Attention to Duty

A Department employee has a responsibility to engage cooperatively in the collective effort of his team, unit, and division in the positive attainment of its objectives and goals. Similarly, an employee has a responsibility to engage cooperatively in the collective effort of the Department in the achievement of its mission.

The responsibility for proper performance of an employee's duties and successful completion of his assignments rests primarily with the employee himself. He satisfies this responsibility by faithfully and diligently performing his assigned duties and tasks. Anything less violates the trust placed in him by the Department, his co-workers, and the public.

1.646. Incapacity - Inability to Perform Duties

It shall be the responsibility of the member to notify his supervisor, upon reporting for duty, if he is unable to perform his assigned duties due to injury, use of his medication, or any other incapacitating cause.

It shall be the responsibility of supervisors to review with the member any reported or observed incapacities to determine an appropriate course of rehabilitation or remediation.

The Department reserves the right to reassign the member to facilitate health programs and rehabilitation due to a member's physical and/or mental inability to accomplish the duties of his assignment. The Department also reserves the right

to direct members to complete a physical or psychological examination to determine fitness for duty.

1.648. Employee on Duty Until Relieved

An employee of the Department, regardless of his duty assignment, shall work the full time assigned for his tour of duty, and shall not leave his assigned duty until such time as he is properly relieved.

- An employee assigned to duty requiring continuity of assignment may be relieved prior to the time established for the change of watch, provided the employee relieving accepts duties of the employee relieved. This does not apply to a watch commander. A watch commander shall remain on duty and be available during the full tour of duty to which he is assigned.

1.650. Uniforms and Equipment Ready for Use

All safety and uniformed professional staff members of the Department shall possess and maintain ready for immediate use the uniform, equipment, and other required items as prescribed for their job classification and assignment.

1.652. Additional Equipment Required for Duties

In addition to issued equipment, officers should have with them, while on duty, a note pad, writing instrument, watch, handcuff key, current Miranda Warning Card, and other equipment necessary to effectively carry out their assigned duties.

Upon resignation, retirement, or change in an officer's classification status, all Department-issued equipment shall be collected by the employee and brought to the Employee Resources Division where the equipment shall be inventoried

and checked off. The Employee Resources Division shall ensure that all issued equipment is returned to the original source.

1.656. Addresses and Contact Numbers

All members shall keep the Department informed of their residential address, mailing address, and telephone number. All members shall maintain a traditional (hard line) telephone at their primary place of residence or, have an active personal cell phone. Any change shall be reported in writing within twenty-four (24) hours by directing an inter-office memorandum through proper channels, to the Sheriff.

1.656.10 Maintaining a Valid Driver's License

Each safety officer, while employed by the Department, shall be licensed to operate a motor vehicle in his state of residence.

1.658. Member's Duty to Respond: Major Disasters

When a severe, catastrophic event such as a major earthquake, significant terrorist incident, or act of war occurs, all Department members shall report to their assigned duty station or facility as soon as possible. If this is not feasible, the member shall report to the nearest Department station or facility.

Safety and other uniformed personnel shall, if possible, report in uniform. All other members shall report in appropriate attire.

If the member cannot respond to any Sheriff's Department station or facility due to severe infrastructure damage creating unsafe travel conditions, they shall report to the nearest law enforcement station or facility. They shall notify their division commander of their location and status as soon as this can be reasonably accomplished.

1.662. Criminal Cases Arising Outside the County

Members of the Department shall not take action in any criminal cases arising outside the County of San Bernardino and personally reported to them by any means without the approval of their commanding officer. Members of the Department shall not go outside the County of San Bernardino except when authorized by the Sheriff, Undersheriff, or Assistant Sheriff on a request received by him for an outside authority because of a grave emergency and urgent need for assistance.

1.664. Cooperation with Other Law Enforcement Agencies

Members shall cooperate with, support, and assist officers from other law enforcement agencies in the same manner the Department would seek cooperation from that agency.

Members shall cooperate with all agencies engaged in the administration of criminal justice, other public agencies and County departments, giving to each all aid and information that they are entitled to receive. Members answering a call wherein another agency or department should be notified through official channels shall notify or have the appropriate agency notified, of the details of the complaint.

1.666. Criticism of Other Agencies, Courts, etc.

The Department shares responsibility with the judiciary and other law enforcement and prosecution agencies in the criminal justice system. All elements of the system work toward common objectives and each element is functionally complementary. The cooperative and harmonious working relationships which are essential in attaining those objectives are impaired by unnecessary criticism of others engaged in the administration of criminal justice. For that reason members

should be aware of the effect upon law enforcement of any comments they make which might be interpreted as being critical of other law enforcement or prosecution agencies or individual members of the judiciary. However, it is not intended that there be an infringement of a member's right to express his personal views regarding the criminal justice system in general or any trends which seem destructive of its efficacy.

1.668. Conduct While Visiting Other Agencies/Jurisdictions

When it is necessary for a member of the Department to conduct an investigation in another law enforcement agency's jurisdiction, he should advise said agency of his presence and intentions. If the scope of the investigation is of such a serious nature, or significant enough to arouse the attention of the news media, he shall notify said agency's watch commander, and if necessary, request additional assistance to ensure officer safety.

1.668.10 Conduct at Schools, Seminars, Meetings, etc.

Members shall comply with all provisions of the Department Manual while attending schools, seminars, etc., as assigned by the Department. Additionally, members shall, when temporarily assigned to another station, division, or detail, adhere to the policies, procedures, and rules of the assigned station, division, or detail.

1.670. Peace Officer Status: Responsibility to Act

On-duty officers within the county and contract cities, after consideration of the tactical situation, are to take all steps reasonably necessary and consistent with their assignment to

effect the enforcement of penal provisions of the County, state, and federal government and to protect life and property.

On-duty officers outside the County limits who become aware of a situation requiring law enforcement action must first consider the tactical situation, then take all steps reasonably necessary on law enforcement matter of direct concern to the County of San Bernardino.

Under California law, both on- and off-duty an officer has peace officer authority as to any public offense committed in his presence and with respect to which there is immediate danger to persons or property, or the escape of the perpetrator of such offense.

However, on-duty officers outside the County of San Bernardino limits who are not acting within the scope of their employment as San Bernardino Sheriff's officers on matters of direct concern to the County and off-duty officers both inside and outside of the County limits are to give first consideration to causing the appropriate action to be effected by the responsible law enforcement agency. Such officers should then act only after consideration of the tactical situation and of their tactical situation and of their possible liability and that of the County of San Bernardino.

1.672. Peace Officer Status: Outside of California

Peace officer powers of San Bernardino County Deputy Sheriffs do not extend beyond this state except as provided for in the Uniform Act of Fresh Pursuit and the Arizona and California Compact, PC853.20. Officers who are outside the boundaries of this state for extradition or other matters of direct concern to the County, are not to engage in law enforcement activities unless necessary in the performance of their duties as an agent

of the County or state, and then only after consideration of the tactical situation.

1.674. Outside Employment

"Outside employment" is defined as any work, service or other act performed for financial gain in any capacity other than work performed for the San Bernardino County Sheriff's Department.

The nature of the law enforcement task requires Department employees to have the ability to work irregular duty schedules, which are subject to change in meeting deployment needs. It is also necessary that an employee have adequate rest prior to reporting for his regular tour of duty. Additionally, the specific conditions or terms of particular outside employment may conflict with an employee's departmental duties.

For these reasons, and because certain occupations inherently conflict with an employee's primary responsibility to the Department, the specific outside employment may be prohibited altogether for any member of the Department.

Other than that which is permitted under the San Bernardino County Code pertaining to off-duty employment contracted with the Department, employees accepting outside employment should be aware that they may not be entitled to legal representation, payment of an adverse judgment, or other benefits from the County that are usually afforded an employee while working on duty. Members should have a firm commitment from the employer concerning any subsequent legal representation or other benefits that may become necessary as the result of the member's conduct in protecting the employer's interest.

1.674.10 Application for Outside Employment

Any employee of the Department (excluding volunteers) desiring to engage in outside employment shall submit an Application for Outside Employment to his Division Commander. The employee shall complete an Application for Outside Employment for each prospective outside employer.

The employee shall not engage in outside employment while awaiting approval of the application.

A review and determination of the outside employment application shall be completed by the Department and reported to the employee, generally within 30 days.

A change in job type, job location, employer, or in the conditions/terms of any previously approved outside employment requires re-application and re-approval prior to the change becoming effective.

The employee is additionally required to re-submit an Application for Outside Employment each year (for continuation of outside employment), at the time of the employee's annual Work Performance Evaluation (WPE).

1.674.15 Appeal of Denial of Application

An applicant may appeal a decision regarding the denial of outside employment by submitting a written response and request for appeal, within ten (10) days from the date the applicant received the written notice of denial, to the Station/Division Commander for review and additional comments. The Station/Division Commander shall then forward the appeal, along with a copy of the original application and response, to the Bureau Deputy Chief. The Board of Deputy Chiefs will review the appeal and make a final determination. The applicant shall be notified of the final decision within thirty (30) days of the initial application. The decision of the Board of Deputy Chiefs shall be binding.

1.674.20 Prohibited Outside Employment – Safety Members

All employment, although not expressly prohibited, shall be reviewed for compatibility on a case-by-case basis to conform to the intent of California Government Code §1126.

Safety members shall not accept any employment that is prohibited by law for a peace officer and/or as determined by the Department. Prohibited outside employment may include but is not limited to:

- Adult-Oriented Business Employee
- Adult-Oriented Business Owner
- Armed Guard
- Armed Guard Service Owner
- Bail Bondsman
- Bail Bond Business Owner
- Barmaid or Cocktail Server
- Bartender
- Bill Collector
- Bill Collector Service Owner
- Bodyguard
- Bodyguard Business Owner
- Bounty Hunter
- Bounty Hunter Business Owner
- Casino Employee
- Escort Service Employee
- Escort Service Owner
- Exotic or Topless Dancer
- Firearms business Employee or Owner
- Indian Tribal Police Officer
- Massage Club Employee
- Massage Club Owner
- Nightclub Bouncer
- Nightclub Owner
- Pawn Shop Employee

- Pawn Shop Owner
- Private Investigator (within County)
- Process Server (within County)
- Process Server Business Owner (within County)
- Repossessor
- Repossession Business Owner
- Security Guard
- Strip Club Employee
- Strip Club Owner
- Topless Bar Business Owner
- Tow Service Employee
- Tow Service Owner
- Any position dependent on peace officer status for employment.

Sheriff's Internal Affairs Division will be responsible for tracking and maintaining all documentation of outside employment for all Department employees. Internal Affairs will ensure compliance with annual renewal requests.

Updated: 7-21-21

1.674.25 Prohibited Outside Employment – Professional Staff Members

Professional staff employees can be prohibited from working in specific occupations while off-duty. California Government Code §1126 also provides that "(a) a local agency officer or employee shall not engage in any employment, activity or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties...or with the duties, functions, or responsibilities of his or her appointing power or the agency" by which he or she is employed. Whether the outside

employment brings discredit or disrepute upon this organization will also be considered while reaching such a decision.

Prohibited outside employment may include but is not limited to:

- Adult-Oriented Business Employee
- Adult-Oriented Business Owner
- Armed Guard
- Armed Guard Service Owner
- Bail Bondsman (within County)
- Bail Bond Business Owner (within County)
- Barmaid or Cocktail Server
- Bartender
- Bill Collector (within County)
- Bill Collector Service Owner (within County)
- Bodyguard
- Bodyguard Business Owner
- Bounty Hunter
- Bounty Hunter Business Owner
- Casino Employee
- Escort Service Employee
- Escort Service Owner
- Exotic or Topless Dancer
- Indian Tribal Police Officer
- Massage Club Employee
- Massage Club Owner
- Nightclub Bouncer
- Nightclub Owner
- Pawn Shop Employee
- Pawn Shop Owner
- Private Investigator (within County)
- Process Server (within County)
- Process Server Business Owner (within County)
- Repossessor
- Repossession Business Owner
- Security Guard (within County)

- Strip Club Employee
- Strip Club Owner
- Topless Bar Business Owner
- Tow Service Employee
- Tow Service Owner

All employment shall be reviewed for compatibility on a case-by-case basis to conform to the intent of California Government Code §1126.

1.674.30 Use of Department Equipment in Outside Employment

Any Department-issued safety equipment, including but not limited to Sam Browne belt, holster, firearm, protective vest, and ammunition shall not be used for outside employment.

1.674.35 Violation of Outside Employment Policy

Any member found to be in violation of this policy by failing to receive prior approval in outside employment (as previously identified), or for a change in the conditions or terms of outside employment, or who engages in any outside employment listed herein or determined to be a conflict of interest under this policy without prior approval, may be subject to disciplinary action up to and including termination.

1.676. Involvement in Civil Litigations or Lawsuits

Members involved in civil litigations or suits, as defendant or plaintiff, which may reflect unfavorably or adversely upon the member or the Department, shall make the Department aware of the circumstances through the normal chain of command.

Members shall not use their official positions as a means of forcing or intimidating persons with whom they are engaged in civil controversy to settle the case in their favor, which shall

include wearing of the official uniform of the Department while appearing as a litigant.

1.678. Misconduct

A law enforcement officer is the most conspicuous representative of government, and to the majority of the people he is a symbol of stability and authority upon whom they can rely. A deputy's conduct is closely scrutinized, and when his actions are found to be excessive, unwarranted, or unjustified, they are criticized far more severely than comparable conduct of persons in other walks of life.

Since the conduct of a Department member, on or off duty, may reflect directly upon the Department. A member must, at all times, conduct himself in a manner which does not bring discredit to himself, the Department, or the County.

1.678.10 Acts Tending to Discredit

Members shall not conduct themselves, whether on or off duty, in a manner that might be construed by an observer as indecent, lewd, or disorderly, or which is of such a nature that it causes discredit to the Department or to the employee. They shall not be guilty of misconduct, neglect of duty, or acts tending to discredit the Department or themselves even though such conduct is not specifically set forth in this manual.

1.678.15 Duty to Report Misconduct

When any non-supervisory Department member, has firsthand knowledge of possible misconduct, including any objectively

unreasonable or unjustified use of force by another member of this Department, they shall immediately notify a supervisor.

A supervisor who becomes aware of an alleged act of misconduct shall:

- Take appropriate action to prevent aggravation of the incident.
- Notify the station/division commander as soon as practical.

Updated: 8-27-20

1.678.20 Member's Duty to Intercede

When a Department safety member is present and observes another law enforcement officer or Department member using an amount of force that is clearly unnecessary given the circumstances, the member shall intercede, if in a position to do so.

The member shall first take into account the possibility that other safety members and/or law enforcement officers at the scene may have additional information regarding the threat posed by the subject.

Whether a member's decision to intercede or not intercede was appropriate will be determined by applying the standard of an objectively reasonable officer under the circumstances.

Any safety member who observes another Department member or law enforcement officer use force that the member believes is objectively unreasonable or unnecessary, shall promptly report these observations to a supervisor per Department policy 1.678.15.

New: 10-9-20

1.702. Member's Duty to Keep Informed

Members shall study and thoroughly understand the Department policies, general orders, county ordinances, city ordinances (in applicable contract cities), state and federal laws, as well as applicable court decisions. They shall obtain the assistance of their superior in the interpretation of any portion that is not clearly understood. They shall be knowledgeable concerning rules, regulations, procedures, and duties governing their specific assignment.

Members shall be familiar with current Department policy, briefing information, orders, directives, teletypes, and bulletins.

Members with County email are expected to check their Department email at least one time during their assigned shift for policy updates.

The Department policy manual is available on Starlink. It is the duty of all members to be knowledgeable of its contents.

Updated: 1-4-21

1.702.10 Department Policy Manual Updates

The Department policy manual will be updated as new or revised policies are approved by the Sheriff.

Lieutenants and captains will be sent the updated or new policies for review and implementation. It is the Station/Division command staff's responsibility to ensure the supervisors at their Stations/Divisions discuss all new and revised policies with their safety and professional staff members.

All revised or new Department policies shall be sent to every Department member via County email. Every member is expected to check and read their email per Department policy 1.702.

New: 1-4-21

1.702.20 Member's Duty to Implement Training

Each member of the Department is required to incorporate departmental training, policies, and supervisory direction into their work performance in order to provide consistent, efficient and effective service to the public.

1.704. Conflicting Orders

Should an order conflict with any previous order issued by any other supervisor or superior officer, or with any Department order or provision of the Department Manual, the member to whom such order is issued shall respectfully call attention to the conflict. If the superior giving the order does not make changes to obviate the conflict, the order shall stand and the responsibility shall be his; the member obeying the order shall not be held responsible for disobedience of the conflicting order. It is sufficient for him to know that the person giving the order is in proper command to the member to whom it is directed, he shall carry out the instructions first, and afterward he may call the matter to the attention of his commanding officer or the Sheriff.

1.706. Violations in General

Failure of a member, either willfully or through negligence, incompetency, neglect, or cowardice, to perform the duties of their rank or assignment, or violation by a member of any Department rule, duty, instruction, or order, or conduct prejudicial to the good order and discipline of the Department, or conduct reflecting discredit on the Department or on themselves, whether on or off duty, which may not be specifically set forth in the Department Manual, may be considered sufficient cause for discharge, demotion, suspension, or other penalty.

1.708. Reporting to Duty Assignment

Every Department member is required to report to their duty assignment on time, as scheduled, wearing the appropriate uniform, equipment, and/or professional attire.

1.710. Abuse of Sick Leave

Sick leave with pay is an insurance or protection provided by the County to be granted in circumstances of adversity to promote the health of the individual member. It is not an earned right to take time off from work.

No member shall feign illness or injury, falsely report themselves ill or injured, or cause their accumulated sick leave balance to be utilized when their absence from duty is not due to a bona fide illness, injury, or other conditions as set forth in the current applicable Memorandum of Understanding.

Sick leave with pay may be denied if the absence is found to be due to willful injury, gross negligence, intemperance, improper conduct, or willful absence without leave on the part of the member.

1.712. Insubordination

No member shall willfully disobey any order lawfully issued by a superior, nor shall they direct any disrespectful, mutinous, insolent, or abusive acts or language toward a superior.

1.714. Duty to Report Involvement in a Criminal Case

Every member who becomes aware that he is a principal in an investigation of a criminal nature, by an agency other than the

San Bernardino County Sheriff's Department, shall immediately notify his commanding officer as soon as practicable.

Information, such as the following, shall be included in the inter-office memorandum:

- Type of case.
- The agency involved.
- The name of the investigating officers.

1.716. Duty to Report Involvement in Altercation

When an off-duty officer, becomes involved in an altercation in which physical force is used, not including the discharge of a firearm, and his occupation as a peace officer is a factor, he shall:

- Immediately notify his supervisor.
- Report the full details of the altercation in a related Department arrest or crime report.
- Submit a detailed report in the form of an inter-office memorandum to his commanding officer.

When a non-sworn member of the Department, either on- or off-duty, becomes involved in an altercation in which physical force is used and his status as a Department member is a factor, he shall:

- Notify his supervisor as soon as practicable.
- Report the full details of the altercation in a related Department arrest or crime report.
- Submit a detailed report in the form of an inter-office memorandum to his commanding officer.

1.718. Duty to Identify Self

In the performance of their official duties, except in authorized undercover situations, members shall identify themselves by rank, surname, and division of assignment when requested to identify themselves by any citizen.

1.720. Proper Use of Radios, Computers, etc.

County Communications monitors Department radio frequencies and may furnish reports to the Office of the Sheriff regarding radio frequency abuse. Specific violations shall be brought to the attention of the concerned commander.

1.722. Answering Department Telephones

The telephone is the primary method by which the services of the Department are requested. All incoming telephone calls must be answered as promptly as possible to determine if a need for law enforcement service exists and, if so, to provide the required service.

In answering telephone calls, members shall courteously greet the caller, identify their units and themselves, and ask to be of assistance. Members shall make every reasonable attempt to either supply the requested information and assistance or to promptly refer the party to the proper Department unit or other public or private agency for assistance.

Under no circumstances shall any telephone call be placed on hold without first determining if the call is of an emergency nature. A member who receives a telephonic report requiring immediate law enforcement action shall promptly obtain the location of the occurrence, call back number, and other available pertinent information. Such emergency telephone calls for service shall not be unnecessarily transferred, delayed, or placed on hold.

Placing incoming calls on hold for long periods of time, or the failure of a member to return a call in a timely manner, are considered discourtesies that reflect poorly on the Department and the member's job performance.

When a Department member receives a request via telephone for information, and the member cannot immediately accommodate the request, the member shall politely advise the caller that he will obtain the requested information and call him back.

When a member receives a non-emergency call that is to be transferred, prior to doing so, the member shall ascertain the nature of the request for service and shall advise that the call is being transferred, or the caller is given the correct number to call.

1.722.10 Personal Use of Department Telephones

Department office telephones are generally intended for organizational use and shall not be utilized for personal reasons except in the case of exigency or emergency. Department employees shall not accept personal collect telephone calls, except in cases of emergency.

1.722.15 Use of Department Telephones - Collect Calls

Members shall not accept personal collect telephone calls, except in cases of emergency. Members may accept collect calls for emergency services and for matters of importance to the County of San Bernardino. Before accepting a non-emergency in coming collect call, members should inquire where the call is being placed from and suggest the use of other toll-free numbers to call back to, if they are available.

1.724. Using Department Addresses for Personal Purposes

Members shall not use the Department or any Department facility as a mailing address for private or personal purposes.

The Department of Motor Vehicles' records concerning the home address of any peace officer are confidential and shall not be disclosed to any person, except as provided in the California Vehicle Code. The Department of Motor Vehicles is obligated, however, to tell any person, requesting such confidential information, what law enforcement agency said peace officer is employed by.

1.726. On Duty Criminal Conduct

When an employee is accused of on-duty misconduct, that upon a preliminary investigation gives rise to the possibility of a violation of law, the involved employee's Division Commander shall be immediately notified.

The Division Commander shall, as soon as practicable, notify the Bureau Deputy Chief with a recommendation as to whether a criminal investigation should be initiated.

The Bureau Deputy Chief shall, if deemed necessary, cause a criminal investigation to be initiated. The Deputy Chief, upon making such a decision, shall notify the Assistant Sheriff of the involved bureau.

1.728. Member Detained for Criminal Conduct – Within Department Jurisdiction

When a Department member is detained for a criminal offense committed within the jurisdiction of the Department, the watch commander in whose area the crime occurred shall respond to

the crime scene and shall cause a thorough investigation of the crime to be conducted.

The scope of this investigation shall be the same as that for a private person detained or arrested under similar circumstances. The watch commander has the responsibility of ensuring that all necessary crime reports are prepared.

The watch commander shall ensure that the member's division commander is promptly notified of the circumstances. The division commander shall notify the Deputy Chief of the bureau as soon as practicable.

The watch commander, in consultation with both his and the member's division commander, coordinate the completion of a departmental administrative investigation regarding potential violations of Department policy.

1.728.10 Member Detained for Criminal Conduct – Outside Department Jurisdiction

When a member of this Department becomes aware that a Department member is detained for, or purported to be a principal in, a felony or misdemeanor offense committed outside the jurisdiction of this Department, the member shall immediately notify the concerned member's division commander. The division commander shall notify the Deputy Chief of the bureau as soon as practicable.

A supervisor from this Department shall be assigned to conduct an administrative investigation. The scope of the investigation shall be the same as when an allegation of misconduct of a member is received from any source. The supervisor shall cause the appropriate sobriety and/or other tests to be conducted.

The supervisor shall advise concerned members of the outside agency that the administrative investigation is internal; and for Department purposes only.

All evidence obtained solely as a result of the Administrative Investigation is confidential and shall not be disclosed to members of the outside agency conducting the criminal investigation or to any other unauthorized persons unless a court order requires disclosure.

1.730. Refusal to Work

The alternative to law and its enforcement is anarchy and its resulting devastation. A member's commitment to public service and professional ethics precludes his engaging in strikes or similar concerted activities. For these reasons, members shall not strike, or engage in any work stoppage, slowdown, or any concerted work action. It is the policy of this Department to take disciplinary action, which may include dismissal, against any member who plans or engages in any such strike, work stoppage, slowdown, or any other concerted work action.

1.732. Departmental Insignias

No member shall use or display Department insignias to falsely intimate or represent an official capacity; or to wrongly gain access to a restricted area.

No member shall attach or affix Department insignias to any commemorative or fund-raising item without prior approval. No member shall sell or distribute any unapproved item(s) to members or the public. All requests to use Department insignias for any commemorative or fund-raising item shall be submitted to the Public Affairs Division. If approved by the Public Affairs Division the request will be forwarded to the Board of Chiefs for final approval. At any time, the Office of the Sheriff or the Board of Chiefs can cancel the use of Department insignias.

Department Insignias may be replicated, reproduced, attached, and/or affixed to honorary plaques and trophies signifying retirement, transfer(s), etc. – as approved by the Division Commander.

1.734. Theft, Damage, or Waste of County Property

Misappropriation or damage of Department property or waste of public funds or property through negligent or willful misconduct may be cause for demotion, suspension, reduction in salary step, or dismissal.

1.736. Intoxicants in County Buildings and Vehicles

Members shall not bring intoxicating beverages into any Sheriff's Department, police, or county building or vehicle, except intoxicating beverages that have been seized as evidence or contraband, or that are the property of a prisoner, or as otherwise approved by a member of the Sheriff's Executive Staff.

1.738. Financial Obligations

It is the policy of the Department that public employees have stable incomes upon which they may forecast future earnings. For this reason, and because of public confidence in their responsibility, it is relatively easy for Department members to contract financial obligations which, if not controlled, may become an impossible burden. Such financial distress may impair the individual's job effectiveness and may bring discredit upon the Department. Members should avoid incurring financial obligations which are beyond their ability to reasonably satisfy. Failure to pay court recognized debts or make reasonable provisions for their payment may be cause for disciplinary actions.

1.740. Relations with Vendors and Contractors

When representing the Department to outside business organizations which are, or which are likely to become, vendors or contracting parties with the Department, members must conduct themselves in a manner which shall bring credit to themselves and to the Department. Because a law enforcement employee is a very conspicuous representative of a county government, their conduct is likely to be scrutinized far more severely than that of other persons; therefore, when dealing with prospective contractors, members must avoid becoming engaged in conduct which is, or which might appear to be, censurable.

Department resources shall not be committed to furthering the work of a prospective contractor or vendor prior to the formation of a contract. Similarly, whatever is seen or heard of a confidential nature, or that is confided in an official capacity, shall be kept as such unless disclosure is necessitated in the furtherance of Department objectives. Personal feelings or motives, or the possibility of personal gain, shall not influence decisions. A member must not place themselves in negotiations outside the Department.

1.742. Endorsements of Products and Services

The Department's position of providing fair and impartial service dictates that each member must scrupulously avoid using his official capacity, title, or position in the Department to endorse any organization, program, product, or services. Members shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, tow service, bondsman, mortuary, etc.). In the case of an ambulance or tow service, when such service is necessary, and the person needing service is unable or unwilling to procure it or

requests assistance, members shall proceed in accordance with established Department procedures.

1.744. Personal Business

Members shall not shop, barter, or trade while on duty nor devote any of their on-duty time to any activity other than that which relates directly to their work.

Members shall not enter places of amusement while on duty except for official Department purposes.

1.746. Political Activity

All members shall be permitted to participate fully in public affairs, except as provided by law, to the extent that such endeavors do not impair the neutral and efficient performance of official duties, or create real or apparent conflicts of interest.

It is the intent of the Department that every member participates in the political process to the extent that such participation does not interfere with the orderly and proper performance of the member's duties and functions.

1.748. Use/Abuse of Intoxicants

Department members shall not ingest any narcotics or controlled substances unless prescribed by a person licensed to practice medicine. No member shall use prescription drugs in a way that could be reasonably foreseen to adversely affect his ability to safely and effectively perform work for the Sheriff's Department.

The use of marijuana by Department members, even if prescribed by a licensed physician, is prohibited under this policy as it is under Federal Law.

Prior to beginning work, a Department member shall notify his supervisor of the general nature of any medication or drugs, prescription or non-prescription, he is taking, which could be reasonably foreseen to interfere with the safe and effective performance of duties. The member need not report the diagnosis or exact name of the drug taken when reporting under this policy.

No on-duty Department member shall consume any alcoholic beverage except when authorized in the performance of an official assignment, and only to the degree that does not impair his on-duty performance.

No off-duty Department member wearing any part of uniform dress shall drink any alcoholic beverage in public view or in a place accessible to the public. No off-duty member shall consume alcoholic beverages to an extent which results in the commission of an obnoxious or offensive act which might tend to discredit the Department.

Whether on or off-duty, no member is to engage in any law enforcement activity when impaired by or under the influence of an alcoholic, narcotic, or other controlled substance, except as authorized in the performance of an official assignment.

The odor of alcohol on the breath of an on-duty member; or any statutory defined illegal use of controlled substances by a member on or off duty shall not be tolerated; and is considered sufficient cause for disciplinary action, up to and including termination of employment. Members determined to be under the influence of alcohol or controlled substances may be subject to criminal prosecution if in violation of relevant State and Federal statutes.

1.750. Use/Abuse of Intoxicants on County Property

Except as otherwise approved by a member of the Sheriff's Executive Staff, no member shall drink alcoholic beverages on or adjacent to any county building, parking lot, or any other location logically associated with the Department.

1.752. Personal Associations and Fraternization

Members shall avoid continuing, voluntary and personal associations with persons whom they know, or should know, or have reason to believe are members or associates of criminal gangs, racketeers, sexual offenders, felons, persons under criminal investigation or indictment, except as necessary in the performance of official duties, familial relations, or incidental contact.

The term "felons," as used in this section, is defined as persons with felony convictions, or who have been incarcerated for a felony, within the previous 7 years.

Examples of personal associations addressed by this policy include:

- Engaging in a social, romantic, intimate or sexual relationship with any person described above.
- Engaging in a business or bartering relationship with any person described above.

Members shall not engage in associations or relationships as described above with any person who the member knows to be an involved party (i.e. victim, suspect, witness, informant) to

any active criminal investigation or litigation if that relationship could be reasonably foreseen to:

- Influence the outcome of a criminal case,
- Influence the outcome of a lawsuit involving the Department, or
- Reflect adversely on or bring discredit to the Department or the employee.

Members shall not use any information gained in the course of employment to further a personal association or relationship with any person.

This section is not intended to interfere with any previously-established family relationship involving the spouse, domestic partner as defined by California Family Code section 297, child, mother, father, brother, sister, mother-in-law, father-in-law, or any relative living with the member.

1.752.10 Personal Associations and Fraternization with Persons in Custody

Except as necessary in the performance of official duties, familial relations, or incidental contact; members of the Department shall not associate or fraternize with, engage the

services of, do favors for, or engage in a romantic, intimate, or sexual relationship with:

- Any person who has been booked by and is currently in the custody of the Department, any California law enforcement agency, or the federal government.
- Any person who is known by the member to have been released from a detention facility of any law enforcement agency within a period of 30 days.
- Family members, spouses, romantic companions, or close personal friends of any person who is known by the member to be currently in the custody of the Department.

This section is not intended to interfere with any previously-established family relationship involving the spouse, domestic partner as defined by California Family Code section 297, child, mother, father, brother, sister, mother-in-law, father-in-law, or any relative living with the member.

1.752.15 Notification of Booking of Relative

Members of the Department shall notify their immediate supervisor when any immediate family member (i.e. spouse, child, mother, father, brother, sister, mother-in-law, father-in-law, or any relative living with the member) has been booked into any San Bernardino County Sheriff's Department detention facility.

The notification information shall include the family member's name, relationship to the Department member, the booking facility, and the charge(s). Notification shall be made within 24 hours after the member learns of the booking.

Supervisors shall ensure that the division commander is notified as soon as practicable. Division commanders shall ensure that the Deputy Chief of the bureau is notified as soon as practicable.

1.752.20 Misuse of Official Position or Department Resource

No member shall use their official position or status within the Department; nor shall they use any Department resources; to obtain special treatment, consideration, or favors for relatives or friends booked by the Department or any state or federal law enforcement agency.

1.756. Sexual Harassment

It is the policy of the San Bernardino County Sheriff's Department to provide a work environment free from unwelcome sexual overtures, advances, and coercion. Members are expected to adhere to a standard of conduct that is respectful to all persons within the work environment. The Sheriff's Department shall not tolerate any form of sexual harassment, nor shall it tolerate any act of retaliation against any person filing a complaint of sexual harassment.

Sexual harassment is a violation of both federal and state law. Sexual harassment can cause physical, emotional, and economic problems for its victims. In addition to the anxiety these demands may cause, there may be an underlying message that the non-compliance shall lead to reprisals. The reprisals can include escalation of the harassment, poor work assignments, sabotaging work, unsatisfactory evaluations, threatened demotions, transfers, poor job references, slander, gossip, blackmail, and other forms of retribution.

Sexual harassment undermines the integrity of the employment relationship. Sexual harassment can result in economic loss to both the Sheriff's Department and the member, excessive absenteeism and turnover, loss of morale, polarization of staff, and a decrease in management credibility, and a decrease in productivity.

This policy applies to all members (men and women alike) and applies to all applicants for Sheriff's Department employment. It is the responsibility of Sheriff's Department members to adhere to and implement this policy. Failure to do so may result in disciplinary action, up to and including dismissal.

1.756.10 Sexual Harassment: Definition

Sexual harassment is defined as implicit or explicit coercive behavior used to control, influence, or affect the well-being of others including, but not limited to, such conduct which is unsolicited or unwelcome, sexual advances, request for sexual favors, and other verbal, physical, or visual conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment.
- Submission to or rejections of such conduct by an individual is used as the basis for employment decisions affecting such individual.
- Such conduct has the purpose of effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Types of sexual harassment include:

- VERBAL HARASSMENT: Unsolicited, derogatory comments, or slurs; continued requests for social or sexual contact after being advised such is unwelcome; or repeated sexual jokes or humor with sexual commentary about an individual's body, sexual prowess, or sexual deficiencies.
- PHYSICAL HARASSMENT: Physical assault, interference or contact, which impedes normal work movement when

directed at an individual, or unwelcome physical touching.
- VISUAL HARASSMENT: Derogatory posters, cartoons, or drawings, staring or leering.
- WRITTEN HARASSMENT**:** Suggestive or obscene letters, notes, or invitations.
- SEXUAL COERCION: Sexual advances which condition an employment benefit in exchange for sexual favors, or which may be perceived as such, or continuing to express sexual interest after being informed that the interest is unwelcome.

1.756.15 Sexual Harassment: Examples

The following are examples of behaviors which constitute sexual harassment.

When; as a result of member refusing to agree to, participate in, or further a sexual or romantic relationship; a co-worker, supervisor, business/professional associate, or other person generally associated with the workplace:

- Makes reprisals, threatens reprisal, or implies threats of reprisal against the employee;
- Implies or actually withholds support for an assignment, promotion, or change of assignment for the member;
- Suggests a poor work performance evaluation will be prepared for the member; or
- Suggests that the member will fail probation.

Additionally, the following behaviors also constitute sexual harassment:

- Engaging in implicit or explicitly coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another member.

- Offering favors of employment benefits, such as promotions, favorable work performance evaluations, favorable assigned duties or shifts, recommendations, reclassification, etc., in exchange for sexual favors.

1.756.20 Sexual Harassment: Member Rights and Responsibilities

There is no intent by this Department to regulate or control any relationship or social interactions of members which are freely entered into by both parties. It is the Department's philosophy that members must set an example of acceptable conduct by not participating in or provoking behavior that is offensive.

The following are suggestions for all members to help establish and maintain a professional and healthy working environment, while at the same time preventing sexual harassment from occurring.

- Make it absolutely clear that you are not interested in, or flattered by, uninvited sexual advance.
- If appropriate and/or you feel comfortable in doing so, warn the harasser that the particular behavior is offensive and unwelcome. Be specific in advising that person about what conduct is offensive and unwelcome. Make it clear that you shall take official action if it continues and document the incident thoroughly.
- If the harassing behavior continues or you are uncomfortable confronting the harasser, notify your immediate supervisor or any supervisor, including your commander, Deputy Chief, Office of the Sheriff, or the Internal Affairs Division. It is the member's responsibility to bring sexual harassment behavior to the attention of a supervisor to ensure proper follow-up action.

You need not follow the chain of command. You may directly contact the following:

- San Bernardino County Human Resources, Equal Employment Opportunity Commission, (909) 387-5582.
- California Department of Fair Employment and Housing (DFEH), (800) 884-1684.
- U.S. Equal Employment Opportunity Commission (EEOC), (800) 669-4000.

This Department shall take all steps to prevent any retaliation against the complaining party or witnesses supporting that individual, and when appropriate, discipline shall be imposed on any individual subjecting any party involved in the process to retaliation.

1.756.25 Sexual Harassment: Department Responsibilities

The Sheriff's Department recognizes its obligation to take immediate and appropriate action if an incident of sexual harassment occurs, and to avoid or minimize the impact of any incident of sexual harassment. The Sheriff's Department shall pursue all reasonable measures to ensure employees are not subjected to sexual harassment. Pursuant to these obligations, the Sheriff's Department shall do the following:

- Investigate any complaint of sexual harassment. The investigation shall be immediate, thorough, objective, and complete. The investigation shall be conducted in as confidential a manner as is compatible with a thorough investigation of the complaint, and as is consistent with the rights of employees under the Personnel Rules and state law.
- Fully inform any complaint of his rights and any obligations to secure those rights.
- If a complaint of sexual harassment is proven by an impartial investigation, prompt and appropriate remedial action shall be taken. An employee found to have

harassed another employee or applicant shall be subject to disciplinary action, up to and including dismissal. In addition, appropriate steps shall be taken to prevent any further harassment or retaliation, and action shall be taken to remedy the loss, if any.

- The Sheriff's Department shall disseminate this policy to all employees, and shall include this policy in all orientation packages for new employees.

1.756.30 Sexual Harassment: Supervisor's Responsibilities

Individual supervisors are responsible to report and/or handle sexual harassment incidents where the supervisor knows or should have known of the incident by nature of his supervisory position.

Whether the complaining party requests formal or informal actions, the supervisor must follow through, either by the formal complaint process or by verbally warning the accused harasser and documenting the admonishment.

The supervisor, as well as the Department, may be held civilly liable if swift corrective action is not taken. Any supervisor who fails to take corrective action can and shall be disciplined by the Department.

It is the responsibility of all supervisors to establish and maintain a working environment which is free from discriminatory intimidation, ridicule, and insult.

All Department supervisors, either safety or general, who become involved in a romantic or sexual relationship with a subordinate are encouraged to report such relationships to their commanding officer or any supervisor, including the supervisor's

commander, Deputy Chief, Office of the Sheriff, or the Internal Affairs Division.

The intent of this requirement is not to interfere or discourage the right of individuals to freely enter into relationships, but it is necessary modifications in scheduling work assignments, or other work conditions if necessary to avoid conflicts between the individuals and the work assignment.

The commanding officer shall insure that all direct supervision in such relationships is avoided and that any other necessary changes are made.

1.756.35 Sexual Harassment: Investigation Requirements

It is the supervisor's obligation to document all incidents, and action taken thereafter, involving the allegations of sexual harassment. All such incidents must be reported to the division commander by the supervisor. The commander shall review with the Deputy Chief whether an internal administrative investigation is required. An investigation may be conducted whether or not an involved party elects to pursue a complaint. This investigation shall be headed by the Internal Affairs Division.

If, based upon facts and circumstances presented, a decision is made to proceed, a full and complete investigation shall be conducted. The investigation shall be headed by the Internal Affairs Division. The investigation shall be conducted as quickly as possible and, based upon that report, a decision shall be made regarding whether disciplinary action is necessary.

Any and all rights which exist regarding confidentiality and/or privacy in these matters shall be protected to the fullest extent possible. The complainant's identity, however, shall be disclosed

if the investigation reveals the potential for formal disciplinary action or criminal prosecution.

Discipline, up to and including termination, may result from behavior found to constitute a violation of this policy.

Although it is the goal of this policy to identity and prevent sexual harassing behavior, if problems and/or concerns arise, the affected employee is urged to make use of the process set forth in the sexual harassment policy.

1.760. Electronic Recording of Roll Call Briefings

The electronic or magnetic recording by any person of any part of a roll call (daily briefing) is expressly prohibited, without the expressed advance consent and knowledge of the supervisor conducting the roll call. Members of this Department shall not electronically or magnetically record any words, actions, visual observation, or objects on view at a roll call without the expressed advance consent and knowledge of the supervisor conducting the roll call.

The unauthorized electronic or magnetic recording of any part of a roll call by a member of the Department may be cause for disciplinary action and criminal prosecution.

1.760.10 Electronic Recording of Another Member

Except as authorized by the Office of the Sheriff, when deemed necessary in the best interest of the Department, or within the course of an official department investigation, members of the Department shall not electronically or magnetically record any words, actions, or the visual appearance of another member of

this Department without the express advanced consent and knowledge of the person to be recorded.

"Electronically Recorded" means to use any electronic, electrical, or battery-powered audio, visual, or audio-visual device, machine, or instrument for the purpose of documenting and recalling words or images.

"Magnetically Recorded" means to use any magnetic tape, phonographic, digital, or other audio, visual, or audio-visual device, machine, or instrument for the purpose of documenting and recalling words or images.

The unauthorized electronic or magnetic recording by a member of this Department of another member of this Department may be cause for disciplinary action and criminal prosecution.

1.760.15 Electronic Recording of Incoming Calls

Except for designated general office and emergency telephone lines, Sheriff's Department members may electronically or magnetically record incoming business telephone calls at Sheriff's Department Headquarters or stations only with the express advanced consent of their commander unless the other party to the conversation expressly consents to electronic or magnetic recording of the conversation before any electronic or magnetic recording has occurred, which consent is repeated on the electronic or magnetic recording. No incoming telephone calls of a personnel nature shall be knowingly electronically or magnetically recorded.

Whenever a member of this Department promises confidentiality of the conversation to the placer of an incoming telephone call, the Department member shall not electronically or magnetically record the incoming telephone call at the Sheriff's Department Headquarters or station. The unauthorized

electronic or magnetic recording by a member of this Department of an incoming telephone call may be cause for disciplinary action and criminal prosecution.

1.760.20 Electronic Recording of Outgoing Calls

Outgoing business telephone calls placed at the Sheriff's Department Headquarters or a station by Sheriff's Department members shall not be electronically or magnetically recorded unless they either directly relate to the investigation of a crime, and no confidentiality has been promised to the recipient of the call; or the other party to the conversation has expressly consented to electronic or magnetic recording has occurred, which consent is repeated on the electronic or magnetic recording. No outgoing telephone calls of a personal nature shall be knowingly electronic or magnetically recorded.

The unauthorized electronic or magnetic recording by a member of this Department of an outgoing telephone call placed at the Sheriff s Department Headquarters or station may be cause for disciplinary action and criminal prosecution.

1.760.25 Recording/Distribution of Department Actions, Incidents, and/or Other Official Department Business

All recordings, videos, images, and/or documents obtained or generated by members while on-duty and/or during the course and scope of their employment, whether obtained or generated on Department-owned or personal equipment, belong to the Department, and are not for personal or private use, viewing or distribution.

No on-duty member shall record, generate, transfer, copy, or store video/image/audio files of any Department action, law enforcement incident, and/or any other official Department

business for any non-work related purpose without the express permission of the Office of the Sheriff.

No member shall post to a website, broadcast, or otherwise privately or publicly distribute or disseminate video/image/audio files of Department members, actions, incidents, and/or official Departmental work product without the express permission of the Office of the Sheriff.

1.802. Professional Standard of Service

All persons in the County have a common need for the protection which is afforded by fair and impartial law enforcement. As a person moves throughout the County, he must be able to expect a similar law enforcement response to his behavior, wherever it occurs. Where the law is not evenly enforced, there follows a reduction in respect for the law and a resistance to its enforcement.

In order to respond to varying law enforcement needs in the different parts of the County, the Department must have flexibility in deployment and methods of enforcement; however, enforcement policies should be formulated on a County-wide basis and applied uniformly in all areas.

Implicit in uniform enforcement of law is the element of evenhandedness in its application. The amount of force used or the method employed to secure compliance with the law or to make arrests is governed by the particular situation. Similar circumstances require similar treatment in all areas of the County and for all groups and individuals.

To ensure equal treatment in similar circumstances, a member must be alert to situations where, because of a language barrier, for some other reason he may be called upon to display

additional patience and understanding in dealing with what might otherwise appear to be a lack of respect.

The Department cannot be aware of each circumstance in the County where law enforcement assistance may be required. The Department is dependent upon members of the community for such information. The people in return, expect the Department to respond to requests for law enforcement service within a reasonable time and to satisfactorily perform the necessary service. A person calling for law enforcement assistance expects, as a matter of right, to be provided with a service. As a practical matter, the extent of the service may necessarily be limited; but, regardless of its extent, a professional quality of service must be rendered in all cases.

1.804. Receptive and Open Community Relations

The Department must be responsive to the needs and problems of the community. While the Department's task is governed by the law, the policies formulated to guide the enforcement of the law must include consideration of the public will. This responsiveness must be manifested at all levels of the Department by a willingness to listen and by a genuine concern for the problems of individuals or groups. The total needs of the communities must become an integral part of the programs designed to carry out the mission of the Department.

To promote understanding and cooperation there must be communication between members of the community and members at all levels of the Department. Each member must be aware of the law enforcement needs of the County and their particular assigned area of responsibility. Guided by policy, a member must tailor their performance to attain the objectives of the Department and to solve the specific crime problems in the area they serve. The Department must provide for programs to encourage productive dialogue with the public at all levels and to ensure that the unity of the Department and the people is preserved.

1.806. Dignity of the Individual

Recognition of individual dignity is vital in a free system of law. Just as all persons are subject to the law, all persons have a right to dignified treatment under the law, and the protection of this right is a duty which is as binding on the Department as any other.

A member must treat a person with as much respect as that person shall allow, and he must be constantly mindful that the people with whom he is dealing are individuals with human emotions and needs. Such conduct is not a duty imposed in

addition to a member's primary responsibilities, it is inherent in them.

1.807. Role of the Department Member

Community relations are manifested in their most common form in the numerous daily encounters between individual members and citizens. It is where the greatest burden for strengthening community relations is laid.

In dealing with people, each member must attempt to make their contact one which inspires respect for themselves as an individual and professional and one which generates the cooperation and approval of the public. While entitled to their personal beliefs, a member cannot allow their individual feelings or prejudices to be subconsciously manifested. It is incumbent upon them to strive for the elimination of attitudes which might impair their impartiality and effectiveness.

1.808. Community Affairs

Community relations are based upon the principle that, in a democratic society, law enforcement is an integral and indivisible element of the public they serve. Community relations are manifested by positive interaction between the people and their law enforcement agency and represent their unity and common purpose.

A system of law enforcement is not superimposed upon an unwilling public in a free society; the law is created by the people themselves to control the behavior of those who would seek to interfere with the community welfare and existence.

While the primary responsibility for the enforcement of the law lies with the people, the complexities of modern society and the inability of the people to personally cope with crime has required that they create the law enforcement service to assist in maintaining social order. The Sheriff's Department represents only a portion of the total resources expended by the public to this end; however, this effort, frequently being restrictive of individual freedom, brings law enforcement into contact with members of the public under circumstances which have a far-reaching impact upon the lives of the affected individuals. A citizen's encounter with law enforcement can be a frightening and emotionally painful experience. The minimization of this risk is a challenge inherent to each public contact by the Department.

The Department must strive for the establishment of a climate where a Department member may perform their duties with the acceptance, understanding, and approval of the public. Additionally, the willing and practiced participation of the people in enforcing the law is essential for the preservation of freedom.

1.808.10 Commander Liaison with the Community

Commanding officers have a responsibility to maintain professional and community contacts as they relate to their command. As a representative of the Department, commanding officers must take an active role in the community of their command, and participate in identifying, and providing for its law enforcement needs.

1.808.15 Providing Accurate Information to the Public

Law enforcement in a free society must not be shrouded in secrecy. It is necessary that there be full public disclosure of policies and an openness in matters of public interest. Consistent with protection of the legal rights of involved individuals and with consideration of the necessity for maintaining the confidentiality of Department records and of other primary Department responsibilities, the Department is to disseminate accurate and factual accounts of occurrences of public interest. Additionally, the Department must strive to make known and accepted, its objectives and policies.

1.808.20 Community Outreach and Education

The Department conducts various public information and crime prevention programs to educate the public and to eliminate specific crime problems. In addition, the Department cooperates in developing new programs in those areas where the relationship between any group, or the public as a whole, and the Department may be improved. In so doing, the probability of crimes being committed may be reduced and the effectiveness of the Department enhanced.

1.808.25 Public Tours of Department Facilities

Seldom do people have an occasion to enter a Sheriff's station or witness activities which support line operations. To acquaint

the public with the law enforcement task, the Department encourages the use of "open house" and upon request, conducts tours of Sheriff's facilities. The scope of such tours shall be dependent upon security requirements and personnel availability.

1.808.30 Requests for Department Information

The public has an abiding interest in law enforcement and in the activities of the Department. The news media and members of the public frequently direct inquiries to the Department seeking information on a variety of subjects. While it is in the aim of the Department to fulfill such requests, it is not always possible to do so. Whether or not to release information or to grant interviews shall be determined according to the facts of each case.

Any request for an interview or information by a nationally syndicated television program shall be referred to the Public Affairs Division, Media Liaison Unit for review.

1.810. Surveys Conducted by Outside Agencies

The San Bernardino County Sheriff's Department recognizes the value of surveys and research projects which may bring new insights into law enforcement and advance knowledge in this field. It is this Department's policy to be open and objective when offered an opportunity to participate in such efforts. However, the costs involved in such a project must be justified by the benefits which are expected to be derived. Any decision pertaining to the participation in such a project must be made in light of the necessity to operate the Department in an economical manner.

1.812. Commitment to Community Relations Training

The selection process for deputy sheriffs is designed to choose the most qualified and to eliminate those who are physically, emotionally, mentally, or socially unfit. Those selected, however, are representative of the community at large and as such are subject to having the same prejudices and biases found in much of society. Exposure to crime and its aftermath can tend to harden and render insensitive a Department Safety member whose sympathetic understanding is needed to properly perform their duties. The Department must provide initial and continuing training in human and community relations to help members avoid this hardening of attitude and to instill in each member an understanding of their total role in the community.

1.814. Contacts with Religious Leaders and Groups

Constitutional guarantees of religious freedom have traditionally been viewed as giving a unique status to houses of worship. Religious leaders, bishops, ministers, pastors, priests, rabbis, and others designated as leaders of congregations are revered as keepers of religious discipline, teachers, counselors, and symbols of religious faith. Because of this, law enforcement action should be consistent with the special esteem in which houses of worship and religious leaders are held. Nevertheless, if circumstances require law enforcement action, it should be noted that a house of worship it not a sanctuary to be used to harbor law violators.

1.816. The Official Department Website

The official World-Wide Web site of the San Bernardino County Sheriff's Department is maintained and managed by the Technical Services Division. It is the only site authorized for use by Department personnel. Unauthorized use of the Sheriff's Department's logo or name on the World-Wide Web is strictly prohibited. Divisions wishing to create their own Web page must coordinate their effort with the Technical Services Division. The Web page thus created may only be incorporated into the

Department's site. Web pages are subject to audit by the Technical Services Division.

1.818. Department Ride-Along Program

The Department encourages interested citizens to familiarize themselves with its facilities, equipment, and operations. In support of this goal the Department has established a Ride-Along Program, to give the public an opportunity to ride as observers on patrol.

Citizens may request to participate in the Department's Ride-Along Program by submitting a completed application/waiver form to the selected division at least 5 days prior to the requested ride-along date.

Generally, requests for "Ride-Alongs" shall be granted only within the jurisdiction nearest to the applicant's place of residence. Division commanders are encouraged to approve requests for "Ride-Alongs" if the participant meets the criteria set forth in subsequent policy sections, unless such approval would hinder law enforcement operations.

1.818.10 Ride-Along Program: Approval Process

The division receiving the Ride-Along application/waiver shall check the applicant's criminal background by accessing available criminal databases (NCIC, CLETS, JIMS, RMS, DMV, etc.). The applicant's name shall also be queried through the Tiburon "Special Flags" section to determine the extent to which the applicant has participated in the program in the past. The division commander or his designee shall review the application and supporting documentation, and determine whether to approve or deny the request. In no case shall the commander's designee be below the rank of sergeant. The division commander or his designee shall, upon approval of the ride-along application, schedule the ride-along with the applicant.

He shall enter, or cause to be entered, the ride-along application information into the "Special Flags" section of the Tiburon database.

At the time of the scheduled Ride-Along, prior to allowing the participant to go into the field, the shift watch commander shall review the application packet to ensure it has been properly completed, the background check has been completed, the application has been approved, and entry has been made into the "Special Flags" system. The shift watch commander shall also ensure that the ride-along time is documented in the shift log, and the paperwork is properly stored in division files.

Generally, an applicant's participation in the Ride-Along Program shall be limited to three times per year (Department-wide). A division commander may approve additional ride-alongs at his discretion.

All requests from the media to participate in the Ride-Along Program shall be forwarded to the Public Affairs Division.

1.818.15 Ride-Along Program: Criteria for Participation

Ride-along participants are required to comply with the following criteria:

The minimum age for Ride-Along participants is 15 years of age. Applicants younger than the age of 18 must have the application/waiver form signed by a parent or guardian. This signature must be witnessed by a member of this Department.

Persons under the age of 18 years of age shall not be assigned for patrol car rides after 2300 hours.

Ride-Along participants are required to wear attire that is neat and clean in appearance.

- Collared shirts with long pants/slacks are required.
- No open-toed shoes or sandals are allowed.
- No article of clothing containing a slogan, or extensive artwork/graphics is allowed.
- No article of clothing depicting a Sheriff's star/badge, Department logo, or wording that would associate the rider as a member of the Department is allowed.

Citizens participating in the ride along program are strictly prohibited from carrying firearms regardless of whether they possess a concealed weapons permit.

Ride-Along participants shall be issued a pin-on plastic badge on which the words "CITIZEN OBSERVER" are printed in large letters. The badge shall be worn in view on the outer garment for the duration of the entire ride-along.

1.818.20 Ride-Along Program: Responsibility of Involved Personnel

The responsibilities of Department personnel with regards to Ride-Alongs are as follows:

- The participant's safety is always the primary concern.
- The dispatcher shall use discretion in assigning "hot" calls, obviously involving danger, to the patrol unit containing a Ride-Along participant.
- The deputy shall return the ride-along participant to the station if he becomes a hindrance to the performance of the officer's duties.
- If in the judgment of the host deputy, he is entering into a situation of unusual or heightened danger, he may leave the Ride-Along participant in a safe place until completing the call for service. (Experience has shown that in many areas it is advisable to keep participants with the patrol car, as their safety can be better ensured with the deputy than without him).
- The participant should be permitted to observe as much activity as possible and should not be restricted to the confines of the vehicle, unless the deputy feels that there will likely be some danger, or that the participant may interfere with the investigation.

The host deputy shall advise the participant of the following rules:

- The participant shall not become involved in any investigation by handling evidence, carrying on discussions with victims, suspects, witnesses, etc., or by handling law enforcement equipment.
- The participant shall follow the directions of the deputy.
- The participant may indicate at any time that he desires to be returned to the station and to cease further participation in the Ride-Along Program. The deputy shall comply with this request as soon as practicable.
- During the ride-along experience, a participant shall not be allowed to enter any private residence without the

prior express consent of the occupant in lawful possession of the premises.

Deputies participating in this program shall respond to calls in a safe manner and while enroute shall generally brief the observer about information he is receiving on the law enforcement radio, MDC, etc.

1.818.25 Ride-Along Program: Transportation and Booking of Prisoners

Ride-Along participants may accompany the deputy during the transportation and booking process only if, in the deputy's opinion, it would not constitute an undue hazard to the participant, adversely impact public safety, or interfere with the investigation.

Conditions that may constitute an undue hazard to the participant include:

- An aggressive/combative arrestee.
- An uncooperative arrestee, under the influence of alcohol or a controlled substance.
- A crowded intake area, with multiple arrestees present.

The deputy shall ensure that the ride-along participant is safely separated from any arrestee, either by physical barrier (the dividing screen inside the patrol vehicle, etc.), and/or by ample distance.

Generally, the ride-along participant shall only be allowed in the intake/booking area, and shall not go further into the detention facility.

1.818.30 Ride-Along Program: Citizen Volunteers

Citizen Volunteers in good standing may participate in "Ride-Alongs" at their assigned divisions without completing the application process, and may participate with such regularity and/or frequency as determined by the watch commander to be reasonable and appropriate.

Citizen Volunteers in good standing may also participate in "Ride-Alongs" at divisions other than the one to which they are assigned, without completing the application process. However, they must obtain permission from both their division commander/designee and the commander/designee of the other division prior to participation in the "Ride-Along."

1.820. Cooperation with Official Oversight Groups

The Grand Jury is a body of citizens of the County sworn to inquire of public offenses committed or triable within the County.

Since the Grand Jury is an investigative body of the County, this Department declares an "open door" policy to any member of the Grand Jury who is interested in seeing how law enforcement works. Should any members of the Grand Jury identify themselves to any member of the Department, all consideration possible shall be made to honor their request.

1.822. Undocumented Immigrants

Undocumented immigrant status in itself is not a matter for law enforcement action. It is, therefore, incumbent upon all members of this Department to make a personal commitment to equal enforcement of the law and service to the public regardless of immigration status. In addition, the Department shall provide special assistance to persons, groups, communities, and businesses who, by the nature of the crimes being committed upon them, require individualized services. Since undocumented immigrants, because of their

status, are often more vulnerable to victimization, crime prevention assistance shall be offered to assist them in safeguarding their property and to lessen their potential to be crime victims.

Law enforcement service shall be readily available to all persons, including the undocumented immigrant, to ensure a safe and tranquil environment. Participation and involvement of the undocumented immigrant community in law enforcement activities shall increase the Department's ability to protect and to serve the entire community.

1.822.10 Enforcement of US Immigration Laws

The Department shall not place peace officers under the supervision of federal agencies for purposes of immigration enforcement.

Members shall not investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes. Members shall not do any of the following for immigration enforcement purposes:

6. Inquire into an individual's immigration status.
7. Detain an individual on the basis of an ICE hold request.
8. Provide personal information about an individual to federal immigration authorities, including, but not limited

to, the individual's home address or work address unless that information is available to the public.

9. Make or intentionally participate in arrests based on civil immigration warrants.
10. Book persons for violations of Title 18, Section 1325 of the United States Immigration Code (Illegal Entry).

Members shall not use immigration authorities as interpreters for law enforcement matters relating to individuals in department custody.

1.822.20 U Visa Certification Policy

The U-Visa is a non-immigrant classification created by Congress with the passage of the *Victims of Trafficking and Violence Protection Act* (including the Battered Immigrant Women's Protection Act in 2000). In September 2007, the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) published U-Visa guidelines that grant up to four years of temporary immigration benefits to non-citizen victims of certain crimes who:

- Assist law enforcement in the investigation or prosecution of a qualifying crime.
- Possess information about a qualifying crime.
- Who have suffered substantial physical or mental abuse as a result of the qualifying crime.

Specified qualifying crimes include, but are not limited to:

Abduction	Abusive Sexual Contact	Being Held Hostage
Blackmail	Domestic Violence	Extortion
False Imprisonment	Felonious Assault	Female Genital Mutilation
Incest	Involuntary Servitude	Kidnapping

Manslaughter	Murder	Obstruction of Justice
Peonage (holding persons in servitude or partial slavery to work off a debt or to serve a penal sentence)		
Perjury	Prostitution	Rape
Sexual Assault	Sexual Exploitation	Slave Trade
Torture	Trafficking	Unlawful Criminal Restraint
Witness Tampering		

A "qualifying crime" also includes criminal offenses for which the nature and elements of the offenses are substantially similar to the criminal activity listed above and the attempt, conspiracy, or solicitation to commit any of those offenses.

The U - Visa application process requires that the USCIS I-918 Supplement B form (application) be certified by the law enforcement agency handling the investigation or the District Attorney's Office prosecuting the case. The San Bernardino County Sheriff's Department qualifies as a certifying agency. Signing the application does not automatically grant the victim U - Visa status. A background check and investigation by USCIS will be completed prior to their approval of the immigrant's application. The certifying agency shall comply with the 90-day timeline, unless the noncitizen is in removal proceedings, in which case the certification is required to be processed within 14 days of request.

For further reference refer to DHS publication "U - Visa Law Enforcement Certification Resources Guide" and DHS publication "Protecting the Homeland – Tool Kit for Prosecutors"

PROCEDURES

All U-Visa applications received shall be forwarded to the Records Unit. The Records Unit U-Visa Supervisor will log and track all applications. All applicants with cases that have been

referred to the District Attorney for review or prosecution shall be forwarded to the District Attorney's Office for processing. All open investigations will be forwarded to the Information Services Division Commander for review and endorsement consideration.

The Records Unit U-Visa Program Supervisor shall attach a tracking form with the application, which shall follow the application through the consideration process and shall be completed by reviewing personnel as indicated on the form.

The Information Services Division Commander shall review the application and shall provide the certification if:

1) The applicant was a victim of a qualifying crime, and 2) the applicant has not refused or failed to provide information and assistance reasonably requested by law enforcement.

The application shall only be signed by the Information Services Division Commander who is designated by the Sheriff to endorse the I-918 form. If the designee of the Sheriff is not available for an extended period, the Sheriff may designate an alternate member of his staff to review the U-Visa applications until such time the Information Services Division Commander is available.

Once the application is endorsed/not endorsed, it shall be returned to the Records Unit U-Visa Supervisor, who shall then notify the applicant.

The I-918 application is submitted to USCIS by the applicant. If at any time, after the application is endorsed, the applicant becomes uncooperative, the investigating personnel on the case shall notify the Information Services Division Commander, who will inform USCIS of the change in status.

An appeal received for previously non-endorsed I-918 application shall be forward to the Personnel Services/Information Services Bureau Deputy Chief for review. Upon determination, the appeal shall be forwarded to the Records Unit U-Visa Supervisor for processing and notification to the applicant.

Care should be taken to carefully examine applications for instances of misinformation, false reports of crime or other indications the application and/or underlying crime may be fraudulent. Applications are often completed by legal representatives and submitted by mail to multiple divisions simultaneously. Immediate forwarding of an application to the Records Unit for tracking is essential in minimizing duplication of effort.

Hand delivered applications shall be reviewed for completeness and contact information before accepting and forwarding to the Records Unit.

1.824. Requirements for Consular Notification

The arresting or detaining Department member shall make all reasonable efforts to ascertain the true country of origin of the arrestee or detainee. The arresting or detaining member shall advise the arrestee or detainee of his rights to notification and access to the local consular office. The advisement and completion of the Consular Notification forms shall occur without delay, but no later than at the time of booking or admittance into a mental health facility.

If a foreign national dies while in the custody of the Sheriff, the consulate shall be notified as soon as possible. Generally, consular notification shall be made by the Coroner's Office once the Homicide Detail has approved the release of information.

1.824.10 Consular Premises and Property

Department members shall not enter those parts of consular premises which are exclusively for the work of the consular post without the express consent of the head of the consular post or his designee. Consent may be assumed in the case of fire or other disaster requiring prompt action.

Department members shall take all appropriate steps to protect the consular's premises against any disturbance of the peace of the consular post or impairment of its dignity. No arrest or other probable cause is necessary to remove unwanted persons from consular premises upon request of a consular officer.

Consular archives, files, and documents, including official mail, are immune from local jurisdiction at all times wherever they may be. The consular mailbag shall not be opened or detained. The consular courier is immune from any form of arrest or detention during the performance of their duty.

1.824.15 Relations with Foreign Diplomatic Personnel

Department members shall treat foreign diplomatic and consular personnel with respect and with due regard for the privileges and immunities to which they are entitled under international law. However, in circumstances in which public safety is in jeopardy or it is apparent that a serious crime may otherwise be committed, Department members shall take action to the extent necessary to ensure public safety and halt or prevent criminal activity.

1.824.20 Categories of Foreign Diplomatic Personnel

Diplomatic missions are traditionally the principal communication link between the country which sends them and the host country. The staffs of diplomatic missions

(embassies) are afforded the highest level of privileges and immunities.

It is recognized that there are different categories of persons within each diplomatic mission, some of whom must be accorded greater protection than others.

DIPLOMATIC AGENT. Diplomatic agent is the term assigned to ambassadors and the other diplomatic officers who generally have the function of dealing directly with the host country officials. This category enjoys the highest degree of immunity.

- Privileges and Immunities:
    - May not be arrested or detained.
    - Property or residence may not be entered or searched.
    - Complete immunity from the obligation to provide evidence as witnesses.
    - Complete immunity from criminal prosecution no matter how serious the offense.
    - May be issued a traffic citation.
    - Family members have the same privileges and immunities as do the sponsoring diplomatic agent.

MEMBERS OF ADMINISTRATIVE AND TECHNICAL STAFF. Members of the administrative and technical staff of a diplomatic mission perform tasks critical to the inner workings of the embassy. They perform sophisticated and often sensitive duties but serve primarily in support of the activities of diplomatic agents. This category includes secretaries, certain clerical personnel, office managers, and certain security personnel.

- Privileges and Immunities:
    - Same privileges and immunities as diplomatic agents except in matters involving civil jurisdiction.

CONSULAR OFFICER IMMUNITY. A consular officer is any person entrusted by a foreign government and approved by the United States to exercise consular functions to this country.

- They perform a variety of functions of principal interest to their country (e.g., issuance of travel documents, attending to the difficulties of their own countrymen who are present in the host country, and generally promoting the commerce of their country.)

CAREER CONSULAR OFFICERS. Career Consular Officers, generally speaking, are those members of the consular post who are recognized by both the sending and the host country as fully authorized to perform the broad array of formal consular functions.

- Privileges and Immunities:
    - May be arrested or detained for a felony and pursuant to a warrant.
    - Residence may be entered subject to ordinary procedures.
    - Complete immunity from the obligation to provide evidence as witnesses involving their official duties.
    - May be prosecuted if the criminal act is outside the scope of the individual's official duties.
    - May be issued a traffic citation.
    - Family members have no immunities or inviolability.

HONORARY CONSULAR OFFICERS. Honorary Consular Officers are generally part-time employees of the sending country who provide a degree of consular representation in places not covered by Career Consular Officers.

- Privileges and Immunities:

- Personal inviolability only in connection with official acts. Arrest not limited to felonies and does not require a warrant.
- Residence may be entered subject to ordinary procedures.
- Immunity from obligation to provide evidence as witnesses only in respect to official acts.
- May be prosecuted if the criminal act is outside the scope of the individual's official duties.
- May be issued a traffic citation.
- Family members have no immunity or inviolability.

CONSULAR EMPLOYEES. Consular employees perform the administrative and technical services of the consular post. They have no personal inviolability, only official acts immunity. Their family members have no immunity or inviolability.

1.824.25 Misdemeanors Involving Consular Officers

Misdemeanor violations should be handled, when possible, through the seeking of a complaint. Obtain the necessary report(s) information from the official and then release him. Career consular officers stopped while driving under the influence should not be permitted to continue driving. The Department member shall immediately obtain the assistance of a supervisor who shall assess the situation and determine the appropriate action to be taken. The consular officer shall not be handcuffed, subjected to a field sobriety test, or restrained in any way. When practicable, the supervisor shall assist the consular officer in his efforts to secure an alternate means of transportation (e.g., request a cab; contact a responsible party; or when reasonable, transport the consular officer to a location of his choice).

Even if the career consular officer is uncooperative or belligerent, he may not be detained or placed in protective custody. Unless he has committed a felony that is a danger to the public safety, he must be permitted to leave.

1.826. Requests for Asylum

When a foreign national contacts a member of this Department and requests asylum, he shall normally be directed to contact the United States Department of Immigration and Naturalization (INS). However, if the situation is aggravated, or may become aggravated, the Department member shall:

- Ensure that the person requesting asylum is provided the rights, privileges, and protection to which he is entitled to under the law.
    - Under aggravated circumstances Department safety members may use the force necessary to protect the rights of persons requesting asylum and to ensure their safety.

- Immediately obtain assistance of a supervisor.

A supervisor who has been notified of an aggravated incident involving a request for asylum by a foreign national shall:

1. Cause the United States Department of Immigration and Naturalization to be notified as soon as practicable and be guided by their service.

1.828. The Role of the Media in Society

A well-informed public is essential to the existence of a democratic nation. For it to be effective, the public must be aware of current events, and the state of the government. A free press serves the public by providing information, stimulating thought, and providing a medium for expression. The adverse effects of crime in our society should be of public concern.

1.828.10 News Media and Release of Information

The Department strives to maintain cooperative communication with the news media and the public. When an incident stimulates public concern or interest, a public information officer (PIO) will assume responsibility for the release of official Department information.

Media members may request to review Department calls for service logs, or information on law enforcement incidents. The release of information generally shall be made by a PIO or his designee, on a case-by-case basis. Generally, details of the incident will only be released if the information is not legally protected, or, does not interfere with the suspect's rights or an active investigation.

If immediate reporting of an incident could interfere with an active investigation, or places a victim, suspect, or others in

jeopardy, Department members could request media members to delay the release of immediate news content.

Department members shall not distribute press releases, photos, video, or content in any form directly to any news media outlets.
Official Department booking photographs shall be released only by the Public Affairs Division, and may be released to:

- Aid in the capture of fugitives;
- Aid in the identification of victims or suspects;
- Inform the public of potential safety issues or matters of public concern.

1.828.20 Press Releases

The Public Affairs Division is responsible for approving and posting press releases on the Department's website and social media accounts. Station or division watch commanders shall, prior to emailing press releases to Public Affairs, review them to ensure they are complete, accurate, and otherwise compliant with Department policy. Department personnel shall not distribute press releases directly to news media outlets or members of the public.

The Coroner Division shall be responsible for approving and posting Coroner press releases.

Department personnel shall not release:

- Photos, video, or content in any form directly to any news media outlets;
- Suspect or victim statements, confessions, or admissions;
- Suspect's prior criminal history, unless the suspect is out on bail for a similar crime, or on Post Release Community Supervision (PRCS);
- Any information which could jeopardize an ongoing investigation;

- Juvenile names(s), except as allowed by law.

Press releases shall include the following:

- Time and date of occurrence;
- Types of crime or incident;
- Location of occurrence (street block, city);
- Suspect(s) information. Generally: name(s), sex, race, age, and city of residence for adult suspect(s);
- Victim(s) information: Name(s), sex, race, age, and city of residence, when not restricted by law.

Name(s) shall not be released when:

- The victim(s) is deceased and next of kin notification has not been made;
- The release could interfere with an ongoing investigation or compromise the safety of the victim(s);
- A deputy is the victim, except with the approval from the Office of the Sheriff;
- The person is a victim of a sex-related offense, elder abuse, child abuse, or spousal abuse.

Summary:

- Provide a detailed summary of the incident or crime, prepared in the Department's press release template.

Refer:

- Provide the name of the case agent or person familiar with the investigation.
- Provide the station/case agent contact information and case number associated with the investigation or incident.

Official Department booking photographs shall only be released by the Public Affairs Division, and may be released to:

- Aid in the capture of fugitives;
- Aid in the identification of victims or suspects;
- Inform the public of potential safety issues or matters of public concern.

1.828.30 Media Access at Crime Scenes and Natural Disasters

News media passes shall not be issued by the Department.

News media members have a constitutional right to report the news by obtaining information, photographs, and video at newsworthy incidents. Department personnel should not unnecessarily obstruct a news media member in the performance of his duties. However, media members are not necessarily exempt from municipal, state, or federal laws. Duly authorized media members may enter any area open to the public to report on any incident to keep the public informed.

Department members shall allow media access, unless the area has been declared a crime scene. Although a media member may be permitted near a crime scene or serious law enforcement incident, they do not have the authority to be inside a crime scene, an area secured to preserve evidence, or any location where their presence jeopardizes law enforcement operations.

In the event of a natural disaster, Department members shall advise media members of the dangers of entering the area but shall not restrict access. News media members assume all risk of danger when they enter a natural disaster area to report on an incident. The Department is not liable to provide additional safety for news media members who voluntarily subject themselves to danger.

News media members may photograph, record, and report any incident. The Department does not censor nor, shall it interfere with any media members in the performance of their duties.

1.828.40 Social Media, Electronic and Web-based Communications

The Department values the use of technology, social media, and web-based communications to enhance communication, collaboration, information exchange, and foster productivity with the community.

The Department will use technology and social media to assist with community outreach, problem-solving, investigations, crime prevention, and the dissemination of information.

For purposes of this section, the following definitions apply:

Social media: Internet-based platform(s) or application(s) designed to create and share user-generated content, and communicate with other users. Examples of social media platforms and application include, but are not limited to, social networking sites, microblogging sites, photo- and video-sharing sites, wikis, blogs, and news sites.

Electronic and web-based communications: Channels used to disseminate information electronically or digitally.

1.828.50 Official Department Social Media and Web-Based Communication Accounts

Social media, electronic, and web-based communications are valuable platforms for the distribution of news and information to the media and public. The Department encourages the use of social media and web-based communication as long as the release of information does not violate Department policy and the information is not legally protected.

The Department has an obligation to preserve its reputation, image, and credibility; therefore, Department members shall be

responsible for information they post on social media and web-based accounts.

Only authorized Department members with approval of their station commander and the Public Affairs Division shall be given permission to use an official Department social media account and granted access to post information on behalf of the Department. Department members shall not post on an official Department social media account, unless they have been authorized to do so.

The following guidelines are for the use of official social media accounts:

Facebook:

- Accounts shall be used only as official station or division page accounts.
- Accounts shall be public, and not require permission from the user to follow the account.
- Only professional Department-related images or logos shall be used as account profile pictures.
- Accounts must include the station name, address, phone numbers, and hours of operation.
- Accounts shall include a comment disclaimer policy.
- Accounts shall include a link to the Department's website.

Twitter:

- Accounts shall be used only as an official station, division, or individual Department account.
- Accounts shall be public, and not require permission from the user to follow the account.
- Station account profile pictures shall include professional Department-related image or logo.
- Individual Department account shall include a photograph of the safety employee in Class A uniform, or a professional staff employee in business attire.

- Accounts shall begin with @SBCSD, followed by the employee's first initial and last name (ie. @SBCSDjdoe).
- Accounts shall include the employee's complete name, title/rank, current assignment.
- Accounts shall include a link to the Department's official website.

The Public Affairs Division shall maintain updated records of all active social media accounts.

Official Department booking photographs shall be released only by the Public Affairs Division, and may be released to:

- Aid in the capture of fugitives;
- Aid in the identification of victims or suspects;
- Inform the public of potential safety issues or matters of public concern.

1.828.60 Personal Social Media Accounts

The Department has an obligation to preserve its reputation, image, and credibility. Therefore, Department members shall be responsible for information they post on social media and web-based accounts. Members shall not use a personal social media account in any manner that reasonably may be foreseen to be detrimental to the Department or its operations, or to be a danger or threat to its members. Any members who choose to participate in social media or social networking platforms shall conduct themselves in a manner that will not negatively reflect the image, credibility, and mission of the Department.

Users are cautioned to refrain from listing the San Bernardino County Sheriff's Department as their employer, identifying themselves as a Department member, or posting any Department-affiliated content on a personal account. Doing so could create a nexus between such accounts and their

employment and may cause the accounts to be subject to discovery in court.

Personal accounts shall not contain:

- Subject matter which may discredit members or the Department;
- Images or statements glorifying or promoting violence;
- Operational methods, procedures, tactics, training, equipment, organization, or staffing levels;
- Information or opinions regarding a departmental administrative or criminal investigation, arrest, or law enforcement action;
- Information the member has been restricted from divulging by an administrative order of confidentiality;
- Information or opinions regarding a department investigation, prosecution or trial;
- Comments that may be interpreted as being critical of other law enforcement professionals, agencies, or members of the judiciary;
- The address, telephone number(s), or other personal information of any Department member without their consent;
- Sexually graphic or explicit material of any kind.

1.840. Release of Computer Call Logs, Printouts, etc.

If a request is made from the members of the news media to review station logs, the following procedures shall be followed:

- A copy of the line item CAD log shall be made available to authorized members of the news media (an authorized member of the media should possess a valid law enforcement press pass).
- After review of the line item log, the media representative may request a more detailed summary of a particular line item occurrence or incident. The Public Information Officer or designated Department representative shall then

retrieve a more detailed printout of the requested log item incident.

- Prior to providing the detailed printout to the news media representative, the detailed log shall be reviewed by a ranking member of the Department (watch commander).
- Any information that may jeopardize an investigation of the safety of an individual or group, shall not be released. As a general rule, any information as it relates to juveniles shall also be omitted from the reviewable log. Refer to section 1/420.50 of the Policy Manual as it relates to victims of violent crimes and the names and addresses of Department employees.
- Both the line item log and the detailed logs are the property of the San Bernardino County Sheriff's Department and shall not be removed from the station or division. After review, the logs are to be returned to the Public Information Officer or authorized Department representative.
- It shall be the responsibility of each station/division commander to see that this policy is implemented and followed. Assistance with implementation can be provided by the Media Liaison Unit of Public Affairs Division.

1.842. Commercial Video and Print Projects, etc.

All requests to utilize Sheriff's Department members, resources, or facilities for commercial or motion picture film or video production must be approved by the Office of the Sheriff. All such requests shall be forwarded to the Media Liaison Unit of the Public Affairs Division for processing.

Requests for Department cooperation in the preparation of articles or programs for newspapers, magazines, broadcasts, or other publications shall be individually considered by the Office of the Sheriff. If approved, permission for the interview of Department members and the photographing of Sheriff's facilities shall be limited to the scope of approval. Department members participating in the preparation of such articles should ascertain the scope of approval and should be cautions not to exceed those limits. Department members should exercise care and discretion to not make statements or convey information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the law enforcement mission.

1.844. Media Use of Department Equipment, Facilities, etc.

Normally, the Department shall not grant permission for its equipment or the interior of its facilities to be used for television, motion pictures, or other entertainment productions. However, when coverage is required for recording interviews, news documentaries, news releases, or events of an unusual nature, representatives from the news media may be allowed to use their equipment inside Sheriff's facilities.

1.846. Hate Crimes

- PURPOSE - The San Bernardino County Sheriff's Department recognizes that bias motivated (hate) crimes are a threat to the welfare of the community. Prompt investigations assure our

community that these types of crimes will not be tolerated.

- POLICY - It is the San Bernardino County Sheriff's Department's policy that any act of violence based either on real or perceived bias against anyone shall be taken seriously. All rights guaranteed by the United States Constitution and state laws are protected for all people, regardless of their race/color, ethnicity, nationality, ancestry, religion, sexual orientation, gender, or disability.

When those rights are violated or infringed upon by violence or threats of violence, the Department shall ensure this is investigated on a priority basis. In preparation for prosecution, the Department shall use every necessary legal resource to identify the suspect(s).

- DEFINITIONS:
  - Hate Crime. A hate crime is any criminal act or attempted act of intimidation, harassment, physical force, or the threat of physical force directed against any person(s), public agency, community organization or private institution based on the victim's actual or perceived race/color, ethnicity, nationality, ancestry, religion, sexual orientation, gender, or disability. A hate crime includes an act, which results in an injury, however so slight; a verbal threat of violence which apparently can be carried out; an act which results in property damage; and property damage or other criminal act(s) directed against a public or private agency or person.
    NOTE: The victim does not have to be an actual member of a protected group to establish that a hate incident or crime has occurred; it is based upon the perception of the suspect(s).

- Hate Incident. A hate/bias incident is any non-criminal act including words directed against a person based on the person's actual or perceived race/color, ethnicity, nationality, ancestry, religion, sexual orientation, gender, or disability. Hate/bias incidents include, but are not limited to, the following:
- Epithets.
- Distribution of hate material in public places.
- Posting of hate material that does not result in property damage.
- The display of offensive material on one's own property in public view.

1.848. Labor Disputes

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the Department to deal with the issues involved; rather it is the role of the Department to protect the rights of the public and the disputants by enforcing the law and order.

Strikes and mass or circular picketing are not, in themselves, violations of the law. It is the illegal acts which sometimes arise from such activities which are the concern of law enforcement. The effectiveness of the Department in labor disputes is maintained by its remaining at all times impartial regarding the parties and issues involved and by taking appropriate action whenever criminal violations are observed or reported.

The Department maintains special liaison with management and labor officials to obtain information and to explain the Department's policies and procedures in relation to labor disputes. By seeking the cooperation of the parties involved

tensions are reduced and self-discipline is encouraged so that the parties may police their own conduct.

The Department seeks to minimize criminal violations connected with labor disputes by providing guidelines for the conduct of the parties involved. These guidelines are discussed with management and labor officials at which time it is emphasized that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private premises are to be preserved. In cases where there is a denial of those rights, the Department shall take prompt and impartial law enforcement action.

EXCEPTION: When an issuing judge includes an enforcement clause in a restraining order specifically ordering the Department to take action. In these instances, the Labor Liaison Unit of the Public Affairs Division is available for further advice and expertise.

1.848.10 Labor Disputes: Labor Liaison Unit

Recognizing that misunderstandings and law violations are minimized in an atmosphere of cooperation and trust, the Department created the Labor Liaison Unit in the Public Affairs Division to coordinate and advise on Department activity relating to labor disputes.

The Labor Liaison Unit gathers information regarding strikes and meets with officials of labor, management, and the Department to discuss and alleviate law enforcement problems arising from such disputes.

Department safety members shall not normally be deployed at strike scenes; however, when such deployment becomes necessary, it is the responsibility of the concerned uniformed station/division commander to take the necessary law enforcement action to deter crime and to keep the peace.

1.848.15 Labor Disputes: Responsibility of Members

A Department member, regardless of rank or assignment, who gains knowledge of a strike, labor-management incident, or union controversy or the possibility thereof, shall:

1. Communicate such information to their commander who shall then communicate such information to the Labor Liaison Unit of Public Affairs Division. This communication must be in a timely and practical manner and is to be followed up by a written report on an inter-office memorandum.
2. Members are responsible for ensuring that the Department's policy of maintaining an attitude of strict impartiality in such an incident is adhered to.
3. Members may be assigned to monitor, observe, investigate, and in certain, extraordinary situations, take prompt, decisive action as required in these situations.

As so directed by the Office of the Sheriff, the Public Affairs Division, Labor Liaison Unit shall be assigned to assist in coordinating departmental activities at all union controversies.

1.848.20 Labor Disputes: Division Responsibilities

In order to give the Labor Liaison Unit the opportunity to function effectively, it is necessary that division commanders advise them of pending labor situations in their respective areas as the information becomes available. This allows the Labor Liaison Unit representatives to meet separately with representatives of labor and management prior to a dispute for the purpose of discussing the "ground rules" of dispute activities. These discussions are important in maintaining harmonious relations between all parties. A position of complete impartiality on behalf of the Sheriff's Department must be explained and

emphasis placed on labor and management's need for positive leadership with self-discipline emphasized.

Members of this Department should use care to insure that any acts by members of this Department could not be construed as showing favoritism toward either side. Further, a function of the Labor Liaison Unit is to advise the division commander of appropriate responses to incidents that occur as a result of a fair labor dispute. All members should maintain a fair and impartial attitude to both labor and management and avoid expressing any personal opinions concerning the dispute. Information obtained by the Labor Liaison Unit from either labor or management is confidential and must be confined to the law enforcement agencies involved if the Labor Liaison Unit representatives are to maintain credibility.

In the event of a strike or upon receipt of information of a pending labor dispute in your area:

- Notify the Labor Liaison Unit as soon as possible.
- Initiate a written report on an inter-office memorandum and forward a copy to the Labor Liaison Unit whenever practical.
- Allow Labor Liaison Unit, if practical, to make first contact with both labor and management.
- If, as a result of a strike, unlawful acts occur, a copy of all crime reports should be sent to the Labor Liaison Unit.

1.848.25 Labor Disputes: Division Commander Responsibilities

A division commander is responsible for monitoring potential problems involving labor management controversies, union activity, strikes, and similar matters that occur within their area of responsibility. They shall keep current on these matters from all available sources and where indicated, make inquires or follow-up contacts on information received.

Commanders are to keep the concerned Deputy Chief and other appropriate personnel informed on conditions as they develop in these matters.

Commanders are expected to ensure that prompt and efficient law enforcement action is taken whenever peace, order, civil rights, or life and/or property is threatened in any way.

1.852. Demonstrations and Disturbances

It is neither the intention nor desire of the Department to suppress or restrain lawful activity. The Department shall expend whatever resources are necessary to protect the rights of any person or group to conduct a peaceful and lawful demonstration at any location within the County. However, unlawful activity, whatever its guise, requires prompt and effective action by the Department. The Department shall take appropriate legal steps to discourage unlawful acts.

The tactics employed by dissidents engaged in disruptive activities frequently include efforts to draw law enforcement and other public officials into responses likely to produce violence and injury to participants and thus garner support for their cause. It is, therefore, incumbent upon all members of the Department to cope with disruptive situations in a professional manner which shall minimize the potential for violent confrontations and civil litigations.

1.854. Concealed Carry Weapons Permits (CCW)

All requests for licenses to carry a concealed firearm shall be referred to Employee Resources Division.

No member, active or retired, who has been issued a permit to carry a concealed weapon, may use the CCW for employment

purposes. Violations of this policy may result in the revocation of the CCW permit.

1.854.10 Processing CCW Permit Applications

The Employee Resources Division shall:

1. Conduct a background check of the applicant.
2. Conduct an interview in person with the applicant.
3. Confirm the applicant's legal place of residence.

Prepare a complete investigative report directed to the Captain of the Employee Resources Division, making a recommendation as to whether or not the license should be granted.

1.854.15 Renewal of CCW Permits

The Employee Resources Division is responsible for processing requests for CCW renewal, to comply with California statutory requirements.

1.854.20 Revocation of CCW Permits

The Sheriff or his appointed designee will confiscate a CCW permit from any person who is involved in criminal activity or inappropriate behavior. The CCW shall be forwarded to the Employee Resources Division, along with documentation of the circumstances, for further processing to possibly result in revocation.

The Sheriff or his appointed designee shall take possession of a CCW permit that has been confiscated by another law enforcement agency, along with their documentation. It shall be forwarded to the Employee Resources Division.

Volume 2 Administration and Management

2.102. Recruitment and Training of Personnel

Law enforcement in a free and complex society requires safety members to have the stamina, intelligence, moral courage, and emotional stability necessary to fairly and impartially deal with human beings in the many complicated and potentially explosive situations which they encounter. To obtain the caliber of personnel necessary to provide the public with professional law enforcement, it is essential that the Department participates in the recruitment and selection of potential safety members. Thereafter, the Department must provide training for all safety members and promote the most qualified.

It is one of law enforcement's responsibilities to provide leadership and demonstrate exemplary standards in the field of civil rights. The policy of this Department is to exercise absolute objectivity in the selection, promotion, and assignment of personnel without regard to race, color, creed, gender, or national origin.

To obtain the highest caliber of candidates possible, it is essential that the Department participate in the recruitment program; however, members in their daily contact with the public is the Department's best recruiter. By their demeanor and enthusiasm, they favorably impress and attract the type of individual which the Department needs. Because of their experience and knowledge, they can counsel persons who

show an interest in law enforcement careers and to encourage applications by those who appear qualified.

2.104. Oath of Allegiance

No appointment to a salaried, classified or unclassified Department position shall be finalized until the prospective employee has subscribed to an oath of allegiance or affirmation as required by the Government Code. This oath of allegiance shall be administered by the Sheriff or his designee.

The Oath of Allegiance is as follows:

"I, _____, 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."

If a prospective employee refuses to take the Oath of Allegiance, the commanding officer of the Employee Resources Division shall be immediately notified and shall then inform the perspective employee of the County's intent to terminate his application for employment.

2.114. Department Business Cards

Members shall provide their business cards, when appropriate, to persons with whom they conduct official Department business. Generally, business cards should be provided to victims and witnesses of crimes, business persons, representatives of other agencies, other citizens who may have

occasion to re-contact the member, and persons who request a business card.

In the performance of their official duties, except in authorized undercover situations, members shall identify themselves by rank, surname, and division of assignment when requested to identify themselves by any citizen. While employees are not required to provide a business card in every instance when a card is demanded, any refusal by an employee to provide a business card shall be based upon the reasonable consideration of the specific circumstances after the employee has properly verbally identified himself. Such refusals to provide business cards shall never be motivated by an effort to conceal or withhold an employee's identity from any citizen.

2.114.10 Issuance of Business Cards

All safety employees shall be issued business cards. Approval must be made by their station/division commander and the business card format must follow the general provisions of this policy.

Professional staff and part-time employees shall not normally be issued business cards. Approval must be made by both their station/division commander and the Bureau Deputy Chief, and follow the general provisions of this policy.

Volunteers shall not normally be issued business cards. Approval must be made by both the individual's station/division

commander and his Bureau Deputy Chief, and must follow the general provisions of this policy.

- Business cards for volunteers must indicate the volunteer status of the individual.
- Titles placed on the business cards must be official titles as established by the Department.
- Orders for volunteer business cards will be placed through the Department.

The following provisions apply to all business cards issued:

- The design, logo, size, and color of business cards issued shall only be that as approved by the Sheriff.
- Titles placed on business cards are limited to those formally established by the County of San Bernardino and held by the individual for which the cards are issued.
- Addresses printed on business cards must be the location of the duty assignment.

2.116. Annual Leave

Vacations and annual leave shall be provided as per the applicable Memorandum of Understanding or County Code as arranged so that the number of members who are on vacation shall be the same or nearly so at all times. Generally, date of rank or classification, followed by time on the Department, followed by County time tenure shall determine vacation preference.

If an employee is demoted to a formerly held classification, his date of seniority for the purposes of vacation or annual leave shall be the date he originally held status in that former classification to which he is demoted.

The demoted employee's name shall be placed in the appropriate seniority position in his new division's vacation or

annual leave schedule selection process. In instances when the vacation or annual leave schedule has not been finalized but employees with less seniority than the demoted employee have already selected their vacation or annual leave preference, the demoted employee shall be placed next in line for vacation or annual leave selection. Thereafter, his name shall be placed in the appropriate seniority position.

2.116.10 Scheduling of Annual Leave – Patrol and Fixed-Post Deputies

In order to establish a system that is both equitable for deputies and provides adequate patrol and fixed-post coverage, the following procedures will be used when scheduling annual leave:

- Deputies shall be permitted to schedule two continuous periods of leave not to exceed a total of six-weeks.
  - The schedule shall be circulated by seniority and deputies will have the opportunity to schedule a maximum of four weeks of continuous leave.
  - Once completed, the schedule shall be circulated a second time and deputies will be given the opportunity to schedule a maximum of two weeks additional leave.
- When a deputy with scheduled leave is transferred to another station or division, every attempt shall be made to honor the scheduled leave. However, the newly assigned deputy does not have the right to "bump" any of the currently assigned deputies from their previously scheduled leave.
- It shall be at the commander's discretion whether to include deputies assigned to specialized units in the schedule along with patrol deputies.
- Commanders shall have the discretion to "blackout" specific dates during the year based on the needs of the station, and/or public safety.

- If vacation dates are vacated once the schedule is approved, staff is under no obligation to make those dates available.

The following formula shall be used to determine the number of available vacation positions per week:

- The number of deputies multiplied by six and divided by 52 weeks.

Additional vacation requests may be granted at the discretion of the commander.

2.118. Leaves of Absence: Without Pay

In addition to those paid leaves of absence which the Department is obligated by County Rules and applicable Memorandum of Understanding to approve, it is the policy of the Department that leaves of absence without pay may be granted for compelling personal reasons. The review and final decision concerning each request for leave of absence without pay shall be based on the merit of the individual's request, taking into consideration the effect the employee's absence on the Department's operation, and such shall be consistent with any applicable guidelines as set forth in the current Memorandum of Understanding.

2.130. Department Command Staff Meetings

All station and division commanders shall attend the Sheriff's Staff Meetings. In order to be cognizant of the total operations and the needs for the Department there is a need for the Sheriff and his staff to meet with his station and division commanders to discuss and resolve matters of concern, within the

Department, and for the Sheriff, or his staff, to address unresolved problem areas.

All station and division commanders shall disseminate the information to their subordinates in a timely manner.

To encourage Department involvement in all the communities of the County and to expose these communities to their Sheriff's Department, the Sheriff's staff meetings shall be scheduled at various locations within the County.

2.132. Responsibility of Command

A commanding officer has direct supervision and control, subject to orders of the Sheriff, over all officers and professional staff employees of the Department assigned to his command. He is responsible for the efficiency, effectiveness and coordination of the functions and activities of the various units of his command. He shall promote harmony among the members of his command. He is responsible for the cooperation of his command with all other divisions of the Sheriff's Department. He shall act in cases not regularly assigned to his command when the delay necessary to inform the proper organic unit might result in a failure of the Department to perform a law enforcement duty.

It is understood and expected that commanding officers, in recognizing and addressing the total responsibilities of their command, shall frequently work unscheduled and varied hours, and often beyond the customary eight (8) hours per day or forty (40) hours per week, in fulfilling these command

responsibilities and in meeting the needs of the service performed by the Department.

The commanding officer shall so regulate his command that, at all times when he is absent, it shall be under the command of a competent officer.

He shall, without specific instructions, establish the required details and assignments necessary to carry out the functions of the Sheriff s Department and of his command in particular. He shall be guided in his assignment of personnel by the number of officers available to him for assignment and the necessity for assigning his men where they shall be the most useful and efficient.

He shall not countermand an order issued by a superior officer without sufficient good reason.

2.132.10 Command Concern for Employee Welfare

The nature of command is such that there must be a coexisting loyalty to the management of the Department and to subordinates. The resolution of those loyalties, in a manner which benefits both the Department and the individual, and which avoids conflicts between the two interests requires the exercise of leadership. An interest in employees and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires, and interests of employees and positive assistance in resolving those problems or in achieving their goals. However, commanding officers should be cautious to avoid interfering where assistance is not required or desired.

2.132.15 The Transfer of Command

Upon assuming a new assignment and continually thereafter, a commanding officer should critically evaluate all aspects of his command. He should review existing policies, procedures, and programs to determine if the need for which they were enacted remains unchanged. Existing budget requests should be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

Upon a change of command, the commanding officer being replaced has a duty to lend his full assistance in making the command transition as smoothly and orderly as possible. Orientation of a new commanding officer should include information concerning unique problems of the command and professional contacts relative to the command.

2.132.20 Inspection and Control

Management inspection and control is necessary to ascertain if command policies, procedures, and rules are adequate and are being adhered to, whether Department resources are adequate, and are being properly utilized, and to evaluate the overall performance and attitude of the Department.

It is the responsibility of each commanding officer to continually conduct inspections within his command to ensure proper performance of assigned personnel and the most efficient use of assigned equipment, material, and facilities. Merely finding fault is not inspecting. Therefore, a commanding officer's responsibility does not end with discovering a deficiency or inadequacy; it includes taking positive measures to correct the problem.

2.134. Designating an Acting Commander

The Office of the Sheriff may appoint an acting commander of a division, if the assigned commander is to be absent for a prolonged period of time.

An officer, designated as an acting commanding officer, shall assume the full duties and responsibilities of the position. He shall designate a qualified subordinate to assume the duties and responsibilities of his regular position.

2.136. Written Communications

All official correspondence, telegrams, circulars, and other communications shall be sent over with the signature of the division commander and/or upon the authority of the Sheriff. Members shall not use Department letterhead except for authorized Department correspondence.

Written communications received from citizens, officials, or other law enforcement agencies, should be forwarded to the secretary of the division commander to be processed and answered through official channels.

2.136.10 Inter-Office Memorandum

All correspondence between divisions of the Department, as well as other County agencies, shall be written on the inter-office memorandum format. Copies of such communications shall be filed in the office of issuance.

Such communications shall be subscribed by the division commander or the person acting in such capacity. An officer

of lesser position may initiate the form; however, his division commander must appear as correspondent.

Generally, inter-office memorandums to the Sheriff would be routed through the chain of command.

Memorandums to persons other than the Sheriff should be routed to the division commander and copies of said memorandums shall be directed to the concerned parties.

2.138. Duty Deputy Chief

Deputy Chiefs of the Department are scheduled to serve as Duty Deputy Chief for one week at a time, on a rotating basis.

The Duty Deputy Chief, scheduled for weekend or holiday duty, shall assume duty responsibilities at 1700 hours on the last business day preceding a weekend or a holiday. The Department Duty Chief shall be relieved of duty responsibilities on the first business day following the weekend or holiday at 0800 hours.

The Duty Deputy Chief shall be responsible for the initial response and notification of incidents occurring during the on-call weekend or holiday.

- The affected Bureau Deputy Chief shall be responsible for the initial response and notification of incidents occurring in his/her area during the week (i.e., Monday through Thursday nights excluding holidays).
- The affected bureau Deputy Chief shall be responsible for any follow-up action required on incidents initially responded to by the Duty Deputy Chief.

When not at Headquarters, the Duty Deputy Chief shall be readily available by telephone.

Generally, the Department Duty Captain shall be the only person calling the Duty Deputy Chief, however, the Duty Deputy Chief shall also be available for calls from division commanders as situations may require.

The general responsibilities of the Duty Chief are as follows:

- Notify the Sheriff, Undersheriff, or Assistant Sheriff without delay, in the event of a serious emergency incident or other matters of interest and significance which are judged to be of such importance to compel the immediate attention of the Sheriff, Undersheriff, or Assistant Sheriff.
- Be responsible for all mutual aid requests occurring during the week of on-call duty.
- Activate the necessary additional personnel from divisions of the Department in the event of a serious emergency incident.
- Respond to scenes/locations of major incidents according to the matrix to ensure that proper law enforcement procedures are followed, to assist the unit/scene commander, and to be immediately available for any possible administrative decisions and/or major command decisions.
- Personally assume command of an incident, if he/she deem it necessary.
- Be responsible to ensure that their name, radio call sign, telephone number, etc., are properly posted with dispatch on the On-Call Board.
- Maintain the Duty Deputy Chief satellite phone on-call duty week.

2.138.10 Duty Captain

Captains of the Department are scheduled to serve as Department Duty Captain on a rotating basis, with assigned Duty Captain serving either a weekend or a holiday.

The Duty Captain, scheduled for weekend or holiday duty, shall assume duty responsibilities at 1700 hours on the last business day preceding a weekend or a holiday. The Department Duty Captain shall be relieved of duty responsibilities on the first business day following the weekend or holiday at 0800 hours.

The Department Duty Captain shall be readily available by telephone.

The general responsibilities of the Duty Captain are as follows:

- Follow the Notification and Response Matrix.
- Assume over-all command of Department incidents on weekends and holidays.
- In this assignment, the Duty Captain shall be expected to exercise full authority and have commensurate responsibility over the activities of the Department with concurrence of the Duty Deputy Chief.
- In the event a law enforcement problem relating to a specific station, division, or bureau is posed, the Duty Captain shall notify and involve the "on-call" representative of the station, division, or bureau to supervise the problem.
- Be responsible for keeping the Department Duty Deputy Chief promptly advised of serious emergency incidents or other matters of interest and significance which judged to be of such importance to compel the immediate attention of the Duty Deputy Chief.
- Respond to scenes/locations of major incidents according to the matrix or as directed by the Department Duty Deputy Chief, to ensure that proper law enforcement procedures are followed, to assist the unit/scene

commander, and to be available for any possible command decisions.

- In the absence of the concerned division commander, or as so directed by the Duty Deputy Chief, the Duty Captain shall respond to Department-involved vehicle accidents when appropriate and to Department-involved Lethal Force Encounters when required by policy.
- Be responsible for ensuring that all provisions of the Department Manual are adhered to.
- Be responsible for ensuring that notification to the news media is being promptly made and implemented.
- Be responsible for preparing a log of incidents occurring during their duty assignment.
- Be responsible to ensure that his/her name, radio call sign, telephone number, etc., are properly posted with dispatch on the On-Call Board.
- It shall be the duty and responsibility of division commanders, or in their absence the watch commander or officer in charge, to keep the Department Duty Captain promptly advised on all matters of interest and significance.
- Captains, after assuming their duty assignment and who are unable to fulfill weekend or holiday assignment, shall be responsible for promptly notifying the Duty Deputy Chief. The Duty Deputy Chief shall then be responsible for arranging for a substitute Duty Captain and for ultimately advising the on-call Assistant Sheriff of same.
- No person below the rank of Captain shall be assigned as the Department Duty Captain.

2.138.15 Duty Schedule

It shall be the responsibility of the Undersheriff to prepare a schedule for the Duty Deputy Chiefs and Captains, and to distribute it to all concerned personnel. Deputy Chiefs, or Captains, unable to fulfill their weekend or holiday on-call assignment as scheduled, or unable to complete their on-call assignment due to illness, shall be responsible for arranging for a

substitute and notifying dispatch and the on-call Assistant Sheriff of the change.

2.140. On-Call Division Commanders

Division commanders, or the designated second-in-command, shall be scheduled by the commander of the division as On-Call Commanders of their respective commands. All divisions are, at all times, to have either a captain, lieutenant, or the designated second-in-command, available on an on-call basis for their command when no captain or lieutenant is on duty.

The approval of all second-in-command personnel, other than lieutenant, shall be obtained from the Bureau's Deputy Chief prior to being so scheduled or so assigned. During times of prolonged absences by a captain or lieutenant due to vacation, sick leave, etc., the captain or lieutenant, or designated second-in-command, may utilize other ranking personnel with prior approval of the concerned Deputy Chief.

The commander of the division shall post, and keep current, a schedule of the on-call commanders. This schedule shall be on a rotating basis.

2.142. Career Criminal Prosecution

The Sheriff accepts and supports the concepts of Career Criminal Apprehension and Career Criminal Prosecution. Therefore, all safety members of the Department are directed to read and be familiar with California Penal Code sections 999b through 999h and to participate in MCI and other automated system training as directed when scheduled.

2.144. Notification and Response Matrix

The Notification and Response Matrix shall be maintained and made available by the Emergency Operations Division.

The primary purpose of the Notification and Response Matrix is to provide a guide for Commanders and Duty Captains during their assigned tours of duty. Secondarily, the Matrix is intended to be a resource for watch commanders, lieutenants, dispatch personnel and others who must deal properly with events both during and outside of business hours or when higher authority is not immediately present for consultation.

The Board of Deputy Chiefs shall approve any substantive amendments to the Matrix and shall conduct an annual review of the document every March.

The Notification and Response Matrix shall be followed and represents the official policy of the Department.

2.146. National Emergency Management System

To ensure the most effective response to emergencies and to comply with the National Emergency Management System, Department supervisors and managers shall make all reasonable efforts to establish a Unified Command at the scene of every incident and event where lawful jurisdiction is shared with another agency, including other law enforcement agencies as well as agencies representing other disciplines.

Unified Command requires that incident commanders from each agency seek out each other and collocate, establishing a single multi-agency Incident Command Post.

These incidents commanders then constantly communicate and cooperate with each other to safeguard personnel, avoid operational conflicts, and minimize cost. These goals are accomplished by collaborating concerning tactical priorities and operational plans, coordinating the ordering, deployment, and release of manpower and other resources, collaborating

on press releases, etc. Additional guidance on ICS Unified Command can be found in the *Law Enforcement Guide for Emergency Operations and Unified Command* and *SEMS: A Guide for State and Local Government,* both published by the Governor's Office of Emergency Services.

2.146.10 Incident Command System

The Incident Command System (ICS) is an "all risk" management system capable of effectively dealing with those law enforcement situations that create demands over and above those required in dealing with "normal" day-to-day operations. ICS provides an effective means of managing critical incidents of varying size, complexity, and multi-agency/multi-disciplinary involvement.

ICS is based on eight management concepts that guide Incident Commanders in planning for, and managing critical incidents and events. The concepts are:

- Common Terminology
- Comprehensive Resource Management
- Modular Organization
- Unified Command Structure
- Consolidated Action Plans
- Manageable Span of Control
- Pre-Designed Incident Facilities
- Integrated Communications

ICS should be implemented when incident responses require resources beyond those regularly scheduled at the division

level. Examples of these incidents include, but are limited to, the following:

- Multi-agency criminal investigations.
- Search and rescue operations requiring the mobilization of search and rescue or specialty units.
- Prolonged law enforcement engagements requiring personnel relief.

2.148. Requests for Command Post

Command Post requests for search and rescue or other large-scale operations shall be initially authorized by the Deputy Chief in charge of the incident, or the duty captain if on a weekend or holiday. The requesting Deputy Chief/duty captain shall contact the Emergency Services/Aviation Division who shall assume the responsibility for providing the command post and operative personnel.

2.150. General Orders

General orders are issued only by the Sheriff and are utilized to communicate with all members of the Department to establish, implement, or reiterate Department policy and procedure. General orders are utilized by the Sheriff to amend the Department Manual.

2.150.10 Temporary Orders

Temporary orders are issued only by the Sheriff to establish or implement temporary departmental policy and procedures, usually to deal with a specific temporary situation or emergency. Temporary orders do not have the effect of amending the Department Manual. Temporary orders shall expire automatically on the sixtieth (60th) day following their

date of issuance, except when a temporary order specifies the length of time that it shall be valid.

2.150.15 Administrative Orders

Administrative Orders are issued only by the Sheriff or his designee to communicate directly with administrative and command officers of the Department. Administrative Orders may be used to implement or reiterate policy or other information, but not to establish policy. Administrative Orders do not have the effect of amending the Department Manual.

2.150.20 Area Orders

Area orders are issued by Deputy Chiefs establishing, implementing, or reiterating policy or procedures within their areas of responsibility.

2.150.25 Division Orders

Station/Division/Bureau Orders are issued by the commander or executive officer of a station, division, or bureau establishing, implementing, or reiterating policy or procedures within that station, division, or bureau.

2.150.30 Division Policies

Recognizing that this manual cannot address all situations that are unique to the various stations and divisions, commanders shall be responsible for addressing local needs and shall establish written policies and procedures pertaining to their commands.

No station or division policy or procedure shall be in conflict with the Manual of the San Bernardino County Sheriff's Department.

2.150.35 Assignment/Reassignment Orders

Assignment and reassignment orders are issued only by the Employee Services Division under the direction of the Office of the Sheriff directing assignment and reassignment of concerned personnel within the Department, and may also be used to announce appointments, promotions, demotions, and terminations.

2.150.40 Information Bulletins and Operational Memos

Each commanding officer shall be responsible for retaining all departmental bulletins, (e.g., Training, Information, Criminal, and Volunteer Forces) received at his station, division, or bureau.

2.150.45 Information Bulletins and Operational Memos

When a bulletin is received at the station, division, or bureau, the commanding officer shall:

- Establish a three-ring binder filing system for each type of bulletin received (i.e., one binder for Training Bulletins, one binder for Criminal Bulletins, etc.).
- Establish a system for filing each bulletin numerically within each category.
- Establish a location where the binder shall be kept, which shall ensure the availability for each employee to review.
- Establish a tickler system which shall ensure the retention of each bulletin for a minimum of five (5) years.

2.154. Completed Staff Work

The study of a problem and presentation of a solution, by an employee, in a form where all that remains to be done is to approve or disapprove the recommendation is completed staff. It is the duty of the employee to work out the details. The

product, whether it involves the pronouncement of a new policy or affects an established one, should be presented for approval or disapproval in finished form. In most instances, completed staff work results in a single document without accompanying comment.

The main objective of completed staff work is to solve problems, not create them. Completed projects must contain the following elements:

- IDENTIFICATION OF THE PROBLEM. A complete and specific description of the problem you are trying to solve.
- SCOPE OF THE ENDEAVOR. A statement of what you did to reach the conclusion.
- RECOMMENDATION AND SUMMARY. Should be all that is necessary for the approving authority to read. It must also contain what impact it shall have on other functions and clearly state the cost in terms of funding and manpower.

2.156. Enforcement Actions in Other Jurisdictions

Generally, the commanders of the Specialized Investigations Division, the Specialized Enforcement Division, and the Narcotics Division shall cause commanders or executive officers of the Department's stations to be briefed on current information regarding investigations being conducted within the stations respective areas of responsibility.

Every effort shall be made to avoid conflict, or duplication of effort, between investigations conducted by these divisions and investigations conducted by various stations, and to ensure the safety of all personnel.

2.162. The Display of Flags

The flags of the United States and the State of California shall be displayed prominently outside of each facility of the

Department daily, weather permitting, from sunrise to sunset. When the national and state flags are used, they shall be of the same size. When one (1) flagpole is used, the national flag shall be above the state flag, and the state flag shall be hung in such a manner as not to interfere with any part of the national flag. The national flag shall be placed in the position of first honor at all times.

2.162.10 United States Flag

Display of the flag of the United States at facilities of the Department and by individuals representing the Department shall be in accordance with provisions of the National Flag Law.

The National flag shall be folded in the proper manner. Whenever practicable, the flag shall be folded outdoors immediately after it is removed from the pole.

2.162.15 Flying the United States Flag at Half-Staff

The flag of the United States shall be flown at half-staff position at facilities of the Department only as follows:

- At the direction of the President of the United States.
- For those instances when an officer has been killed in the line of duty, or has died as the direct result of injuries incurred while in the performance of his official duties. The flag shall be flown at half-staff until sunset of the day of the funeral.
- On other occasions at the direction of the Board of Supervisors or the Sheriff.
- Upon direction of the President of the United States, the Board of Supervisors of San Bernardino County, or the Office of the Sheriff, Central Station shall ensure that the flags outside the Headquarters building are properly positioned as needed. The Executive Staff shall inform all

Department facilities (via a fax) which fly the National flag to lower the flag to half-staff.

- When the National flag is lowered to half-staff, all other flags flown at Department facilities, shall also be flown at half-staff.

2.164. Saluting During Flag Ceremonies

During the ceremony of hoisting or lowering the United States flag, those employees present and in uniform shall render the prescribed hand salute.

2.164.10 Saluting During Playing of the National Anthem

When the National Anthem is played at any ceremony, an employee in full uniform shall assume the position of attention, face the National Colors, if present, and render the prescribed hand salute. If there are no National Colors present, he shall face the band and render the salute. An employee who is in civilian dress, shall remove his hat (if applicable) and stand at attention.

2.164.15 Saluting Flag During a Parade

An officer in uniform at a parade need salute only the massed National Colors at the head of the parade. When the flag is six (6) paces from the employee, he shall face it and render a hand salute until the flag is six (6) paces beyond him. Another group of colors that follows may be saluted if the employee's immediate attention to duty is not necessary.

2.168. Employee Writing for Publication

Any member who seeks to, as a personal initiative or enterprise, obtain publication of an article or manuscript related to a law enforcement topic, or obtain publication of an article or manuscript that relies on or refers to their professional status as a

member of the Department, shall first submit a copy of the material to the Office of the Sheriff through their chain of command. Approval from the Office of the Sheriff is required prior to submitting the material for publication.

2.168.10 Employee Writing for Publication

A member of the Department shall not publish or cause to be published any writing, paper, treatise, script, or article, whether fiction or non-fiction, which has been, or purports to have been, authored or related by him, and which either purports to state an official position of the Department or which shall disclose any procedure, case, investigation, or other matter which is confidential.

NOTE: For the purposes of this section, confidential matter includes, but is not limited to, the following:

- Public records, as defined by the California Public Records Act, section 6252 (d) of the Government Code.
- Events, details, personalities, or circumstances of any investigation conducted by the Department, the disclosure of which would impair that investigation, further investigations, pending litigation, or the Department.

2.170. Requests to Act as Peace Officer in the County

An officer of another jurisdiction, requesting authority to act as a peace officer within the County, pursuant to the Penal Code, who lacks such authority shall be referred to the Office of the Sheriff. When the Office of the Sheriff is closed, requests shall be referred to the duty Deputy Chief.

2.172. Requests for Food Service Support

Special food requests for search and rescue or other large-scale operations shall be initially authorized by the Deputy Chief

in charge of the incident, higher ranking officer, or the Duty Captain if on a weekend or holiday. The requesting Deputy Chief/Duty Captain shall assume the responsibility for obtaining the necessary logistic support.

If the incident is being managed under the Law Enforcement Incident Command System (L.E.I.C.S.), food requests shall be made by the Logistics Section Officer in charge, or his designee as appropriate to the organizational structure then in place.

On many occasions, requests are made to "roll the field kitchen" when what is actually needed are meals. Quite often the "field kitchen" is an inappropriate response to the actual need. The following information should assist you in making a knowledgeable request for food service support, thereby obtaining the most appropriate response you need.

The requestor's point of contact is the West Valley Detention Center commander:

- The name of the incident coordinator at the scene. If the Incident Command System is in place, the on-scene contact would most likely be the Logistics Section OIC or a subordinate member of the Logistics Section.
- The coordinator's telephone number and/or radio call sign and frequency (SBSD) channel.
- Primary and alternative arrangements for transporting food to the field (e.g., helicopter, patrol vehicle, food services vehicle, etc.).
- The numbers of persons to be fed - an HONEST count, please. Food Services will always provide a "cushion" on their own.
- A discussion of the type of feeding arrangements that will best meet the mission requirements (e.g., sack lunches to be distributed to personnel prior to their departure on mission assignment, meals to be fed to personnel returning

from mission assignment, long-term incident base or camp operation, etc.).

- The anticipated number or span of meal periods to have covered (e.g., a one-time requirement, a one-day operation, extended operation of unknown duration, etc.).
- The "field kitchen" is probably only appropriate for extended or very large operations. Sheriff's Food Services can furnish sack lunches, cold sandwiches, hot soup, hot or cold drinks for up to seventy-five (75) people within one and one-half (1 1/2) hours (plus travel time for delivery) from the time of request.
- Within two (2) hours (plus delivery/travel time) hot foods can be served from air void containers from a food services vehicle using folding tables, etc. A typical menu for this type of arrangement would be:
    - Grilled Steak with Natural Gravy
    - Mashed Potatoes
    - Buttered Green Beans
    - Tossed Salad with Dressing
    - Cookies and Canned Fruit
    - Bread, Rolls, and Butter
    - Coffee, Milk, Punch

The West Valley Detention Center commander shall relay requests to the Sheriff's Food Service Manager or his representative for implementation.

RECORD MAINTENANCE. The Sheriff's Department is entitled to reimbursement and expenditures for search and rescues when the victim is an out-of-county resident, instances involving state and federal prisoners, and certain other major events.

It is essential that each station and division keep accurate records concerning manpower, equipment used, damaged or lost, mileage driven, etc., to facilitate the successful and accurate billing. Record maintenance must include:

- Personnel:
    - Name and rank.
    - Hours worked (straight time and overtime).
- Vehicles:
    - Type and equipment number.
    - Miles driven.
    - Damage or repairs needed as a result of an incident.
- Miscellaneous Items:
    - Equipment expended or damaged.
    - Food.
    - Fuel.
    - Etc.

Tracking forms are available through the Emergency Services/Aviation Division.

2.174. Requests for Use of Department Aircraft

The commanding officer, or his designee, of the Emergency Operations Division, shall be responsible for the operational approval of Department aircraft flights.

Field units may make requests for aircraft assistance at any time.

Requests for aircraft flights, such as planned surveillance, transportation of Department personnel, aerial photography, etc., should be made as far in advance as possible to ensure availability of aircraft and flight personnel.

When situations exist where safety is a factor for the aircraft or personnel, the ultimate decision to continue the call or not shall be determined by the pilot of the aircraft.

2.202. Memorandums of Understanding

A Memorandum of Understanding is a written document jointly prepared and approved by the Department and the Board of Supervisors on which agreement is reached through meeting and conferring between the County's management representatives and representatives of a recognized employee organization.

All supervisors shall familiarize themselves with the provisions of current Memorandums of Understanding affecting their subordinates and shall comply with such provisions.

All commanding officers shall:

- Ensure adherence to the provisions of every MOU affecting personnel within their command.
- Maintain a readily accessible copy of each applicable MOU.

When a provision of a Memorandum of Understanding (MOU) conflicts with the Department Manual, the MOU shall take precedence.

2.204. Duty Assignments

Allocation of personnel to specific assignments is made with the aim of establishing optimum effectiveness within the Department while recognizing, as much as possible, the needs, abilities, and preferences of individual employees.

All members are subject to assignment by the Sheriff. Initial selection for a specific assignment does not, therefore, relieve the member of the obligation to serve in any other designated

assignment within the Department. Consideration shall always be given to the member's particular interest and abilities.

A member may be reassigned at any time it is in the interest of the Department to do so. A member may request a reassignment that is in his interest by submitting the request in writing to the Sheriff through proper channels.

Upon promotion of a member to a higher rank, the Sheriff may reassign the member when it is in the best interest of the Department. The member's personal interests shall be taken into consideration.

2.204.10 Reassignment

The Sheriff shall retain the authority to reassign employees from assignment to assignment and station to station to preserve and promote the efficient operation of the Department. Realizing that high morale is necessary for efficient operation, the Sheriff shall consider such factors as the employee's preference, time in grade, departmental seniority, unique qualification, and hardships, such as health problems in making decisions on reassignments.

2.204.15 Employee Response Time Requirements

Members are not required to live within San Bernardino County as a condition of employment. Members are, however, encouraged to live within a reasonable response time of their duty station. It may be determined that the duties of the job require an employee to respond within a reasonable period of time to a place of employment or job site.

The selection process for certain critical assignments that require rapid response may be dependent upon the member living within the geographical area of his assigned duty station.

2.206. Assignment as Temporary Instructor at Academy

An officer who is assigned as an instructor for a training class, shall consider such an assignment as his primary duty during the period for which the class is scheduled. An officer cannot be paid instruction fees to instruct a class, if said class is during his normally scheduled duty hours.

An officer who is unable to conduct his scheduled training class shall advise the Training Division in ample time to permit substitute instruction and/or a substitute instructor to be arranged.

2.208. Requesting Reassignment

Any Lieutenant, Sergeant, Corporal, Deputy, or professional staff employee, regardless of probationary status, shall be allowed to submit a reassignment request for any division in the Department. The employee may request as many locations for transfer as desired, however, the reassignment request location shall not be considered in any order of preference.

Reassignment requests shall remain on file until such time as the employee is transferred, promoted, demoted, or the employee rescinds the request(s). When this occurs, the employee's reassignment request(s) shall be automatically purged from the transfer file and he must then submit new reassignment request(s).

Any employee may submit a reassignment request in response to a special announcement of vacancies at a division.

2.208.10 Requesting Reassignment: Hardship/Special Needs

The employee shall outline the specifics of his hardship or unique circumstance, or special needs in a memo addressed to

the Sheriff and submit it to his commander. After review, the commander may resolve the hardship/unique circumstances/special needs at his level or forward the memo with his recommendation to his Deputy Chief. The Deputy Chief shall review the circumstances and either resolve the matter at his level or forward the memo with his recommendation to his Assistant Sheriff.

The Assistant Sheriff shall then make a recommendation to the Sheriff.

2.208.15 Routing of Reassignment Requests

Requests shall be submitted to the commanding officer. He shall then review, comment, and route the request to the appropriate Deputy Chief for review and comment.

The Deputy Chief shall then forward the request to the Sheriff. After review by the Sheriff, the request shall be placed with other Department reassignment requests. An acknowledgement of the reassignment request shall be returned to the requesting employee.

All reassignment requests shall be purged from the file as follows:

- Upon the reassignment of the employee.
- Upon the promotion or demotion of the employee.
- Upon the written notification from the employee withdrawing the request.

2.208.20 Selection of Employee for Reassignment

When a vacancy is to be filled, the Sheriff or his designee shall notify the commander of the Employee Resources Division of his intent to fill the position. The Employee Resources Division shall

then provide a printout of the requests for that particular station or division.

The Sheriff or his designee, shall then make a selection based on the following:

- Seniority (time in rank or classification).
- Custody Division personnel shall additionally be rated for performance and field readiness potential.

Seniority, as used in this policy, refers to total time employed as an employee with the San Bernardino County Sheriff's Department. Prior County employment or employment in other titled positions does not count as seniority for purposes of reassignment priority. Time in grade shall be computed from the date the employee was officially appointed.

An employee who resigns from the Department and is gone for more than thirty (30) days, will have forfeited his seniority.

2.208.25 Reassignments: Employee Responsibilities

Prior to the reassignment orders' effective date, the employee who has been transferred to a new assignment shall:

- Contact the commander, or executive officer of the division to which he has been newly assigned for the purpose of determining his duty assignment and the time he is to report to the new assignment.
- Contact the commander or executive officer of the division to which he was formerly assigned for the purpose of turning in citation books, and other equipment as is necessary, or receiving any special instructions regarding the transfer.

2.208.30 Reassignments: Commander Responsibilities

The commander or executive officer of a division shall determine the proper assignment of duties for the employee transferred to his command, including the particular duties to be performed by the employee and the time he is to report to the new assignment.

2.209. Mandatory Assignment/Reassignment to Patrol

Safety members whose employment as Deputy Sheriff or Deputy Sheriff trainee with this Department commenced on or after July 5, 2008, are required to submit a reassignment request to not less than three patrol divisions within the Bureaus of Field Operations. This reassignment request shall be submitted within one calendar month of the employee's first assignment to a safety position.

Transfer requests may be revised at any time as long as the required minimum selection of three patrol divisions is maintained. The safety member shall ensure that a valid reassignment request is on file until such a time as he is transferred to a patrol division.

Safety members whose employment as Deputy Sheriff or Deputy Sheriff Trainee with this Department commenced on or after July 5, 2008, are required, as a condition of employment, to successfully complete the Department Field Training Program, to work as a patrol deputy, and to become "patrol certified" under the parameters of this and subsequent policy sections.

Reassignments from Corrections to Field Operations (a patrol division), shall be based on seniority, as described in Volume 2 of the Department Manual.

2.209.10 Patrol Certification

Safety members whose employment as a Deputy Sheriff or Deputy Sheriff Trainee commenced with this Department on or after July 5, 2008, as a condition of employment, are required to become "patrol certified." This is accomplished by transferring to a patrol division and successfully completing:

- Probation.
- The Department Field Training Program.
- One year of independent patrol following successful completion of the Field Training Program.

Additionally, to become patrol certified, the safety member is required to earn work performance evaluation ratings of "Meets Standards" or higher for the time periods encompassing the Field Training Program and the independent patrol requirement.

Any Deputy Sheriff who successfully completes the Field Training Program shall generally remain at that assignment not less than two years before a lateral transfer to another assignment will be considered.

As a condition of employment, all Deputy Sheriffs or Deputy Sheriff Trainees hired on or after July 5, 2008, shall be required to sign an acknowledgement of their obligations pursuant to this policy.

2.209.15 Failure to Become Patrol Certified

Safety members whose employment as a Deputy Sheriff or Deputy Sheriff Trainee commenced with this Department on or after July 5, 2008, as a condition of employment, are required to become "patrol certified." Any deputy who fails the Field Training Program or fails to become patrol certified on the first attempt will be transferred to the Detentions and Corrections Bureau for a period of approximately 18 months, subject to the discretion of the Sheriff. This period of time shall be used to

remedy the work performance issue(s) that formed the basis for the transfer.

The deputy shall again submit a reassignment request to not less than three patrol divisions within the Bureaus of Field Operations. This reassignment request shall be submitted within one calendar month of the employee's reassignment to the Detentions and Corrections Bureau.

Transfer requests may be revised at any time as long as the required minimum selection of three patrol divisions is maintained. The safety member shall ensure that a valid reassignment request is on file until such a time as they are transferred to a patrol division within the Bureaus of Field Operations.

Upon transferring back to patrol, the Deputy is required to successfully complete the Field Training Program, and then become patrol certified.

Any deputy who fails the Field Training program or the patrol certification process a second time shall be subject to dismissal.

2.209.20 Patrol Certification Requirement: Exceptions

Any Deputy Sheriff or Deputy Sheriff Trainee with an original appointment date before July 5, 2008, is encouraged but not required to transfer to patrol. Any such deputy who elects to transfer to patrol but is not patrol certified will be required to successfully complete the Field Training Program. If the deputy subsequently fails the Field Training Program, the deputy shall be transferred to the Detentions and Corrections Bureau in accordance with the current safety Memorandum of Understanding.

Any Deputy Sheriff who has successfully completed the Field Training Program but has been out of a patrol assignment for

five or more years shall again be required to complete the Field Training Program, or an update as determined by the Division Commander. The Division Commander shall have the discretion to modify the Field Training Program based on the experience level of the deputy.

2.210. Advancement and Promotion

The vitality of the Department is maintained through the selection and promotion of the most qualified personnel to positions of increased responsibility. The Department must help in the selection process by accurately rating and evaluating employees and candidates for promotion and by advancing the most qualified.

2.211. Use of Prior Certification List

Definitions:
Eligible List-an arrangement of applicants for County employment who are qualified as a result of an examination process.

Certification List – a list of available applicants who are referred from the eligible list by the Human Resources Department to the appointing authority for selection (also referred to as certified list).

Procedure:
For Safety Unit and Safety Management/Supervisory Unit promotions (i.e., Detective/Corporal, Sergeant, Lieutenant) the Department submits a Personnel Requisition to receive a certified list of applicants to fill a vacant position(s):

- Candidates may be promoted from an applicable previously certified list.

- Previously certified lists are valid for twelve (12) months from date of certification.
- Once a new recruitment is conducted and a new eligible list is established, any previously certified lists from a prior eligible list will not be utilized after three (3) months from the date of the new eligible list.
- Previously certified candidates who do not apply and qualify on the newest eligible list will no longer be considered for promotion once the new eligible list is established.

Note:
Should operational needs arise, the Sheriff may utilize the Prior Certification List process contained in County Personnel Rules upon notification to union representatives.

Example 1:
A recruitment is conducted, and an eligible list is established for Detective/Corporal on May 30, 2017. Based on a Personnel Requisition to fill a position(s), a certification list of candidates is issued to the Department on November 20, 2017. In this case, the certification list expires on November 19, 2018, unless a new eligible list is established.

Example 2:
Same scenario as Example 1, but a new recruitment occurs and a new eligible list for Detective/Corporal is established on April 30, 2018. In this case, the previous list certified November 20, 2017 may not be utilized past July 30, 2018 (i.e., 3 months after the new eligible list is established).

2.212. Employee Grievances

Effective management and respect for individual dignity requires that employees have means available for the proper redress of grievances. A Department employee having a complaint relating to any matter affecting his employment is

ensured the right of review at succeeding levels of Department authority. The right of an employee to file a grievance and its administrative review promotes efficiency and results in improved morale. Those positive benefits are defeated if employees are reluctant to file a grievance. Therefore, no action of a formal or informal nature shall be taken by the Department against an employee, his witnesses, or employee representative, merely for his having filed a grievance, nor is such filing to be otherwise looked upon with disfavor by the Department.

While it is the policy of the Sheriff to maintain an "open door policy" with all members of the Department, such policy shall not be utilized by members in an indiscriminate manner. Members are encouraged to bring matters directly to the attention of the Sheriff only after efforts through proper channels have been exhausted. Members desiring to discuss such matters with the Sheriff shall secure an appointment from the Sheriff's secretary.

2.214. Employee Personnel Records and Files

The Internal Affairs Unit shall be the custodian of personnel records for all Sheriff's Department employees and shall establish a procedure, in accordance with law, to maintain employee personnel records.

Upon separation from the Sheriff's Department, the contents of an employee's files maintained at any station/division shall be forwarded to the Internal Affairs Unit for insertion into the employee's Internal Affairs Unit personnel file. These documents shall be electronically stored and all original documents destroyed in the manner prescribed by law.

2.216. Confidentiality of Personnel Information

The custodian of personnel records shall establish a procedure, in accordance with law, to disclose personnel information.

Disclosure of any information from personnel files to Department members shall be restricted to those persons having a need and right to the information, pursuant to law, for work-related purposes.

2.218. Employee Training Records and Files

Employee training files are where documents relating to the mandated or required training of the employee are stored. The Sheriff's Training Division is responsible for securely maintaining these files in accordance with law.

To aid in the tracking of their professional development, all safety employees are encouraged to forward to the Sheriff's Training Division, certificates of completion for any optional training courses completed.

2.220. Employee Payroll Records and Files

Employee files maintained by the Employee Resources Division are for storing documents relating to the compensation of the

employee. The Employee Resources Division is responsible for securely maintaining these files in accordance with law.

Files maintained in the Employee Resources Division are limited to:

- Job Action Requests
- Employee Status Notification
- Employee Personal Data
- Direct Deposit Agreement
- Employee Eligibility Form
- Employee Identification Form
- W-4
- Last Warrant Designee
- Retirement Affidavit/Selection Form
- Extra Help/Public Service Agreement
- Employee Contract Retirement Form

2.222. Employee Work Files at Assigned Division

An employee's division file (or "work file") is where documents are stored for use in an employee's pending performance evaluation. Each division is responsible for the secure

maintenance of an employee's station file in accordance with law.

Division files shall include:

- An Emergency Notification Information Form updated annually at the time of the employee's performance evaluation.
- Copies of the most recent transfer or promotional orders.

Division files may include:

- Documents for use in the preparation of the annual performance evaluation.

Generally, all documents maintained in the division files are purged after the information contained therein has been recorded in the annual performance evaluation.

Purged documents shall be given to the concerned employee.

During the employee's annual efficiency rating review, the supervisor shall review and update the employee personal data form (EMACS form revised 3-12-08) maintained in the station personnel file.

2.224. Employee Medical Files at Assigned Division

All stations/divisions shall maintain a separate individual employee file limited to documents pertaining to the medical condition of the employee. Each station/division is responsible

for the secure maintenance of an employee's station medical file in accordance with law.

Medical information includes but is not limited to:

- Employee Absence Requests
- Requests for Extended Leave for medical reasons.
- Physician Off-Work Orders
- Injury Reports
- Any document relating to the health or medical condition of the employee.

2.226. Employee Disciplinary Records

Citizen complaints and department-initiated administrative investigations of personnel misconduct, regardless of the disposition, shall be placed in the individual personnel file maintained by the Internal Affairs Unit, except as provided by law, and maintained five calendar years from the date of disposition.

At the conclusion of the five-year period, the Internal Affairs Unit will automatically purge and destroy the personnel complaint, investigation and disposition from the personnel and administrative file maintained by the Department unless a substantially similar incident occurred during the initial five-year period.

If the Internal Affairs commander determines that a substantially similar incident occurred during the initial five-year period, the personnel complaint, investigation, and disposition regarding the incident will be maintained in the personnel file of the employee.

Substantially similar conduct is defined as conduct that a reasonable person would conclude is substantially similar in nature. Internal Affairs will notify the affected employee that the

complaint, investigation, and disposition of this substantially similar conduct are being maintained in the file.

Any and all citizen complaints and Department-initiated administrative investigations that result in a mitigated stipulation agreement, such as a Last Chance Agreement or Lifetime Alcohol Contract being entered into by the Department and the employee, will be maintained for five calendar years, or for the duration of the agreement/contract, whichever is greater.

2.228. Reporting Changes in Personal Information

Employees shall notify the Department of any of the following changes or additions:

- A temporary or permanent change of address and/or telephone number.
- A change of persons to be notified in case of emergency.
- A change of religious or fraternal organizations to be notified in the event of death.
- A change of marital status.
- The birth or adoption of a child.
- Any personal information of administrative value to the Department.

The employee shall submit any of the above changes by submitting an Employee Status Change Form through the station/division payroll clerk to the Employee Resources Division.

2.228.10 Reporting Military Obligations

Any member who becomes affiliated with the active or inactive reserve of any branch of the Armed Forces of the United States, or the State of California, shall report his status to his commanding officer. The member shall keep his commanding officer informed of any military obligation such as assignment,

dates of active or reserve duty, and the extended yearly commitment.

This shall be completed by submitting a copy of the member's "orders" for his military duty assignment, to his commanding officer as soon as the member is either aware of or receives his "orders."

2.230. Civil Suits Related to Department Business

Generally, any person wanting to subpoena an employee relating to civil litigation (Department, non-personal business) should be referred to the Civil Liabilities Division. Should the person object, due to the time or distance, the subpoena can be accepted at the division.

The subpoena can be accepted by any of the following:

- The employee to whom it was issued.
- The commander of the division where the employee is assigned.
- By a supervisor of the rank of sergeant or higher of the division where the employee is assigned.

The plaintiff or defendant requesting the presence of an employee in court or at a deposition under a civil subpoena, shall post the prescribed fee per Government Code section 68097.2. If the subpoena is not accompanied with a check or money order in the correct amount, made payable to the Sheriff's Department, the subpoena shall not be accepted.

When a civil subpoena is accepted, the person serving the subpoena shall be issued a receipt for the fees posted. A copy

of the subpoena, receipt, and the posted fees (check or money order) shall be sent to the Civil Liabilities Division.

All requests for refunds of fees shall be referred to the Civil Liabilities Division.

As per the Penal Code, a subpoena may be refused under the following circumstances:

- If the immediate supervisor knows that the employee is not be available on the appearance date due to being on vacation.
- If the service of the subpoena is less than five working days prior to the date of the appearance on the subpoena and the supervisor is not reasonably certain that service can be completed on time for the deputy's appearance.
- If the service was accepted and then it is later determined that the employee is not available, the person or the attorney who subpoenaed the deputy shall be notified forty-eight hours prior to the appearance date.

When the Civil Liabilities Division accepts a subpoena for an employee, a copy of the subpoena shall be faxed to the deputy's division immediately. The copy shall be stamped as accepted by the Civil Liabilities Division indicating that the fees were posted. Should the employee not be able to appear on the scheduled date, the Civil Liabilities Division should be informed about this as soon as possible.

When an employee appears under the requirement of a civil subpoena, the following information shall be documented by the deputy:

- Hours spent in court or at a deposition.
- Travel time.
- Cost of meals.

The employee shall forward the above information with a copy of the civil subpoena to the Civil Liabilities Division at the completion of the required appearance.

When an employee is subpoenaed as a witness in a civil case, he shall use County transportation whenever it is available, and the proceeding is beyond a reasonable walking distance. If County transportation is unavailable and it is necessary for an employee to use his private vehicle, he shall be compensated for his mileage and parking expenses according to the current MOU.

2.232. Employee Served with Civil Process

An employee served with a summons and complaint due to circumstances arising from the performance of his duties as a County employee shall, as soon as practicable, notify his commanding officer and the Civil Liabilities Division of the service.

Unless notified otherwise, in writing, the Department's Civil Liabilities Division shall accept service of a summons and complaint for current employees when the circumstances of the lawsuit occurred during the performance of their duties as a Department employee. Civil Liabilities shall accept service of the summons and complaint, in lieu of personal service upon the employee, and will forward a copy to County Counsel and the employee. A response on behalf of the employee will be filed in a timely manner.

When an employee has reason to believe he may be sued or that a claim against the County may be made due to circumstances arising from the performance of his duties as a County employee, but has not been served with a summons and complaint, he shall immediately notify his commander.

2.234. Civil Suits Not Related to Department Business

A summons and complaint shall be accepted when practicable, by the employee named on the process.

When the employee named on the process is not immediately available, the watch commander shall make every effort to cause an on-duty employee to be made available, without delay, for acceptance of the process.

When the process server insists on leaving a copy of the summons and complaint with the watch commander, the watch commander shall accept the summons and complaint and shall cause delivery of the summons and complaint to the employee named on the process, as soon as practicable.

When the employee shall not be available for acceptance of the summons and complaint for three (3) days, and the process is a result of the employee's personal affairs, the watch commander shall cause the plaintiff's attorney to be notified of the employee's absence and estimated time of return to duty.

2.236. Summons for Jury Duty

Any employee who is ordered to serve jury duty shall be entitled to base pay for those hours of absence from work, provided the employee waives fees for service, other than mileage. Such employees shall further be required to deliver a "Jury Duty Certification" form at the end of the required jury duty to verify such service. When practicable, the appointing authority shall convert an employee's regular tour of duty to a day shift tour of duty during the period of jury duty. Employees required to serve on a jury must report to work before and after jury duty,

provided there is an opportunity for at least one (1) hour of actual work time.

NOTE: Any employee who is ordered to serve jury duty shall notify his commanding officer by submitting an inter-office memorandum at least one (1) tour of duty shift prior to his day to report.

2.238. Coroner's Inquests

Members subpoenaed to testify at a Coroner's Inquest regarding a death which resulted, or is alleged to have resulted, from action taken by them in the performance of their official duties shall immediately notify their commanding officer and shall consult with the Internal Affairs Division prior to the inquest. Such members should always consider seeking their own legal representation.

2.240. Subpoenas for Personnel Records

Employee's personnel records are confidential and shall not be disclosed to any person without proper authority.

Subpoena Duces Tecum requiring the production of personnel records in a hearing or judicial proceeding, or for review by private attorney, that is received by any station/division commander shall be forwarded to the Internal Affairs Division without delay.

The Sheriff, or his designee, shall be solely responsible for the production and release of personnel records demanded under subpoena.

2.242. Personnel Report

A supervisor may generate a Personnel Report, and cause it to be placed in a member's division file, for acts including, but not limited to:

- Incidents in which the member displayed sound judgment, exceptional performance, community involvement, etc.
- Incidents in which the member's professional performance warrants adjustment, redirection, or refinement, etc.

The Personnel Report form may be found in "Sheriff's Department Templates." The description of the incident and action taken should be brief, but complete enough so that the document stands without the need of further explanation.

A supervisor shall review the personnel report with the member, and subsequently have the member sign the document. The member may submit a written response, if desired, and this response shall be filed with the personnel report.

The personnel report shall be filed in the employee's work file at the division level. As may be deemed necessary by the division commander, a copy of the personnel report may be forwarded to the Assistant Sheriff, concerned Deputy Chief, and/or the member's personnel file.

Generally, a Personnel Report should be removed from the employee's work file at the time the employee's next annual work performance evaluation is completed.

2.244. Work Performance Evaluations

Work Performance Evaluations are required annually during the employee's "anniversary month" on the San Bernardino County Work Performance Evaluation Form.

All division commanders shall establish a twelve-month tickler system to ensure that each employee's performance is appraised during their anniversary month.

Probationary Personnel Appraisals shall be completed as required on the County Probation/Progress Report Form.

Interim appraisals, special, or supplemental evaluations may be generated by a supervisor whenever the supervisor believes it to be in the best interest of the employee, supervisor, or Department to do so. This system of evaluation is usually made whenever an employee's performance and/or work conduct has markedly changed since a previous evaluation or whenever an employee has failed to improve a previous less than satisfactory evaluation, counseling, or training.

The San Bernardino County Work Performance Evaluation Form shall be used for documenting the performance of all Sheriff's Department employees. The San Bernardino County Sheriff's Department Work Performance Evaluation Page Two shall accompany the WPE. All justifications for ratings given shall be documented on this page.

2.244.15 Probationary Evaluations

This form is used for rating employees during the initial hiring and any subsequent promotional probation periods. It is also used to

track the progress of employees and their eligibility for merit pay increases.

The County Human Resources Department shall provide the Probationary/Progress Report Form for all employees at the appropriate times (hire dates do not apply).

2.244.20 Work Performance Improvement Programs

When an administrator or supervisor identifies unacceptable work performance by a subordinate member of the Department, the use of a Work Performance Improvement Program (WPIP) should be considered.

The use of a Work Performance Improvement Program is generally used in situations in which a member's work performance has deteriorated to, or is found to be at, an unacceptable level and the situation must be corrected. In such cases, the primary objective of the Department is to help and aid the member in the improvement of the substandard work performance and to become a more productive member of the Department.

The use of a Work Performance Improvement Program is most appropriate in situations involving apparent inefficiency or lack of training, rather than in situations involving blatant violations of County personnel rules or Department policy.

When a Work Performance Improvement Program is used, the following steps should be followed:

- Identify the specific areas in which the member's performance is deficient, including examples, if possible, of the substandard performance.
- Conduct an "in-person" conference with the member concerning the deficient work performance. The purpose of this conference is to remediate rather than to

reprimand or punish and, as such, the tone and atmosphere of the conference should encourage openness, communication, and cooperation on the part of the member. During this conference, the member's poor work performance should be explained to him, including why his level of performance is unsatisfactory. It should further be explained to the member that the potential consequences of continued unimproved work habits include suspension, demotion, and dismissal.

- Identify and discuss methods and techniques which may be utilized by the member to improve the deficient work performance.
- Set performance goals that, when achieved, signify the successful improvement of the deficient performance.

When possible, interim goals should be identified that demonstrate the employee's progress toward the ultimate solution of the problem. While these goals may vary, depending upon the nature of the improvements desired, they should be tangible and measurable achievements, preferably set with the cooperation and participation of the member.

A reasonable timetable must be established for the WPIP, outlining dates by which each interim goal should be accomplished.

At the conclusion of the initial conference, a document should be prepared detailing the areas of work performance needing improvement, the goals set and timetable agreed upon, and a frank statement of the potential consequences of failing to significantly improve. The document should be in the general form of a contractual agreement ending in a statement, to be signed by the member, agreeing to achieve the necessary performance goals within the timetable or be subjected to the stated consequences.

As soon as practicable, the document should be reviewed with the member and signed by both the supervisor and subordinate. A copy should be supplied to the subordinate.

Dates for future conferences with the member should be set, usually corresponding to the timetable for achieving interim goals. At these future conferences, the member's progress should be discussed, giving the member a clear understanding of how the supervisor perceives the member's efforts and progress toward the previously set goal(s). Even when interim goals have not been identified, interim conferences should be scheduled to discuss the member's progress toward improvement prior to the deadline set for the achievement of the ultimate goal. A member must not be allowed to finish this improvement program (especially unsatisfactorily) without interim evaluations indicating unsatisfactory progress.

It is vital that the member receive a timely copy of each document involved in the program and that the consequences of unsatisfactory results be no surprise to the member.

Following the initial conference and signed agreement, the supervisor must keep careful account of the member's efforts to improve and to comply with the agreement. The supervisor should be prepared for each scheduled interim conference with an objective evaluation of the member's progress toward the identified goals. The evaluation should be in writing and provided to the member during each conference. The member's progress and any problems should be discussed as necessary.

Generally, the timetable agreed upon should not be altered. However, should unexpected problems arise or the timetable prove to be unreasonable, the supervisor may extend or otherwise modify the original agreement.

When the final deadline is reached, the supervisor must prepare a written report of the member's performance, including a statement of the supervisor's opinion of the degree of improvement, whether or not the ultimate goal was achieved, and whether or not the member's performance has reached an acceptable level of efficiency. A final conference must be held with the member, wherein the member is provided a copy of the supervisor's final report and the results are discussed with the member.

Following the final conference, the supervisor should package all of the documents together, including the original agreement and any interim reports or modified agreement, and prepare a cover memorandum to the division commander which briefly summarizes the contents of the package and expresses the final opinion of the supervisor, which would be either:

- The member has improved to a satisfactory level of performance, or
- All reasonable efforts have been exhausted and the member's performance still falls short of an acceptable level of efficiency and/or competency.

The supervisor should avoid recommending any action to be taken by the Department in the event of unacceptable results.

The key to effective use of Work Performance Improvement Programs is the constant effort by staff to help a member bring his work performance to a "meets standard" level. A member should not be allowed to finish a WPIP unsatisfactorily without the supervisor making every reasonable effort to help and encourage the employee to succeed.

2.252. The Scheduling of Personnel

The following provisions are intended as guidelines only, to assist in planning watch scheduling and watch rotation periods.

2.252.10 Watch Rotation Periods

A watch rotation is the period of time an employee is generally assigned to a particular watch. Each commanding officer shall establish the duration of the watch rotation period, which shall generally be four or six pay periods; subject to the workload and needs of the division.

For the purpose of watch rotation, a cover shift is considered a working position of the watch during which the shift begins.

Scheduling for institutional nurses is exempt from regular watch rotation.

2.252.15 Watch Rotation Periods: Assignment of Days Off

Unless work load demands or the needs of the station/division require otherwise, the days off for employees assigned to rotating watches will generally change every two (2) pay periods. Commanders shall establish a systematic method of assigning days off to ensure that each employee has approximately the same number of weekend days off each year. An employee's request for preferred days off may be granted provided the request does not adversely affect the other employees and the needs of the station or division are met. Employees who have been granted requests for preferred days off may have their number of weekend days off reduced to accommodate their requests. Seniority shall not be a factor to be considered for assigning days off.

2.252.20 Seniority Watch Preference and Rotation

Commanders may permit employees to request a watch rotation period based on seniority preference, for up to fifty percent (50%) of the assigned positions for a watch rotation period. In determining the frequency of rotation and watch assignments, commanders shall take into consideration work load demands and the needs of the division.

The criteria for seniority, as it relates to watch preference, are the same as defined in section 2.256 for safety employees. Seniority for professional staff employees is defined as time in classification, followed by the time in County service. Unresolved ties in seniority shall result in the employees rotating in the regular cycle or being assigned to a watch based on the needs of the station or division.

Requests for watch preference based on seniority shall be made at least one (1) watch rotation period in advance of the requested assignment. Requests for watch preference based on seniority shall not be considered after the schedule is posted and approved.

Subject to the work load demands and the needs of the station/division, as determined by the commander, employees assigned to rotating watches six (6) pay periods in duration shall work each watch for at least one (1) rotation during an eighteen (18) month period. Employees assigned to rotating watches four (4) pay periods in duration, shall work each watch for at least one (1) rotation during a twelve (12) month period.

Seniority preference for watch assignment is not a right and may be denied based on the needs of the Department, including, but not limited to:

1. Work load demands.
2. Emergency circumstances.
3. Current employee performance concerns.

2.252.25 Watch Assignment Trades

The trading of watch assignments between employees holding the same classification within a division is permissible, but shall be considered only after a written request signed by the involved employees is submitted to the division commander.

The trading of watch assignments is not a right, and therefore such requests may be denied based on Departmental needs; including, but not limited to the following:

- Division workload and scheduling considerations.
- Emergency circumstances.
- Personnel performance issues.
- Any apparent attempt to manipulate the established scheduling practices.

Department personnel shall not receive any compensation or payment for the trade of watch assignments in addition to or other than that which is provided by the employer for the actual time worked.

2.252.30 Professional Staff Employees: 9/80 Scheduling

Commanders may permit professional staff employees assigned to positions during regular County business hours, (and not subject to shift relief), to participate in a 9 day/80-hour scheduling plan, provided:

- Employee's participation is voluntary.
- The number of employees in the work unit who are off duty at any time does not exceed fifty percent (50%) of the work unit.
- The work load demands of the station/division are not adversely impacted.

2.256. Determining Seniority

In determining the senior officer in a jurisdictional responsibility, seniority shall be determined first by rank, then by length of service in that rank, and then by continuous service with the County.

Seniority of professional staff employees, shall be determined in the following order:

- Civil Service Classification - In accordance with the Civil Service rating, whereby one position is classified as being higher in grade than another.
- Length of Service - By length of continuous service in the classification.
- By Designation - When designated as being in charge of a particular situation or group by competent authority.

2.256.10 Determining Seniority: 20-Year Deputy

When a Deputy attains twenty (20) years of uninterrupted service with the Sheriff's Department, he shall be given preference for days off, shift, and vacation schedules, except for emergency work demands or employee performance concerns.

Commanders shall make every effort to accommodate these employees.

2.258. Overtime Usage

It is the policy of the Department to discourage overtime except when necessitated by abnormal or unanticipated workload situations. It is the responsibility of the commanding officer to arrange for the accomplishment of workload under jurisdiction within the normal tour of duty of employees. The

Department has the right to require and determine overtime to be worked as necessary.

Any employee in a regular position who is returned to active duty at the request of the commanding officer or his designee after the employee has been released from active duty and left the work station, the employee shall be regarded as having worked and is entitled to compensation.

Except for emergencies, approval by the station/division commander or his designee to work overtime must be secured prior to any overtime being worked. No employee shall be scheduled or permitted to work overtime concurrently with vacation or 4850 leaves of absence unless expressly authorized by the commander, and only upon concurrence of the Bureau Deputy Chief.

Before an employee is permitted to work any overtime for another station or division, approval must be obtained from his station/division commander.

There must be eight (8) hours of rest prior to the next scheduled shift worked at the employee's station/division following any overtime worked at the employee's station/division, or for another station or division.

Procedures for compensating overtime are contained in the current Memorandum of Understanding.

2.260. Scheduling in Emergency Conditions

Whenever a condition exists that is deemed by the Sheriff to be of an emergency nature, regular tours of duty may be extended and/or days off, vacations, etc., of any or all Department personnel may be canceled.

2.262. The Resignation Process

An employee wishing to leave the classified service of the Department shall file a written resignation directed to the Sheriff. The employee shall give at least two (2) weeks' notice of intention to leave the service, unless the Sheriff consents to the employee leaving sooner. The written resignation shall be immediately forwarded to the County Personnel Office. The filing of the written resignation with the Sheriff shall be deemed official notice to and acceptance by the Sheriff, and may not be withdrawn by the employee without the consent of the Sheriff. Resignations are not subject to review or appeal, except when obtained from an employee, with regular status by fraud, duress, or coercion. An employee alleging that the employee's resignation was obtained by fraud, duress, or coercion may appeal the resignation to the Civil Service Commission within ten (10) working days of the employee's submission of the resignation to the Sheriff. At any such hearing before the Civil Service Commission, the employee shall have the burden of proof to establish by clear and convincing evidence that the resignation was obtained by fraud, duress, or coercion. A resignation may only be set aside by the Civil Service Commission if the employee meets the above-established burden of proof.

2.262.10 Separation from Employment: Badges

All badges issued by the Department, even those purchased by a member, are considered to be the property of the Department.

The purchase of a badge allows a member of the Department, or former member, to maintain possession of the badge for memento, keepsake, or heirloom purposes; but, as stated above, creates no property right or interest in the badge. Upon resignation, retirement, or promotion, the pin-on (duty) badge shall be surrendered to the Office of the Sheriff, or may

be purchased as a memento through the Office of the Sheriff upon approval. Purchased pin-on badges shall be engraved on the back to indicate they are no longer in service.

A slimline or flat badge may not be ordered until the safety member has successfully completed their probationary period as a sworn San Bernardino County Deputy Sheriff (time as a Deputy Sheriff Trainee does not count toward the one year of probation). A Reserve Deputy Sheriff may not order a slimline/flat badge until they have completed one year of sworn service as a San Bernardino County Reserve Deputy Sheriff and have written approval from the Volunteer Forces Commander. A signed copy of the slimline/flat badge order/purchase form will be kept on file in the Executive Staff Office for all slimline/flat badges ordered/ purchased.
While a safety member may have purchased a slimline/flat badge, that member must obtain approval from the Office of the Sheriff in order to retain it upon separation from the Department.

Members who are terminated for cause shall be denied the privilege of retaining any Department badge, and no reimbursement for any cost shall be made.

Any misuse of a Department badge as described in California Penal Code sections 146d or 538c(1), or as determined by the Office of the Sheriff, or any attempt to publicly sell, trade, or otherwise distribute a badge as described in Department Manual section 2.676, shall cause the Department to demand surrender of the badge.

2.262.15 Member's Separation from Employment

Upon separation from active service, each Sheriff employee is obligated to relinquish all Department-issued property including departmental identification and keys. The protocol for these acts is listed on the Sheriff's Separation From Active Service Inventory.

This form sets forth the items to be made, and requires a release signature by an authority at each step of the separation process.

DUTIES OF COMMANDER. The commander of the separating party shall give that person a Separation From Active Service Inventory. The commander shall explain the process/form to the employee.

DUTIES OF THE EMPLOYEE. Employees shall relinquish their keys and other station/division property to their commander or his designee. Employees shall relinquish all other departmental property and equipment to the appropriate divisions/units. Employees will have had all the applicable sections of the Sheriff's Separation From Active Service Inventory Form completed prior to "processing out" at Employee Resources Division, Payroll Section.

DUTIES OF THE EMPLOYEE RESOURCES DIVISION. The commander of the Employee Resources Division or his designee shall sign the final review and send the form to the Internal Affairs Division for inclusion in the employee's personnel file.

2.262.20 Retired Safety Member: Concealed Firearm Endorsement or HR218 Identification Card

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of San Bernardino County Sheriff's Department carry concealed weapon (CCW) endorsement identification cards under the Law Enforcement Officers' Safety Act (HR218) and California law.

Submitting a Request for CCW Approved and/or HR218 ID

Any safety member retiring or separating from the Department who wishes to receive a CCW Approved and/or HR218 identification card must make the request within 15 days of

separation. For the purposes of calculating this 15-day period, separation occurs immediately after the last day of regular employment, and not the date the employee accepts retirement, if retirement is deferred. Failure to make a request within 15- days of separation will act as a waiver of any claim to a CCW Approved or HR218 identification card.

Any safety member requesting a CCW Approved and/or HR218 identification card will be provided, and required to sign, a hold harmless agreement. Failure to sign and return the hold harmless agreement within 15-days of separation will act as a waiver of any claim to a CCW Approved and/or HR218 identification card.

HR218 Identification Card

HR218 allows qualified retired or separated law enforcement officers to carry a concealed firearm in any jurisdiction in the United States, regardless of state or local laws, with certain exceptions. A former safety member may be eligible for HR218 protection even though they are not eligible for a CCW Approved identification card under California law. The Department may issue these former members an HR218 identification card.

The Sheriff may issue an HR218 identification card to any former member who meets the following conditions:

1. Separated from service in good standing from the Department as a law enforcement officer;
2. Before such separation:
    1. Served as a law enforcement officer for an aggregate of 10 years or more. (If the member has been a law enforcement officer at multiple law enforcement agencies for the 10 year aggregate, a Department CCW Certification form must be completed by the member outlining the law

enforcement agencies and the years employed as a peace officer); or

2. Completed any applicable probationary period and separated from service due to a service-connected disability as determined by this Department;

3. Has not been disqualified for reasons related to mental health by either:
   1. Having been officially found by a qualified medical professional employed by the county to be unqualified for reasons relating to mental health; or
   2. Having entered into an agreement with the Department acknowledging he or she is not qualified for reasons relating to mental health; and
4. Is not prohibited by federal law from receiving or possessing a firearm.

The phrase "Separated from service in good standing" means that the safety member was not terminated from employment for any reason, and, at the time of separation, was not the subject of a pending administrative or criminal investigation which, if sustained, would likely result in termination.

The HR218 identification card shall contain a photograph of the former member and identify him/her as having been employed as a law enforcement officer within the meaning of HR218.

To qualify for HR218 protection, the former member is also required to obtain yearly certification issued by the State in which the former member resides or by a certified firearms instructor who is qualified to conduct firearms qualification tests for active duty officers within that State. The test shall indicate that the individual has been tested or otherwise found to have met the active duty standards for qualification in firearms training, as established by the State, to carry a firearm of the same type as the concealed firearm. If the State has not

established such qualification standards, the standards set by any law enforcement agency within that State to carry a firearm of the same type as the concealed firearm shall be used.

California CCW Approved Identification Card

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

The Sheriff may issue a CCW Approved identification card to any former member who meets the following conditions:

5. Was peace officer, listed in Section 830.1 or 830.2, or subdivision (a) of Section 830.33;
6. Worked for the Department as sworn peace officer or level I reserve deputy who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment;
7. Was honorably retired; and
8. Did not retire because of a psychological disability.

The phrase "honorably retired" means the member has qualified for, and accepted, a service or disability retirement and enters retirement from active service as a peace officer. It does not apply to those who resign or are terminated and later collect their pension, or who retire in lieu of termination, or who, at the time of retirement, were the subject of a pending administrative or criminal investigation which, if sustained, would likely result in that member's arrest, suspension, or removal from the department.

The identification card issued to any qualified and honorably retired safety member shall be 2 inches by 3 inches, and contain:

1. A photograph of the retiree.
2. The retiree's name and date of birth.
3. The date of retirement.
4. The name and address of this Department.
5. A stamped "CCW Approved" endorsement along with the date by which the endorsement must be renewed.

To qualify for CCW protection under California law, the former member is also required to:

1. Meet the training requirements of Section 832 and qualify with the firearm at least annually;
2. Not violate any Departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency; and
3. Not engage in conduct that compromises public safety.

Notification of Arrests/Restraining Orders

A former safety member with an identification card issued under this policy shall immediately notify the Department's Internal Affairs Division of any arrest or conviction in any jurisdiction, or upon becoming subject to a restraining order.

Denial, Suspension or Revocation of a HR218 Identification Card

An HR218 identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event an identification card is denied, suspended or revoked, the former officer may request a review by the Office of the Sheriff. The decision of the Office of the Sheriff is final.

Denial, Suspension or Revocation of California CCW Approved Identification Card

A CCW Approved identification card may be denied or revoked only upon a showing of good cause.

Good cause includes a violation of any Departmental rule, or state or federal law that, if violated by a safety member on active duty, would result in that member's arrest, suspension, or removal from the department.

If a CCW Approved identification card is denied, the retired member shall have 15-days from the date of denial to request a formal hearing. 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.

If a CCW Approved identification card is revoked, 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. A temporary revocation shall be effective upon receipt of the notice. The retiree shall have 15- days from the date of service to file a written request for a hearing. The hearing, absent written agreement between the parties, shall be held no later than 120-days after the request is received. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right, and the CCW Approved identification card shall be permanently revoked. The retired officer shall immediately return the identification certificate to the issuing agency.

A hearing for the denial or revocation of any CCW Approved identification card shall be held before a three-member hearing board. One member of the board shall be selected by the Department and one board member shall be selected by

the retired safety member or his/her employee organization. The third board member shall be selected jointly by the Department and the retired safety member or his/her employee organization. Any decision by the board shall be binding on the Department and the retired safety member.

If a CCW approved identification card is denied because of a finding that the safety member retired because of a psychological disability, and the safety member was not provided the CCW Ineligibility Acknowledgement, the safety member may request review of that finding pursuant to the process outlined above.

Psychological Disability Retirement and CCW Ineligibility Acknowledgement

Any safety member seeking a medical retirement due to a psychological disability will be provided the CCW Ineligibility Acknowledgement. The safety member shall either sign and return the CCW Ineligibility Acknowledgement or submit to an evaluation by a qualified medical professional employed by the County to determine if the safety member is unqualified for reasons relating to mental health. If a safety member refuses to sign the CCW Ineligibility Acknowledgement or submit to the evaluation, these refusals will act as a waiver of any claim to a CCW Approved or HR218 identification card.

Updated: 7-12-21

2.262.25 Retired Deputy Sheriff: Concealed Firearm Endorsement – Course of Employment

Any retired deputy sheriff who has received a Concealed Firearm Endorsement to their identification card shall not be

authorized to carry their firearm during the course of private employment utilizing this endorsement.

To obtain an exposed firearm permit or guard card, the retiree is required to complete the application process through the Bureau of Security and Investigative Services, (www.bsis.ca.gov).

2.264. Personal Associations and Fraternization with Probationary Members

Off-duty personal associations and fraternization between a member of superior rank and a probationary member assigned to the same division or detail is prohibited.

2.264.10 Personal Associations and Fraternization with Academy Trainees

Off-duty personal associations and fraternization between Department members and any Basic Academy trainee is prohibited. This policy does not prohibit the off-duty personal associations and fraternization between Basic Academy trainees.

This section is generally not intended to interfere with any previously-established personal relationship; and/or a family relationship involving the spouse, child, mother, father, sister, brother, mother-in-law, father-in-law, or any relative living with the member.

2.264.20 Personal Associations and Fraternization with Explorers

Inappropriate personal associations between members and Explorers are prohibited. This applies to all Explorers regardless of age and any laws related to age of consent.

Inappropriate personal associations between an Explorer and members include, but are not limited to:

- Romantic, intimate or sexual relationships.
- Conducting any business transaction with an Explorer

*An exception to this would be patronizing an established business where an Explorer may be employed (e.g., a waiter at a restaurant).

Further, inappropriate communication between members and Explorers is prohibited. Inappropriate communication includes, but is not limited to derogatory or profane language, sexual innuendos, or any subject matter that might be construed as indecent, lewd or offensive.

This section is not intended to interfere with any previously-established family relationship involving the spouse, domestic partner as defined by California Family Code section 297, child, mother, father, brother, sister, mother-in-law, father-in-law, or any relative and the member.

2.266. Professional Staff Employees in Law Enforcement

Generally, professional staff employees shall not be assigned to perform any duties that are law enforcement in nature.

When an urgent condition exists and a female deputy is not immediately available, a female professional staff employee may temporarily act as an observer during the care and detention of a female, or perform a custodial search of any female arrestee. A female employee may also act as a witness

during the photographing and/or interviewing of a female victim.

2.268 Use of Force Training

To maintain proficiency in the use of Department approved firearms, safety members shall qualify each trimester at an approved range and under proper supervision.

All safety members with the rank of Deputy Sheriff (including Level I, II and III Reserve Deputy Sheriff) through Sergeant shall participate in Use of Force training as required by the Office of the Sheriff. Level III Reserve Deputies shall participate in Trimester Use of Force training only on designated days as determined by the Sheriff's Range.

All safety members at the rank of lieutenant and above shall receive an overview and demonstration of all aspects of the use of force training instruction offered for the current qualification period. All safety members at the rank of lieutenant and above shall also qualify with their service firearm, alternate duty firearms, back up firearms, any off-duty firearms and any issued long gun every trimester. All safety members at the rank of lieutenant and above who have not been issued long guns by the Department shall qualify with those firearms at least once every calendar year.

Failure to qualify may result in the safety member being assigned to attend remedial Use of Force training sessions. Additionally, if a safety member repeatedly/continuously fails to qualify or fails to attend remedial range training sessions as assigned, disciplinary action shall be taken.

Every safety member at the rank of Sergeant and below (including Level I and II Reserve Deputy Sheriff), shall qualify with their service weapon, shotgun, and rifle at least once, during each trimester of the year. Level III Reserve deputies shall only

qualify with their Department approved handgun(s) during each trimester of the year. While members may qualify at any time during each trimester, at least fifteen days must have elapsed between a member's qualification dates.

Updated: 05-21-21

2.268.10 Use of Force Training: Subject Matter

The Department, through a mandated qualification program, shall provide comprehensive ongoing use of force skills training to all safety members. Each qualification program shall include, but not be limited to, the following:

- Demonstration, training, and classroom instruction.
- Proficiency testing concerning the proper application of:
  - Law
  - Department Policy
  - Tactical Communication
  - Physical Technique Proficiency
  - Deadly Force
  - The Use of Force Options

The Sheriff's Rangemaster shall coordinate appropriate corresponding training to be conducted at designated outlying stations by a Training Team from the Sheriff's Range.

The Department may conduct training with various special weapons and require participation and satisfactory completion of such training at such times and by such members as is deemed necessary to ensure the accomplishment of the

Department's mission of service and protection of the citizens of the community.

In all cases, safety members shall not score their own qualification targets. A member of the Training Division or a station range officer, or his designee, shall be present.

2.268.15 Compliance with Range Commands

All members, regardless of rank, shall comply with any posted rules concerning firearms safety and the conduct of live firing on any firearms range operated by the Department.

Furthermore, when participating in live fire training, all members regardless of rank shall comply with the verbal commands of personnel assigned to conduct live fire training on any firearm range operated by the Department.

2.268.20 Use of Force Training: Commander's Responsibility

It shall be the responsibility of each commander to ensure that all safety members within his command participate in use of force qualification, in accordance with the prescheduled session, as provided by the Training Division.

When in the opinion of the Training Division, a safety member requires remedial training to satisfy the basic proficiency requirement or use of force qualifications, the safety member's commander shall make the necessary arrangements with the Training Division to schedule the safety member to participate in such remedial training as may be reasonable to satisfy the basic proficiency. Upon the successful completion of a remedial training program, the Training Division shall provide

written documentation to the safety member's commander confirming the safety member has met the requirements.

When, after a reasonable effort of remediation, there is a continuing failure on the part of a member to successfully meet the basic proficiency requirements, the Training Division shall provide written documentation to the member's commander confirming the safety member has not met the requirements.

In all cases of continued failure to successfully meet the primary proficiency requirements, the safety member's commander shall notify the Bureau Deputy Chief as soon as possible. The Bureau Deputy Chief shall determine what further action shall be taken.

2.268.25 Use of Force Training: Record of Qualification

Safety members fulfilling their qualification obligation shall secure appropriate documentation from the Training Division staff and deliver it to their commander or the person designated by their commander.

Each commander shall keep a record of handguns, authorized for standard, alternate duty, off-duty and back-up use, with which each safety member is currently qualified.

2.268.30 Use of Force Training: Failure to Qualify

In the case of a failure to meet the basic proficiency requirements for use of force training, the Firearms Training Center shall instruct and document all necessary ongoing

remedial instruction as scheduled with the deputy's commander.

The remediation program shall consist of the following three phases:

- PHASE 1:
  - One-hour training session that is designed to provide training to correct any deficiencies.
- PHASE 2:
  - A four-hour training session that is designed to provide an individualized training session that is designed to provide individualized training to correct any deficiencies.
- PHASE 3:
  - A training improvement program that identifies specific deficiencies and corrective actions for improvement.

Any deputy required to participate and qualify in use of force training and who fails to successfully meet the primary proficiency requirements upon completion of a documented program of remedial training may be subject to disciplinary action.

2.268.35 Use of Force Training: Failure to Participate

Every trimester, each safety member is required to participate in the use of force qualification program as ordered by the Office of the Sheriff. The failure of a safety member to participate during any qualification session without a legitimate documented excuse may be cause for disciplinary action.

The Training Division shall provide written documentation to the station/division commander of any safety member who fails to participate in the qualification session. It shall be the commander's responsibility to determine if the reason for the

failure to participate is legitimate or requires further inquiry or action. If further inquiry or action is necessary, an administrative investigation shall be conducted.

Within ten working days upon notification of a safety member's failure to attend use of force training, the commander shall respond by inter-office memorandum to his Bureau Deputy Chief and the commander of the Training Division as to whether or not the member's failure to attend training was excused.

2.270. Off Duty, Alternate, and Back-up Handguns

Safety members are strongly encouraged to utilize the handgun normally carried on-duty as their off-duty handgun.

If a safety member chooses to carry an alternate-duty handgun that is different from their on-duty handgun, they shall qualify each trimester with that handgun in the same manner as for their regular, on-duty handgun. If a safety member fails to participate for an entire trimester or participates and fails to qualify with the alternate-duty handgun, the safety member shall not carry or utilize the handgun for any Departmental purpose until they have qualified with it.

Safety members who desire, and are permitted, to carry a back-up or off-duty handgun shall qualify with the back-up or off-duty handgun each trimester. The Sheriff's Rangemaster shall develop a qualification course of fire designed for the back-up or off-duty handgun, considering its size, caliber, and intended use. If a safety member fails to participate for an entire trimester or participates and fails to qualify with the back-up or off-duty handgun, the safety member shall not carry or utilize the handgun for any Departmental purpose until they have qualified with it.

Generally, a handgun with which the safety member has not currently qualified shall not be deemed an "approved firearm"

within the scope of Department policy, and therefore is not authorized for use for any Departmental purpose.

Members of the Volunteer Forces Unit who are lawfully authorized to be armed while on-duty must also comply with this policy.

2.274. Emotional Issues Related to Members

Job-related emotional issues associated with stress, depression, and/or trauma should be treated with the same sense of importance; and with the same degree of understanding; as other, more traditional illnesses.

Every Department member should be aware of the threat these issues may present to their individual well-being, and should not hesitate to utilize the various professional services available through the appropriate counseling resource.

Department members are encouraged to notify a supervisor when they become aware that another member is exhibiting symptoms of severe stress, depression, and/or emotional trauma.

It is the responsibility of all supervisory personnel to recognize behavior of Department members that may be indicative of the symptoms of stress, depression, and/or emotional trauma, and to take immediate action as necessary.

Supervisors shall notify the appropriate division commander whenever they become aware that symptoms of stress, depression, and/or emotional trauma may be affecting a member of the Department. It is the division commander's

responsibility to ensure that the member receives appropriate assistance and guidance.

The Department provides counseling services to its members when the issue is determined to be job-related, or when it is necessary as the result of a critical/traumatic incident occurring on-duty. Generally, any other remedial or treatment action shall be the full responsibility of the individual member.

2.274.10 Suicide Prevention and Intervention

The Department recognizes the importance of providing intervention and counseling services to any employee who may be contemplating suicide. Supervisory personnel who become aware of behavior patterns in an employee that are indicative of suicidal thoughts should immediately meet with that person, take action as necessary, and contact the appropriate counseling resource.

2.276. Substance Abuse Recognition and Testing of Department Members

Alcohol and substance abuse should be treated with the same sense of importance; and with the same degree of understanding; as other, more traditional illnesses.

Every Department member should be aware of the threat alcohol and substance abuse may present to their individual well-being, and should not hesitate to seek professional assistance; or to offer help to fellow members affected by these disorders.

It is the responsibility of all supervisory personnel to recognize behavior that may be indicative of alcohol and/or substance abuse, and to take Immediate action as necessary. Initially, the supervisor should encourage the Department member to voluntarily seek assistance from qualified professionals if alcohol

or substance abuse is suspected. If necessary, the concerned employee may be directed to seek professional help from the appropriate counseling resource.

Any Department member who observes an on-duty member of this Department exhibiting behavior or symptoms indicative of alcohol and/or substance abuse; or who receives information which would provide reasonable suspicion that an employee may be a Member abusing a controlled substance; shall immediately report the observations or suspicion to a supervisor.

Supervisor's Responsibility: When a supervisor observes a Department member who; while either reporting for duty, or on duty; exhibits behavior or symptoms that leads the supervisor to reasonably suspect the member is under the influence of alcohol or a controlled substance, the supervisor shall immediately inform him that he is to refrain from performing any duty/task of his employment pending an investigation.

Reasonable suspicion is defined as a belief based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech and/or body odors of the employee and reasonable inferences drawn from those facts related specifically to job performance, that the employee poses a threat to themselves or the safety of others.

A Department member suspected of being under the influence of drugs or alcohol shall not be allowed to operate a motor vehicle.

The supervisor shall immediately conduct an investigation to determine and verify that reasonable suspicion exists that the member is under the influence of drugs or alcohol. If reasonable suspicion is established, the supervisor shall consult with the division commander or his designee. Based on this consultation, the division commander/designee shall determine

if the member will be ordered to submit to an alcohol and/or drug test.

The division commander shall then advise his Deputy Chief and/or other member of the Executive Staff of the circumstances as soon as practicable.

Administering Sobriety Tests to Department Members: The initial testing for alcohol use will typically be conducted by utilizing a PAS device. A blood test may be utilized if necessary. Any positive PAS test will be confirmed with blood testing.

Blood tests will be utilized to screen for use of controlled substances. A 6-panel drug screen will test for the following drugs:

- Cannabinoids as Carboxy-THC
- Cocaine Metabolites as Benzoylecgonine
- Phencyclidine (PCP)
- Opiates (codeine/morphine)
- Amphetamines (amphetamine/methamphetamine)
- Benzodiazepines

Further, if reasonable suspicion exists that the employee is using anabolic-androgenic steroids, blood testing for anabolic steroids will be conducted.

A positive test for alcohol shall be any amount greater than a .00 alcohol concentration, and a positive drug test shall be indicated by a finding of "detected" in laboratory results.

Member's Refusal to Submit To A Chemical Sobriety Test: If a Department member, after being so ordered, refuses to submit to a chemical sobriety test, the supervisor shall inform the employee that failure to follow the direct order will:

- Be considered insubordination; and

- Serve as cause for disciplinary action, up to and including termination of employment.

Administrative/Criminal Investigations: The division commander of the member suspected of being under the influence of alcohol and/or controlled substance drugs shall, upon consultation with his Deputy Chief and/or any other member of the Executive Staff, make a determination whether the facts warrant a criminal investigation, administrative investigation, or both.

A criminal investigation shall be initiated when the facts constitute a violation of the law prohibiting use of, or being under the influence of, alcohol and/or a controlled substance and shall be conducted in accordance with current case law and Department policies.

2.278. Member Seriously Ill on Duty

An officer injured or seriously ill on duty and in need of emergency treatment shall be transported to the nearest qualified emergency facility. If time permits, his emergency information card shall be checked for hospital and doctor preference. Upon the request of the injured or ill officer, the ambulance crew shall transport the officer to another reasonably located qualified emergency facility when the officer's welfare shall not be impaired by so doing.

2.280. Death or Serious Injury to Member

When a member of the Department is seriously injured or killed while on duty, his commanding officer, when at all possible, shall make notification to the member's family. If practicable, the aid of a family friend should be sought when going to contact the family. The commander, or his designee, shall provide transportation, clergy, or any other appropriate assistance or aid as needed. In the event of a member's death,

the Employee Resources Division shall be notified. The deceased's commanding officer shall designate a member to assist the family and to act as liaison between the family and the Department.

2.280.10 Death of Member: Commander's Responsibility

Upon the death of a member of the Department, the member's station/division commander, or their designee, may be of assistance to the member's family in any of the following:

- Determine to which mortuary the body should be sent (family preference).
- Arrange for the release of the body from the Coroner.
- Determine type and location of service (family preference).
- Determine type and location of interment and type of service.
- Arrange for type of clothing to be worn by deceased (family preference).
- Arrange for uniform honor guard, escort, and pallbearers, if they are desired by the family.
- Expedite the issuance of the death certificate.
- If requested by the family, arrange transportation as needed.
- Assist with insurance policies and claims, including the E.S.I.S. reports.

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2.280.15 Death of Retired Member

When an employee becomes aware that a retired member of the Department has died, the Office of the Sheriff shall be notified. A designated officer shall be assigned to contact the

member's family and comply with section 3/208.10 of this manual.

2.280.20 Survivor Identification Card: Issuance

The Department shall issue a Survivor Identification Card to the spouse, registered domestic partner (as defined in California Family Code section 297 – 297.5), parent, or child of any member killed in the performance of their duty; or who died as a result of an accident or injury caused by external violence or physical force incurred in the performance of their duty.

The Survivor Identification Card shall bear the name and photograph of the Department member who was killed in the line of duty and the name and photograph of the surviving family member. The rear of the card shall list the bearer's relationship to the Department member and phone numbers to the Department Dispatch Centers, the Sheriff's Employee Assistance Team and the Sheriff's Employee Benefit Association.

It shall be the responsibility of the Employee Resources Division and the Sheriff's Employee Assistance Team to verify the relationship of the survivor prior to issuance.

The Survivor Identification Card shall have no expiration date.

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2.282. Pregnant Members

A member, upon receiving confirmation they are pregnant, shall notify their division commander as soon as practicable. This notification is required for long-term planning related to schedule and staffing; and shall not by itself result in an alteration of a member's work assignment or schedule.

A member who is pregnant has the right to continue performing the regular duties of their position until a medical authority determines they are unable to perform those duties.

A pregnant member who is medically able to perform the duties of their position but who prefers to be reassigned to available duties that are less strenuous and/or less dangerous, may request a reassignment. If the appointing authority is unable to find other suitable duties, and the member prefers a leave of absence to continuing to perform their regular duties, a leave of absence with right to return will be granted.

Pregnant members shall refer to the current Memorandum of Understanding for guidelines relating to the use of leave time.

2.282.10 Pregnant Members: Modified Duty

Absent a modified duty order from a physician, or a member request as outlined in Department Manual section 2.282, division commanders shall not alter a member's work assignment or schedule.

When a pregnant member's physician issues a notice of work restriction(s), the member shall provide the division commander written notice of the restrictions and the estimated duration of those restrictions.

Although the Department will make reasonable effort to accommodate work restrictions, there is no guarantee that a

member with work restrictions related to pregnancy will be accommodated if it is not safe to do so.

Temporary modified duty assignments shall be determined by the Modified Duty Coordinator in coordination with the member's division commander; based on the restrictions outlined by the member's physician and the County Center for Employee Health and Wellness.

Pregnant members who present work restrictions from a physician are required to receive clearance from the County Center for Employee Health and Wellness before being placed in a temporary modified duty assignment.

Although the commander will generally attempt to place personnel assigned to modified duty in a position within their currently assigned division, the member may be assigned to any division within the department, based on organizational need.

Depending on the nature of the temporary modified duty assignment, the wearing of a uniform may be required. In this case, the member shall conform to maternity uniform policy as described in Volume 5 of the Department Manual.

Pregnant members shall refer to the current Memorandum of Understanding for guidelines relating to the use of leave time.

2.286. Off-Work or Modified Duty Order

When an employee has received an Off-Work Order or Modified Duty Order from his attending physician or an extension of an existing Off-Work or Modified Duty Order, he shall immediately notify and forward a copy of the Off-Work or Modified Duty Order or extension to his station/division commander of the length of absence and nature of the illness or injuries. A copy of the Off-Work or Modified Duty Order or

extension shall be faxed to the Civil Liabilities Division immediately.

When the illness or injury is not job incurred and the employee is absent for five (5) or more consecutive working days, the employee shall provide his station/division commander with a medical release from his attending physician upon return to duty status.

Based upon the nature of the illness or injuries and the employee's duty assignment, the appointing authority or his designee may require the employee to undergo an examination by the County Health Examiner prior to the employee returning to duty status.

When the employee is off work as a result of an occupational illness or injury, a back-to-work release from his attending physician and examination by the County's Occupational Health Examiner shall be required prior to the employee returning to duty status.

The station/division commander shall take action to ensure that contact is made with the Civil Liabilities Division, which shall schedule the employee for an appointment with the County Health Examiner. The employee must present his physician's return-to-work order to the County Occupational Health Examiner at the time of his appointment for examination. When the County Occupational Health Examiner gives the employee a written release to return to full-duty status with no restrictions, or an extension of the Off-Work or Modified Duty Order, the employee shall immediately contact his commander and provide to the commander such written release to full duty or other order extending off work, modified or limited duty, or any special requirements. The station/division commander shall then take action to ensure that a copy of the Occupational Health Order is faxed or delivered to the Civil Liabilities Division as soon as possible.

2.286.10 Modified Duty Program

The purpose and intent of the Modified Duty Program is to provide members who have suffered injuries or illness, which temporarily limit their ability to perform normal job duties, with a modified duty assignment. Modified Duty Programs have proven to be very cost effective in reducing temporary disability payments, medical costs, legal costs, permanent disability awards, and workers' compensation premiums charged to the Department.

Modified Duty Programs also benefit the injured or ill member. Modified duty positions allow the Department to utilize the skills and knowledge of the member who is temporarily precluded from performing the essential job functions of their normal position by reason of illness or injury. Modified duty positions can allow a member the opportunity to minimize the use of accrued benefit time while recuperating from the injury or illness and prevent despondency that frequently results from a prolonged absence from work. In most cases modified duty positions are therapeutic and can speed the member's recovery.

The Department shall normally provide modified duty positions in accordance with medical opinion when suitable and meaningful positions exist and are otherwise appropriate.

Transfers to other stations/divisions may occur if no meaningful work is available or the transfer meets the needs of the member and Department. The modified duty positions that have been identified and documented shall generally be filled by safety classification members. Professional staff classification members shall participate in the Modified Duty Program by returning to their normal assignment, but shall limit their work within the medical restrictions associated with their injury or illness. They may also be assigned other related duties that are compatible with their

medical restrictions.

The Department's Modified Duty Coordinator shall assist all Department members in obtaining their rightful benefits when they sustain an on-duty or off-duty injury or illness. Members are encouraged to contact the Modified Duty Coordinator with their questions or when they feel there may be a need for assistance.

2.286.15 The Modified Duty Coordinator

Generally, the Modified Duty Coordinator shall be responsible for coordinating, facilitating, and overseeing the Department's response to members who are ill or injured. The Modified Duty Coordinator shall also:

- Track the status and assignments of modified duty members and prepare management reports.
- Coordinate appropriate modified duty positions for long term modified duty members and members not retained by their original command.
- Evaluate the appropriateness of modified duty positions, providing information to station/division commanders, and obtain clarification of medical status and restrictions.
- Serve as a liaison to Risk Management and the County Center for Employee Health and Wellness (CEHW) concerning medical issues.

2.286.20 Modified Duty: Commander's Responsibilities

Commanders must insure that the name of an injured/ill employee is reported to the Modified Duty Coordinator as soon as practical after knowledge of the injury/illness is obtained.

Commanders must insure that updates on the employee's status (i.e., return to full duty assignments) are reported to the

Modified Duty Coordinator as soon as possible. When the treating physician releases the employee to modified duty, the Modified Duty Coordinator shall be informed as soon as possible concerning the employee's placement in a modified duty position. The Modified Duty Coordinator shall consult with the Occupational Health Director and may require that the employee be seen at Occupational Health prior to the commencement of modified duty.

2.286.25 Modified Duty: Assignment to Positions

Injured or ill employees may be assigned to a modified duty position under the following conditions:

- The employee's treating physician has authorized a return to work with specified work restrictions.
- The Modified Duty Coordinator has been informed and has consulted with the Occupational Health Director to determine if the employee must be seen at Occupational Health prior to participating in a modified duty position.
- The assignment to the position is anticipated to be temporary. Any assignment expected to exceed ninety (90) days must be approved by the Sheriff or his designee.
- Employees with stress-related injury or illness claims shall not be assigned to a modified duty position without specific medical evaluations from the treating physician and Occupational Health concerning the actual modified duty position the employee is assigned to.

2.286.30 Modified Duty: Priority of Assignment

Members assigned to modified duty positions shall normally fill positions allotted to their assigned station/division.

In the event no modified duty position exists at the member's assigned station/division (e.g., no vacancies or unique work restrictions associated with the member), the member's Deputy

Chief may then assign the member to a modified duty position at another station/division within the Department that could temporarily accommodate the member. The County Modified Duty Coordinator shall also be contacted for possible placement of the member in a modified duty position in another County office or department.

2.286.35 Modified Duty: Status Review

When an employee is assigned to a modified duty position, the employee shall keep his commander apprised of his medical progress, any changes in status, and future medical appointments.

Medical status reports shall be required from the treating physician at least every twenty-nine (29) days. The Modified Duty Coordinator and Worker's Compensation Adjuster shall coordinate and review the status reports to insure the appropriateness of continuing the employee in the modified duty position.

Assignments to modified duty positions are not intended to exceed ninety (90) days for any particular injury or illness. If the employee has not fully recovered and additional time is needed, the Modified Duty Coordinator shall contact the treating physician to determine an estimated recovery date. After concurrence from the Occupational Health Director, the Sheriff or his designee may extend the ninety (90) day time period.

When an employee's treating physician releases the employee to return to full duty, an appointment for the employee shall be made by the Modified Duty Coordinator with Occupational Health prior to the employee resuming the duties of his normal position.

2.286.40 Permanent and Stationary Status

When an employee has suffered an injury or illness and the treating physician, or other medical authority, has classified the employee as permanent and stationary, and the classification contains restrictions that will permanently preclude or restrict the employee from returning to full duty, the employee may be removed from the Modified Duty Program. The Modified Duty Coordinator and Claims Adjuster shall assist the employee in obtaining the eligible benefits that the employee is qualified to receive.

In appropriate cases, the Modified Duty Coordinator shall also assist the employee in applying for a medical retirement and other benefits. The Department may file the medical retirement application for the employee should the need arise.

Employees who suffer a permanent degree of disability shall be evaluated under the standards of the Americans with Disabilities Act in order to determine if they can perform the essential job functions of their position with or without reasonable accommodation.

2.288. Firearms Prohibitions

Any member of the Department who in the course or scope of their duties possesses, receives, carries or otherwise handles any firearm, and is served with or otherwise notified of a court order or other legal process that prohibits or restricts them from possessing, receiving, carrying or otherwise handling any firearm for either a specified or non-specified term, shall immediately report that information to their supervisor, and fully comply with the order. The affected member shall keep their division commander fully informed of all legal proceedings relating to the original order or any subsequent orders restricting firearm possession.

2.288.10 Firearms Prohibition: Supervisor's Responsibilities

When a supervisor has been notified that any member has been served with or otherwise notified of a court order or other legal process that prohibits any member of the Department from possessing, receiving, carrying or otherwise handling any firearm for either a specified or non-specific term, the supervisor shall:

- Obtain a copy of the order from the affected member.
- Immediately notify the station/division commander.

2.288.15 Firearms Prohibition: Commander's Responsibilities

When a commander has been notified that any member has been served with or otherwise notified of a court order or other legal process that prohibits any member of the Department from possessing, receiving, carrying or otherwise handling a firearm for either a specified or non-specific term, the commander shall:

- Immediately notify the Bureau Deputy Chief.
- Immediately notify Internal Affairs Division.

2.288.20 Firearms Prohibition: Deputy Chief's Responsibilities

When the Bureau Deputy Chief and Internal Affairs Division have been notified that a member of the Department has been served with or otherwise notified of a court order or other legal process that prohibits the member from possessing,

receiving, carrying or otherwise handling a firearm for either a specified or non-specified term, the Bureau Deputy Chief shall:

- Ensure that a supervisor's inquiry is conducted.
- If the member is precluded from carrying a firearm, take steps immediately to retrieve the member's duty weapon and any other firearms the member surrenders to the Department for safekeeping.
- If deemed appropriate, place the member on administrative leave pending the result of an administrative investigation.

Internal Affairs shall:

- Initiate an administrative review, up to and including possible placement of the member on administrative leave and removal of the member's duty weapon.
- Work in conjunction with the Bureau Deputy Chief to ensure directives are carried out.

2.290. Special Duty Leave

When it is contrary to the best interests of the Department for an employee to continue his regular duties while awaiting investigation or formal disciplinary action, he may be assigned to special duty leave with pay by his commanding officer or higher authority.

When an employee is physically or mentally unable to properly care for himself, or incapacitates himself to such a degree to be deemed unfit for duty, he:

- May be taken into protective custody.
- Shall be relieved of any weapon and Department equipment in his possession, when necessary in the interest of safety or for safekeeping.

2.290.10 Special Duty Leave: Employee's Responsibilities

An employee assigned to special duty leave shall comply with all lawful instructions given to him by his watch commander, his superior in the chain of command, or the commanding officer of the Internal Affairs Division.

2.290.15 Special Duty Leave: Commander's Responsibilities

When an employee is assigned to special duty leave, the commanding officer shall:

- Take immediate action necessary to ensure the completion of a proper investigation.
- Cause necessary reports to be completed and forwarded.
- When circumstances indicate, obtain all Department property in possession of the concerned employee.

The commanding officer making the assignment shall instruct the employee to:

- Refrain from acting in an official capacity.
- Remain on call at the designated place of inactive duty.

2.292. Carrying Firearms on Commercial Airline Flights

When Department business requires a safety member to travel via commercial airline, he must comply with the following:

- He must have successfully completed the current Transportation Safety Administration (TSA) flying armed training course.
- He must comply with all current TSA requirements (consult the Office of Law Enforcement/Federal Air Marshal Service website).
- He must coordinate with Sheriff's Records for entry of pertinent information into National Law Enforcement Telecommunications System (NLETS), for generation of authorization paperwork and required teletypes.

When checking in with the airline, the safety member shall advise the ticket agent of his firearm possession, and present appropriate paperwork, etc. It is ultimately the flight captain's decision as to whether the safety member will keep his firearm during the flight; or if it must be secured in the pilot's cabin.

When Department business requires a safety member to travel via commercial airlines with a prisoner in his custody, the safety member shall advise the ticket agent of this, that he is carrying a firearm, and present appropriate paperwork, etc. prior to boarding.
It is ultimately the flight captain's decision as to whether the safety member will keep his firearm during the flight, or if it must be secured in the pilot's cabin.

In making the decision to surrender a firearm to the flight captain, the safety member shall consider the following:

- The charges pending against the arrestee.
- The arrestee's emotional stability.
- The arrestee's previous record for violence and/or escape.
- The safety and security of the passengers on the airline.

If the flight captain demands the safety member's firearm, and he chooses to retain his firearm, the safety member shall arrange to take a different flight.

2.294. Relocation of Deputy Due to Threats, etc.

A peace officer who receives a credible threat of a life-threatening action directed against the officer or the officer's immediate family as a result of the peace officer's employment shall be entitled to be reimbursed for the actual and necessary moving and relocation expenses of the officer and his immediate family residing with him in the same household or on the same property, not to exceed the maximum recovery and time parameters permitted by law (refer to California Penal Code section 832.9).

The deputy's commander shall be notified as soon as a credible threat has been received. It shall then be the responsibility of the deputy's commander to investigate the circumstances of the reported threat and to recommend the grant or denial of reimbursement to the appropriate Deputy Chief.

The Deputy Chief shall then make such a recommendation to the Office of the Sheriff, which shall rule on the application. The Sheriff's decision on all requests for reimbursement of moving and relocation expenses pursuant to a credible threat shall be final.

2.294.10 Reimbursement of Relocation Expenses

The deputy relocated shall receive actual and necessary moving and relocation expenses incurred both before and after the change of residence, as permitted by law (California Penal Code section 832.9).

- Actual and necessary moving costs shall be those costs that are set forth in the California Department of Personnel

Administration Rules governing promotional relocation while in the state service that are in effect at the time of the application for reimbursement for moving and relocation expense.

- The Department shall not be liable for any loss in value to a residence or for the decrease in value due to a forced sale.
- Officers shall receive approval of the Office of the Sheriff prior to incurring any cost covered by this section.
- Officers shall not be considered on duty while moving unless approved by the Office of the Sheriff.

Once a request for reimbursement of moving and relocation expenses has been approved by the Office of the Sheriff, all bills and invoices for claimed reimbursement shall be submitted to the Administrative Services Division, which shall be responsible for processing and determining a deputy's entitlement to claimed reimbursable expenses after providing the deputy with a copy of the applicable California Department of Personnel Administration Rules.

A deputy whose request for reimbursement of moving and relocation expenses has been approved shall fully cooperate with the Administrative Services Division and comply with its directives concerning selection of a commercial household goods carrier and the submission of cost estimates and bills.

Where the California Department of Personnel Administration Rules permit claims for exceptions from the rules, the Sheriff shall have the sole authority to grant or deny all claims for exceptions.

2.296. The Department Peer Support Program

Critical incidents often precipitate feelings of anger, guilt, and disillusionment. These feelings are natural and should be expected as part of the psychological and physiological

phenomena that occur during such an event. Unfortunately, these natural reactions are seldom understood or acknowledged. They can, if not immediately addressed, lead to inappropriate behavior and poor performance.

In an effort to minimize these effects, the San Bernardino County Sheriff's Department has developed a Peer Support Program. This is comprised of individuals who have themselves experienced the consequences of a critical incident.

With the Peer Support Program in existence, all members of the Department are encouraged to contact a member of the program or a supervisor when he becomes aware of an individual who is in need of assistance.

The Peer Support Program provides immediate and ongoing assistance under the following conditions:

- When employees of the San Bernardino County Sheriff's Department have been involved in a shooting incident that results in death or injury, whether on or off duty.
- When employees of the San Bernardino County Sheriff's Department have been involved in any incident that results in an emotional impact. This includes any event that falls into the category of a critical incident.

2.296.10 Peer Support Program: Organization and Responsibilities

The Peer Support Program is comprised of Department personnel. These individuals have specialized ongoing training in assisting others and their families in dealing with the

immediate adverse psychological reactions to critical incidents. These include, but are not limited to, the following:

- Shooting Incidents
- Suicides
- Serious Traffic Accidents
- Homicides

The Peer Support Program shall consist of an on-call roster of teams that rotate monthly. All members on call shall be available by telephone or beeper twenty-four hours per day during their on-call periods. The team supervisor shall be responsible for maintaining the roster in a continuously updated status.

When activated, the responsibilities shall include, but are not limited to, the following:

- Liaison with all other involved investigative personnel as required.
- Assessing the need for additional team members.
- Activation of other resources and liaison with the involved individual's family.
- Consultation with the appropriate counseling agency.

2.296.15 Peer Support Program: Confidentiality

The San Bernardino County Sheriff's Department recognizes as "confidential information" all the dialogue between members of the Peer Support Team and those individuals involved in a

critical incident. Exceptions to confidentiality include the following:

- Danger to self.
- Danger to others.
- Suspected child abuse.
- Narcotics offenses.
- Domestic violence.
- Elder abuse.
- In other cases where law or Department policy requires disclosure.
- Where disclosure is requested by the peer.

2.302. General Supervisory Responsibilities

A supervisor shall be responsible for the performance of general supervisory duties, in addition to having the technical skills and knowledge necessary to the performance of the duties peculiar to his specific assignment. Supervisors are held responsible to obtain the highest degree of performance possible from subordinates.

2.304. Supervisory Conduct

In dealing with subordinates, no supervisor shall behave in a disrespectful, unjust, arbitrary, capricious, or tyrannical manner.

2.306. Unity of Command

As a general rule, a member shall be required to take orders from, and be directly responsible to, one (1) supervisor. Supervisors, within their scope of authority, however, shall exercise direct command over employees of lesser classification, outside their usual command in all situations where the law enforcement purpose or the reputation of the Department is jeopardized, and/or when the policies,

procedures, and rules and regulations of the Department are being violated.

The Department recognizes that there must be a joint and concerted effort by all supervisors to ensure the adherence to, and the enforcement of, the provisions of this manual.

2.308. Vicarious Liability

Responsibility flows upward through the chain of command. Therefore, inadequate supervision of an employee carries a transferred liability factor for which the supervisory officer must be responsible. The theory of vicarious liability holds a supervisor accountable for a failure to discipline or remediate an officer who has demonstrated a pattern of behavior or misconduct or committed a singular inappropriate act. The supervisor is held accountable under the concept that he knew, or should have known, that the concerned officer would likely repeat the misconduct.

Where employees perform in a manner that indicates they are unfit, untrained, or unprepared for duty, their supervisor may be held jointly accountable for both the subordinate's action as well as their own inaction.

2.310. Failure to Perform Supervisory Duty

When an employee is given a supervisory duty and fails to perform it, he suffers potential discipline for his own negligent omission. Under this theory the employee's supervisor is not directly responsible for the misconduct of the subordinate; however, it is a breach of his duty to supervise, which may create a joint responsibility with the subordinate's misconduct.

2.312. Definition of First-Line Supervision

A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of first-line supervisor and shall be held accountable for achieving conformance with the directions and orders that he issues.

2.314. Definition of Functional Supervision

The distinguishing feature of functional supervision is that it is an advisory relationship, outside the regular hierarchy of command and responsibility, in which a supervisor may review the work of another employee who is responsible to another superior officer who is, under particular circumstances, engaged in work falling within the jurisdiction of the functional supervisor.

Those who undertake functional supervision must remember that they are not authorized to enforce policies and regulations but can only inform, suggest, or assist. The functional supervisor shall report any work performance problems to the employee's first-line supervisor.

2.316. Supervisory Reports

Supervisory reports shall be made in a prompt and effective manner. All pertinent facts shall be incorporated, and the interest and welfare of the Department shall be of primary consideration. Supervisors shall reflect the views and feelings of subordinates to supervisors by permitting information to flow up, as well as down, the channels of authority.

A supervisor shall initiate, or receive and consider, proposals for changes in policy affecting activities within the scope of his jurisdiction.

2.318. Techniques of Supervision

A supervisor must frequently command the actions of subordinates by orders and directions in order to carry out proper law enforcement operations. This must be done forcefully and effectively and is essential to the control of the most critical law enforcement situations. A supervisor is encouraged to make use of progressive techniques, such as the following, to promote the satisfactory supervisor-subordinate relationships.

- ROLE MODELING. The ideals and objectives of public service in law enforcement shall be developed and exemplified by the conduct and actions from supervisory members of the Department.
- EXPLANATION. Department policies and objectives shall be presented to the employees by means of reasoned consideration of issues. Supervisors shall adopt an attitude of guiding employees by sound logic and clear thinking, rather than by arbitrary orders and commands and shall strive for a willing response and cooperation for subordinates.
- ENCOURAGEMENT. Supervisors shall be aware that recognition of good work is an indispensable need in the employee's relationship with the Department and should make certain that meritorious acts and accomplishments are rewarded, either by personal encouragement and praise, or by formal commendation.

2.320. Supervisory Control

A supervisor shall take a personal interest in the welfare and problems of subordinates and shall make himself available to employees seeking guidance and counseling relative to the job.

A supervisor shall organize his own work and that of his subordinates to ensure the adoption and practice of the best

principles and procedures to meet current, unusual, and changing conditions.

A supervisor shall exercise control over his subordinates as necessary to accomplish Department objectives. He shall analyze and evaluate the personality, temperament, traits, and capabilities of each subordinate in order to realize from every employee the maximum degree of service commensurate with his abilities and limitations.

2.322. Delegation

A supervisor may delegate to his subordinates appropriate portions of his responsibilities, together with equivalent authority; but he may not delegate or relinquish his overall responsibility for results nor any portion of his accountability.

2.324. Review of Criminal and Incident Reports

There shall be a supervisor's review of all reports, both criminal and non-criminal, and if approved, the supervisor shall affix his initials or signature thereto.

All reports require approval and shall be checked and approved by a supervisor for propriety, essential information, clarity, and legibility. The review shall consist of a deliberate, critical evaluation of the material. When a deficiency is noted, the supervisor and the originating officer should undertake a process to correct the deficiency. A supervisor's approval shall be indicated by his initials on the original report.

Supervisors may cause additional copies of the report to be prepared for use within their divisions, as information on the report is to be forwarded to the Central Records Division in a timely manner.

2.328. Review of Citations

Each deputy issuing a citation shall submit the original citation and required copies to a designated reviewing supervisor. This supervisor shall check the citation for the following items:

- Completeness. Each blank space on the citation shall be filled in. If the item is not applicable to the violation charged, a dash may be placed in appropriate blank. An error or omission in certain items may invalidate the citation.
- Legibility. Citations should be legible. Information listed on the citation shall be printed.
- Tampering. There shall be no erasures on the citation. There shall be no changes other than corrected errors. All corrections shall be initialed by the issuing officer.

The designated reviewing supervisor, after approving a citation, shall:

- Cause the original of the citation to be forwarded to the applicable court jurisdiction.
- Cause the copies of the citation to be distributed appropriately.

2.330. Reporting Members' Absences

When a supervisor has been notified by a member, of a planned absence, he shall cause the proper written notifications to be made that pertain to schedule and payroll changes. The supervisor shall make a written notification of the date and time of the member's notification, reason for planned

absence and a telephone number or address where the member may be reached.

NOTE: Guidelines for "Leaves of Absence" as dictated in the current Memorandum of Understanding, shall be adhered to.

2.332. The Training of Subordinates

Training shall be considered the process of aiding members to gain effectiveness in their present or future assignments through the development of appropriate habits of thought, action, skill, knowledge, and abilities. Emphasis shall be placed on respect for the personality and human dignity of each member, to allow maximum development of their natural capacity.

2.334. Knowledge of Other Supervisory Positions

A supervisor shall acquaint themselves with the duties and responsibilities of other supervisory positions which, in the normal course of operations, they may have to discharge.

2.336. Knowledge of Department Policy and Procedure

A supervisor shall familiarize themselves with the contents of Department Manuals, procedural orders and instructions, directives, teletypes, and bulletins, and shall disseminate such information to their subordinates. Information shall be disseminated in such a manner as to achieve Department objectives.

2.338. Knowledge of Disaster & Civil Defense Plans

A supervisor shall be familiar with the role of the Department and with their own responsibilities and duties, and shall maintain plans for their activities in the event of a major disaster or the activation of civil defense plans.

2.340. The Evaluation of Work Performance

A supervisor shall be responsible for the appraisal and evaluation of the work accomplishment of subordinates coming within the scope of their supervision. Such evaluation shall be based on observation and inspection and shall take into consideration the quality of the member's work accomplishment and those personal traits that are related to duty performance.

2.342. The Use of Negative Discipline

The negative disciplinary procedures available to supervisors shall be used only after determining that the correction of delinquency by positive counseling means is not feasible.

2.402. Department Records

Records are maintained by the Department in compliance with statutes, as a public service, as an investigative and administrative aid, and to provide statistical data.

Department records and personnel records are confidential; however, crime and incident reports and criminal offender record information shall be released, consistent with the law, to those persons who qualify as peace officers under the Penal Code, or to other public agencies as defined in the Penal Code or specified by the Department of Justice.

In addition, the Department shall provide, for a fee, consistent with the law, crime and traffic accident reports and traffic accident photographs to crime victims, parties to accidents and other sufficiently interested parties. Except for those agencies approved by the Department of Justice, the

Department shall not release criminal and arrest information from its files to prospective employers.

Current arrest information is public information, and as provided by law, shall be released to the news media and other interested parties upon request.

2.402.10 Confidential Nature of Department Records

All official files, documents, records, reports, and information held by the Department or in the custody or control of a member of the Department shall be regarded as confidential. Members shall not disclose or permit the disclosure or use of such files, documents, records, reports, or information, except as required in the performance of their official duties.

Additionally, member shall not disclose any information to any former member.

Former members shall not disclose any information about the Department, or about any investigations, reports, etc., to anyone; and/or former mermbers shall not reveal that information they acquired resulting from their employment with the Department, when the disclosure of such information is against the public interest as per California Courtroom Evidence Code 1040.

Concerned supervisors in stations/divisions, having computer terminals, shall be responsible for the security of those terminals

relative to authorized persons having access to confidential information contained therein.

Terminal screens (CRTs) shall be physically located so that they cannot be viewed by the public.

Members who violate the confidentiality of Department records, reports, and of confidential information may be subject to criminal prosecution, disciplinary action, and/or dismissal.

2.402.15 Uniform Crime Reporting

The Department has a need for timely and accurate reporting of statistical data for use in determining:

- Relative needs within the Department.
- Planning future needs.
- Resource allocation.
- Budget formulation.
- Assessment of performance.
- Evaluation of crime trends.
- Required reports to the state/federal government.

Each station/division has the responsibility to report statistical data.

The station or division conducting the investigations responsible for recording the statistic in the correct jurisdiction:

- Courtesy reports shall be recorded by the station/division taking the initial report.
- Reports initiated by the Specialized Investigations Division shall be recorded by that division.
- Case clearances and dispositions shall be recorded by the station/division taking the action.

The statistical reporting period shall be the calendar month (first day to last day).

Any special statistical reports (not automated) are due to the Records Division by the fifth day of the following month.

Monthly, quarterly, and yearly reports shall be completed by each station and division.

All monthly volunteer and reserve unit statistics, as well as posse and search and rescue unit missions and training reports, are to be submitted to the Volunteer Forces unit monthly, no later than the fifth day of the following month.

Search and rescue cards are due within five (5) days of occurrence.

2.402.20 Time Limit for Statistical Reporting

In all instances in which a case number (DR) is issued, the station or division which caused the number to be issued shall update the Statistical Module (STAT) within five (5) working days of its issuance.

In the event that the DR number was drawn in error, the station or division shall ensure that the case number is deleted from the STAT suspense file as well as canceling the case number in the Master Record (INTL).

2.404. Deputy Report (DR) Numbers

DR numbers are generated at the specific request of a member. The DR numbers are sequential for each jurisdiction within the Department and those police departments within San Bernardino County having access to the Sheriff's Department's Computer Aided Dispatch system. The DR numbers are translated as JJYYXXXXX, JJ is the two (2) digit jurisdiction identified, YY is the year in which the DR was drawn, and XXXXX is the five (5) digit sequential report number.

2.404.10 Cancellation of Deputy Report (DR) Numbers

DR numbers cannot be reissued. When a DR number has been issued in error, or it is determined after the DR number has been issued and that no report is required, the dispatcher and/or member shall make an entry into the CAD Call History

indicating the DR was issued in error and the reason for the cancellation.

The member shall create a CR-4 to document the cancelled DR. The CR-4 and CAD Call History are to be entered into the electronic report writing system to be reviewed by a supervisor and transferred to the Records Imaging System.

2.406. Authorized Time Format

The "24-hour clock" (military time) shall be used for time recordation on all reports requiring time-of-day entries. All time entries shall consist of four (4) digits.

2.408 Department Clerical Manual

Sheriff's Records shall create and maintain a Department Clerical Manual detailing current procedures for a variety of clerical processes and responsibilities throughout the Department.

The Department Clerical Manual shall be posted on Starlink and at least one hard copy shall be kept in the clerical office area of each station/division.

The Sheriff's Records Manager shall initiate a review of the contents of the Clerical Manual on an annual basis and cause it to be updated as necessary in consultation with the bureau Deputy Chief.

2.408.10 Responsibility to Follow Clerical Manual

Members shall follow the procedures outlined in the Department Clerical Manual in order to ensure accuracy and consistency in the Department's clerical practices.

2.410. Copies of Records Kept at Division Level

It shall be the station/division commander's responsibility to determine the volume of record copies kept at the station/division and the length of time such records are retained. All original reports and documents shall be forwarded to the Records Division in a timely manner.

2.412. Criteria for the Release of Department Records

Copies of records/reports shall be disseminated by the Records Division and station personnel, to those persons authorized to receive them. Individual arrests and crime reports are not considered to be Criminal Offender Records Information (CORI), but are covered under the Public Records Act, Government Code. This act generally exempts records of complaints to or investigations conducted by a law enforcement agency and intelligence information or security procedures from mandatory release as public records. There are significant exceptions to this exception.

DISSEMINATION TO VICTIMS. The Government Code identifies certain information which must be available to victims of specified crimes unless release of the information would endanger the safety of a person or the successful completion of an investigation or a related investigation.

What information has to be released to victims? In the case of arson, explosion, crimes of violence, burglary, robbery, vandalism, fire, vehicle theft, or larceny, the following must be released:

- Names and addresses of persons involved in the incident (except confidential informants). Based on the Public Records Act Exemption, the District Attorney has requested that suspect information be blocked out and only the face sheet and property sheets be released, if the

case is pending complaint and/or prosecution. If there is no disposition on file, check with the District Attorney's Office to see if the case has been filed and is pending. The requestor shall be referred to the District Attorney's Office if the case has been filed and is pending or the case has been adjudicated, the report may be released to the victim.

- Description of any property involved.
- Date, time, and location of the incident.
- All diagrams.
- Statements of parties involved in the incident.
- Statements of all witnesses (except confidential informants).

To whom shall this information be provided?

- The victim.
- An authorized representative of the victim.
- An authorized insurance carrier against which a claim has been or might be made.
- Any person suffering bodily injury or property damage as a result of the incident.

DISSEMINATION OF ADULT ARRESTEE INFORMATION. The Government Code also defines information which must be made public unless release of the information would endanger the safety of a person or the successful completion of an investigation, or related investigation.

What arrestee information has to be made public?

- Full name, current address, and occupation of every person arrested by the agency.
- The arrestee's physical description including:
  - Date of birth.
  - Color of eyes and hair.
  - Sex.

- Height.
- Weight.
- Date and time of arrest.
- Date and time of booking.
- Location of arrest.
- Factual circumstances surrounding arrest.
- Amount of bail set.
- Time and manner of release or location where the arrestee is being held.
- All charges subject is being held on including outstanding warrants and probation/parole holds.

PUBLIC INCIDENT INFORMATION. The Government Code also defines information which must be made public unless release of information would endanger the safety of a person or the successful completion of an investigation, or related investigation:

- Time, substance and location of all complaints or requests for assistance.
- Time and nature of response thereto, including the extent that such information is recorded.
- Time, date, and location of occurrence.
- Time and date of the report.
- Name, age, and current address of the victim (except that sex crime victim's address shall not be released).
- The factual circumstances surrounding the crime or incident.
- General descriptions of:
  1. Any injuries involved.
  2. Weapons involved.
  3. Property involved.

2.412.10 Accessing/Viewing Department Records

Upon the presentation of satisfactory identification, persons who are authorized to inspect Department records shall be instructed to complete a request form. Completed request

forms shall be filed in the appropriate folder or jacket by the Department employee releasing records.

2.412.40 Publics Record Act

In enacting Government Code 6250 *et seq.* the legislature declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. The Department will comply with Public Records Act requests pursuant to Government Code 6250 and applicable laws.

Members may refer to the Public Records Act Manual for guidance when complying with records requests.

2.414. Sheriff's Automated Warrant System

The SAW System contains information and status of felony and misdemeanor warrants issued by the San Bernardino County court system and all warrants sent to the Sheriff's Department for service.

Warrants in the SAW program may be produced as electronic abstracts at any CNI printer within San Bernardino County. Upon determining that an active SAW warrant exists for a subject in question, the Records Division shall be contacted to transmit an electronic abstract to the desired booking facility.

2.416. The Teletype System

Automated Store and Forward Equipment (ASAFE) is the local (San Bernardino County), state (CLETS), and national (NCIC and NLETS) telecommunications system.

It shall be the responsibility of the Records Division, Teletype Section, to make all entries into CLETS/NCIC systems, (i.e., stolen, recovered, repossessed, located, stored, or impounded vehicles, property, bonds, missing or wanted persons). The Records Division teletype shall also make all entries to clear, cancel, or update previous entries.

Stations/Divisions shall send a teletype message to Teletype with all the necessary information for entries to be made from their areas.

Stations outside of the central area shall send their own administrative message and APBs.

Other law enforcement agencies in San Bernardino County that are part of ASAFE shall be responsible for sending their own messages, entries, updates, cancellations, etc.

All Sheriff's stations and teletype shall lend assistance to any law enforcement agency or court in their area in sending teletype messages as needed.

2.420. Original Records, Files and Reports

No employees shall be allowed to remove a file from the shelves or cabinets without first requesting assistance from a Records Clerk. Original documents shall not be removed from the Records Division.

Records personnel shall make, or authorize to be made, copies upon request, and shall certify such copies when necessary for official use.

2.424. Protection of Personal Information in Reports

Station/Division Commanders shall ensure that reports submitted to the District Attorney's Office or the courts shall be in compliance with P.C. 964, regarding the protection of personal confidential information.

No personal confidential information of any victim or witness, including date of birth, address, telephone number, driver's license/identification number, social security number, date of birth, place of employment, employee identification number, mother's maiden name, demand deposit account number, or credit card number, shall be included in any portion of an investigative or arrest report, including, but not limited to, the CR-1, CR-2, CR-3 or CR-4.

When acquiring personal confidential information from a victim or witness, it shall be documented on a "Names in Continuation" form and/or a separate CR-2 titled "Confidential Information."

The completed Names in Continuation and/or CR-2 listing any confidential information shall be affixed to the front of each report, or facsimile thereof, that is sent to the District Attorney's Office.

For direct file cases, one of the copies sent to the court shall have a redacted copy that does not contain the personal confidential information of any victim or witness.

2.426. Release of Information for Discovery

Discovery of all Sheriff's records and reports in pending criminal cases shall require a San Bernardino County District Attorney "Authorization for Release of Discovery" form.

2.428. Subpoenas for Records, Reports, etc.

A Subpoena Duces Tecum (criminal and/or civil) requiring the production of records in a hearing or judicial proceeding, or for review by a private attorney, that is received by any division commander, shall be forwarded to the Civil Liabilities Division without delay. The Civil Liabilities Division commander is solely responsible for, and the final authority in review, as the custodian of Sheriff's records, and as such is the final authority in review, certification, and release of documents demanded by a subpoena.

Upon receipt, the Civil Liabilities Division commander shall review the subpoena and determine the appropriate Sheriff's division applicable to the records requested.

A copy of the subpoena, together with written instructions and the deadline, shall be forwarded to the appropriate division commander.

The division commander shall provide the records requested by the Civil Liabilities Division and return the documents to the Civil Liabilities Division commander within the designated time frame.

The requested records information shall be returned to the Civil Liabilities Division. The commander shall then forward all authorized information to the appropriate court or requesting party within the designated time frame.

2.430. Field Interrogation Card

This report is used by the officer in the field to record information on persons contacted under circumstances which would not normally require the preparation of any other type of report.

When an officer questions a person in the field, he may record all identifying information about the subject on a Field Interrogation (FI) Card. Specific facts that tend to indicate

criminal activity shall be forwarded to the proper division for review, or processed according to station procedure.

The supervisor is responsible to ensure that the report is accurate, complete, and legible. Although the report for the most part is self-explanatory, supervisors are to see that the officer's name, employee number, and division are included.

2.430.10 Field Interrogation Card

When an officer questions a person in the field, he may record all identifying information about the subject on a Field Interrogation (FI) Card. Specific facts that tend to indicate criminal activity shall be forwarded to the proper division for review, or processed according to station procedure.

2.432.10 Registration of Street Gang Members

To ensure compliance with the legal requirements as defined in California Penal Code section 186.30, the following shall be the procedure to register a person as a gang member:

- Review the court-issued order or record of conviction to determine the registration requirements and jurisdiction.
- Complete the 186.30 P.C. Gang Registration Form.
- Obtain a mug photograph, head/shoulders using a neutral background, as well as photos of any gang-specific tattoos.
- Complete one green DOJ Registrant Fingerprint Card and add "186.30 P.C." in the appropriate box.
- Complete the Gang Registration Notification Form and provide a copy of the completed form to the registrant.
- Attach together the completed fingerprint card, P.C. 186.30 form and photo(s) and forward them to the Criminal Intelligence Division for dissemination and filing.

It is preferred the above information is completed by a safety member of the Department because court testimony may be required in future cases.

2.432.15 Data Entry into Gang Intelligence Files

All information entered into CalGang database shall be in compliance with 28 CFR Part 23, as well as with the California Attorney General's Office guidelines and California Department of Justice shared database requirements.

The final determination to verify if the information is in compliance with the aforementioned guidelines will be the responsibility of the Criminal Intelligence Division.

2.432.20 Photographing Gang Members for CalGang

Any photographs taken in the field for inclusion into the CalGang system other than booking photographs shall be with the voluntary consent of the subject being photographed, or without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity and serves a legitimate law enforcement purpose.

2.432.25 Access to Gang Intelligence Files

Only those law enforcement agencies demonstrating legal authority, an investigative right, and need to know shall have access to intelligence information contained within the CalGang database.

The final determination of who may access the information and is in compliance with the aforementioned guidelines will be the responsibility of the Criminal Intelligence Division.

2.432.30 Purging Gang File Information

CalGang records not receiving a change over a five (5)-year period shall be purged.

2.432.35 Storage of Field Interrogation/Gang Cards

Completed Field Interrogation/Gang cards generated by Department personnel shall be forwarded to the Criminal Intelligence Division after data entry into the CalGang database is accomplished.

2.434. Central Name Index (CNI)

Central Name Index (CNI) contains index capability for all Sheriff's Department reports, F.I. Cards, registrations, local "rap"

sheets, bookings, etc. Numerous satellite programs are available to assist members in obtaining information.

Those stations/divisions having input capabilities shall be governed by policies and procedures set forth by the Technical Services Division.

2.436. Criminal Offender Record Information (CORI) - Defined

As defined in the California Penal Code, CORI (a) "...means records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests, pre-trial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. (b) Such information shall be restricted to that which is recorded as the result of an arrest, detention, or other initiation of criminal proceedings or of any consequent proceedings related thereto." This includes the following:

- California Department of Justice rap sheets.
- Any criminal history information received from the California Department of Justice via teletype (CLETS).
- Department of Justice computerized criminal history system printouts.
- FBI or other state's rap sheets.
- Local criminal history information received via the automated Central Name Index (CNI).
- Criminal history information maintained in the Department's microfilm files.

NOTE: The individual arrest and crime reports are covered by the Public Records Act and are not considered to be criminal offender record information.

2.436.10 Release of Criminal Offender Record Information

Prior to releasing any criminal offender record information, the member releasing the information must determine the requestor's right to know and need to know. No CORI shall be released unless there is both a right to know and a need to know.

RIGHT TO KNOW. The right to know is the legal authority for a person or agency to have access to criminal offender record information. Those persons or agencies authorized by law to access CORI are defined by the California Penal Code.

NEED TO KNOW. The need to know is the official purpose for which the information is being requested. The purpose or compelling requirement for the information must be directly related to official duties and/or responsibilities of the person or agency initiating the request.

Department members, when uncertain as to whether a requesting agency or person is authorized to receive CORI data, shall contact a Records Unit supervisor and be guided by their advice. Up-to-date lists of agencies authorized by the California Department of Justice to receive CORI are maintained in the Records Unit.

OUTSIDE AGENCIES REQUESTING STATE CORI DATA. Questions regarding the authorized agencies list, (or) the dissemination of criminal history information may be directed to the Criminal

Records Security Unit, Sacramento, CA (916) 739-5006, CLETS Mnemonic DOJ.

CORI Data shall be disseminated in the following manner:

- Authorized Person Request: Upon presentation of satisfactory identification, upon completing a request form.
- CLETS Terminal Request Stating: The right and need to know, requester's name and agency, teletype requestor mnemonics, information requested.
- Telephonic Request Via Telephone Dedicated Hot Line From Local Agency Stating: Requestor name and agency, need to know information requested.
- Telephonic Request Stating: Requestor name and agency, need to know, information requested, teletype requestor mnemonics.

CORI data is not to be released telephonically unless over a dedicated line to a local agency. CORI data shall be disseminated to the requestor via a CLETS terminal addressed teletype mnemonics of requesting authorized agency.

2.436.15 Accessing Criminal Offender Record Information

California Administrative Code requires three years of records available for inspection.

The CNI requestor field shall require station numerical code or local agency alpha code followed by the name of the person requesting CORI data. Operator shall then type the employee number in the operator area. This will automate the records

requirement for release of local CORI data. An audit trail is available from the Technical Services.

The CLETS requests for automated "raps" (QHY) has a mandatory requestor field. This field shall be completed by inputting the name and station/division of the authorized person requesting the "rap." If the requestor is not employed by the Sheriff, input the name and agency of the "authorized" person requesting the "rap."

The requestor should also include the DR number, change or reason for requesting the "rap" information.

2.436.20 Security of CORI Documents

A Department member requesting CORI documents shall be responsible for the security of all documents he requests. He shall ensure that these documents shall be kept in Department records or files that are secure. CORI documents, when no longer needed, or not contained in a case file, shall be shredded by the employee or returned to the Records Unit for shredding. CORI documents shall not be deposited in normal waste containers.

2.440. Administrative Fingerprinting

In addition to criminal fingerprints taken during the booking process of criminal offenders, the Department also offers a fingerprint service to non-criminal applicants (i.e., school teachers, taxi cab drivers, real estate salespersons, special permits and licenses, adoption applicants, etc.). Generally, these non-criminal fingerprints are taken by the Records Unit; however, this service shall be offered at the outlying stations or divisions that have the facilities, equipment, and personnel.

NOTE: Those stations or divisions approved to offer this service shall keep themselves aware of the current fees and proper

fingerprint cards necessary for performing the service. Information pertaining to current fees and procedures is available from the Records Unit.

2.440.10 Fingerprinting San Bernardino County Sheriff's Department Applicants

Employee Resources Division shall provide San Bernardino County Sheriff's Department applicants with a voucher to cover fingerprint processing fees. Inmate Services Unit will provide Inmate Services Volunteer applicants with a voucher to cover payment for fingerprint processing. All applicants shall be fingerprinted via LiveScan.

Results from all applicant fingerprints shall be sent from the Department of Justice to the Records Unit. The Records Unit shall forward all fingerprint results to the appropriate San Bernardino County Sheriff's Department background investigator.

2.440.15 Fingerprinting Registrants

Pursuant to the Penal Code (sections 290 and 451) all convicted sex and arson offenders are required to register with their local law enforcement agency. All Stations/Divisions having LiveScan capabilities shall perform these registration functions as required under the law.

Stations/Divisions may accomplish the registration functions in one of two ways:

1. Offenders may be accommodated on an unscheduled, walk-in basis, during normal business hours. Registration paperwork, fingerprinting, and record transmittal shall be accomplished during the same visit. Generally, the offender shall not be required to appear at multiple appointments to accomplish the registration.

2. Offenders may be accommodated by appointment, during normal business hours. Appointments shall be offered at least three days per week, 4 hours each day. Registration paperwork, fingerprinting, and record transmittal shall be accomplished during the same visit. Generally, the offender shall not be required to appear at multiple appointments to accomplish the registration.

All Stations/Divisions shall transmit fingerprints via LiveScan to CAL-ID for entry into the Automated Fingerprint Identification System (AFIS).

Arson and sex registration documents shall be forwarded to the Sheriff's Records Division. If so equipped, the Station/Division may scan completed arson and sex registration documents into the Records Imaging System.

Updated: 7-28-20

2.444. Domestic Violence Restraining Orders

The Penal Code requires law enforcement agencies to maintain a complete and systematic record of all protection orders with respect to domestic violence incidents, restraining orders, and proofs of service.

Compliance with this section requires the following procedure for handling and recording Domestic Violence Restraining Orders:

- Upon receipt of a restraining order, the member shall determine the order's validity by insuring the following items are included in the order:
  - A copy of the order is on file with the Department or Superior Court.
  - Parties involved are named on the order. Addresses of both should appear on the Restraining Order Worksheet.
  - Terms of restraint, including duration of time.
  - Appropriate signature or stamp of issuing judge.
  - Proof of Service, or the order reflects the suspect was present in court when the order was made, or prior knowledge exists.
  - Appropriate stamp showing the original order was filed with the County Clerk's Office Office.

The member receiving the Restraining Order shall complete the Restraining Order Information Sheet and attach it to the Restraining Order.

The acceptance and recording of a Restraining Order in this manner precludes the issuance of a DR number or the completion of a report.

2.446. Courtesy Reports

When a member is dispatched to a call for service or contacted by a victim or reporting party for an incident that occurred outside the County's jurisdiction, the member shall obtain a DR number for a "Courtesy Report." For statistical purposes, the member shall not pull a DR number for the alleged crime.

The member shall complete a report in INFORM. The report shall be classified as "Other" and identified as a "Courtesy Report".

Copies of the report, after being approved by a supervisor, shall then be forwarded to the appropriate agency having jurisdiction. Investigations requiring immediate follow-up, shall be the watch commander's responsibility to contact the agency where the crime occurred.

When a crime report is completed for an incident that occurred in the jurisdiction of another patrol station serviced by the Department, the member shall obtain a DR number for the alleged crime where the incident occurred. When the report is produced in INFORM, the location shall be changed to reflect the appropriate jurisdiction and populate that patrol station's queue.

When a patrol station receives a courtesy report from an agency outside the County's jurisdiction, the member shall obtain a DR number for the appropriate crime. At a minimum, the member shall complete a report in INFORM and scan the outside agency's report as an attachment.

2.448. Informant Records

Because of the confidentiality involved with the use of informants, specific procedures must be established and followed in order to ensure privacy with regard to records.

RECORD KEEPING RESPONSIBILITY - The Narcotics Division shall act as the "custodian of records" of all informants used by Department members. All original records regarding informants shall be forwarded to the Narcotics Division for inclusion in the original informant file.

INFORMANT CODE NUMBERS - When an informant is to be used a code number shall be assigned by the Narcotics Division. This number shall only be used in reference to the file and shall not be included in any investigative reports. The code shall have 9 characters (i.e., I62092555) with each character designated as follows:

- The first character shall always be the letter "I".
- The next 2 characters shall be the designator of the establishing division (i.e., Victor Valley [07], Victorville [17], Narcotics [62], etc.).
- The 4th and 5th characters shall be the last 2 digits of the year of the establishment (i.e., 09, 10, 11 etc.).
- The remaining numbers shall be the informant's identification number. This number shall be assigned sequentially, and the numbering system will "carry over" from the previous calendar year (i.e. I62082555 end of year 2008, I62092556 is the first identification number for 2009.).

INFORMANT CODE FILE - The Narcotics Division shall maintain an Informant Code File for the entire Department.

- The file shall contain the informant's code number, the informant's true name and date of birth, the type of informant (Restricted Use, Paid, etc.), the name and division of the establishing investigator, and dates of activation and/or deactivation.

INFORMANT FILES - All informant files shall be maintained by the Narcotics Division. The files shall only be reviewed by law

enforcement personnel with a "need to know" designation. Informant files shall not leave the Narcotics division. A log shall be maintained by the commander of the Narcotics Division, or his designee, and anytime a file is reviewed it shall be documented on the log. The log shall include the date, the name of the investigator reviewing, and his signature. The informant files shall contain the following documents:

- Personal History Report/Establishment Report
- Photographs
- Informant History (CNI, fingerprints, CII printouts, etc.)
- Cooperation agreement signed by the informant and Department head.
- Cassette recording of agreement.
- Original copies of payment vouchers.
- Debriefing reports by officers.
- Deactivation reports or declaration of unsatisfactory performance.
- 90-day Status Reports

2.450. Approved Report Writing Instruments

Department forms shall be completed in black ink ballpoint pen (i.e., Property Receipts, CHP 180s).

2.454.15 Ownership and Copyright of Recorded Materials

All recorded material shall remain the sole property of the Department, whether originals or copies.

Upon the recommendation of the Board of Deputy Chiefs, and with the approval of the Office of the Sheriff, copyrights may be sought by the Department for specific recordings.

2.454.25 Recordings Stored as Evidence

Any recording of an event or events that could be construed as a criminal offense shall be retained and kept as evidence for possible use in a criminal proceeding. The date and time shall be affixed to the recording along with the case number, if applicable.

The recording shall be entered as evidence by the member and documentation of the existence of the recording shall be documented in the member's written report of the incident stating the date and time of the recording.

Recordings retained as evidence shall be kept in the station's/division's evidence locker until they are no longer needed by the Department. It shall be the member's responsibility to obtain approval from the District Attorney's Office and Civil Liabilities Division prior to the destruction of the recording. In all cases, the recording shall be maintained a minimum of one year per California Government Code section 34090.6.

Any recordings of a pursuit, a use of force incident, a traffic accident involving a Department unit, or any adverse contact with the public, shall be retained and kept as evidence in preparation for possible civil litigation. The date and time of the

evidentiary section of the recording shall also be affixed to the recording along with the case number, if applicable.

Any recording not being kept for evidence in a criminal proceeding shall be released to the Civil Liabilities Division in a manner consistent with established procedures.

When a recording is forwarded to the Civil Liabilities Division as evidence, documentation of the existence of the recording shall be documented in the member's written report, stating the date, time, and length of the recording, and where it is retained as evidence.

Recordings retained as evidence for civil proceedings shall be kept by the Civil Liabilities Division until they are no longer needed by a court or the Department. It shall be the responsibility of the Civil Liabilities Division to notify the appropriate station/division commander when a recording can be released from evidence.

2.454.30 Recordings Not Stored as Evidence

Recordings not retained as evidence shall be kept in the station's/division's possession for a minimum of one (1) year per California Government Code section 34090.6.

2.454.35 Reporting Certain Recorded Incidents

Members who cause a recording to be made that contains a pursuit, a use of force incident, a traffic accident involving a Department unit, or any adverse contact with the public shall immediately report the recording of said incident to their immediate supervisor.

2.454.40 Erasing Recordings

Members shall not erase, or cause to be erased, any audio/video tape or recording that contains the recording of an event, or events that could be construed as a criminal offense, or proof of a criminal offense, a pursuit, a use of force incident, a traffic accident involving a Department unit, or having any adverse impact on the Department without the approval of the Civil Liabilities Division commander, the Internal Affairs Division commander or the District Attorney's Office.

2.454.45 Using Recordings for Training

When an incident is recorded that is perceived to be of value as a training aid, the member responsible for recording said event should report the event to the station/division training supervisor who may review the recording to determine the value of the incident for training.

If it is determined that the recording would be of value as a training aid, and is not required as evidence in a criminal or civil proceeding, the training supervisor should forward the original recording to the Training Division's Executive Officer for further review and evaluation. The original recording shall be kept on file at the Training Division and reproduced as necessary for training purposes.

2.454.50 Reproduction of Recordings

The Training Division, Civil Liabilities Division and Internal Affairs Division, may copy or reproduce Department recordings, as deemed necessary for training, litigation, or other Department purposes.

Except for these divisions, no Department recordings, shall be copied or reproduced by anyone, absent an order from a

court, without the prior written permission of the Office of the Sheriff, or an authorized designee.

Generally, copies of Department recordings, shall only be provided to Department stations/divisions for training purposes and not to individuals.

Any requests by individuals or other agencies of departments for copies of Department recordings shall be referred to the commanders of the Training Division and Civil Liabilities Division for their joint review and recommendation to the Board of Deputy Chiefs, which shall in turn forward its recommendation to the Office of the Sheriff. The Office of the Sheriff shall provide written approval or denial of the request to the Training Division commander, who shall notify the requester of the Department's decision to release or withhold copies of the requested recordings.

2.455. Automated License Plate Recognition

It is the policy of the San Bernardino County Sheriff's Department to utilize the latest technologies available for crime prevention, suppression and apprehension of criminals. Automated License Plate Recognition (ALPR) uses such technology to scan, detect and identify license plate numbers that appear on selected Hot Lists. All users will receive appropriate training prior to being authorized to use the devices for law enforcement purposes. All Department ALPRs will be used and maintained in accordance with manufacturer recommendations and Department policy.

2.455.10 Automated License Plate Recognition (ALPR) Purpose and Scope

Automated License Plate Recognition (ALPR) uses infrared technology to scan, detect and identify license plate numbers.

The purpose of this policy is to provide guidance for the capture, storage, and use of the digital data obtained through the use of the ALPR technology.

2.455.15 Automated License Plate Recognition (ALPR) – Operations

Use of the ALPR is restricted to the purposes detailed below.

Department members shall not use, or allow others to use, the equipment or database records for any unauthorized purpose. ALPR shall be used only for official and legitimate law enforcement business.

ALPR may be used in conjunction with any routine patrol function or criminal investigation. Reasonable suspicion or probable cause is not required before using ALPR. Users are encouraged to enter license plate numbers manually into the ALPR system "Hot List" when a vehicle is suspect or wanted, such as in major investigations or Amber Alert (or other similarly designated alerts). ALPR can be used to canvass license plates around any crime scene in real time to attempt to identify suspect or witness vehicles, or both. The ALPR database of stored scans may be searched for specific dates, times, and locations of open investigations for vehicles of potential interest.

A safety member holding the rank of Sergeant or higher must review all cases prior to a full or partial license plate being entered into the ALPR system "Hot List."

Generally, members should not take enforcement action based solely on an ALPR alert to a mobile data computer. Members are expected to verify, whenever practicable and safe, any

ALPR information through the appropriate source before taking action.

2.455.20 Training

Members shall not operate ALPR equipment, nor access data, without first completing department-approved training and any other instruction mandated by the California Department of Justice (DOJ), to include that pertaining to CLETS access.

Training coordinators designated by the department should ensure members intended to use ALPR equipment and access the databases receive appropriate and mandatory training (California Civil Code 1798.90.51, and California Civil Code 1798.90.53).

2.455.25 Automatic License Plate Reader (ALPR) User Responsibility

At the beginning of each tour of duty, users shall inspect the Automatic License Plate Reader (ALPR) terminals and operability. They shall document and immediately report to a supervisor any problem or damage.

During their tours of duty, users, while in their vehicles, will monitor all reads and any possible matches. Users should, when practicable and safe, verify for accuracy any possible matches.

Members shall not make, nor allow to be made, modifications to the ALPR system, software, or system configuration. Nor, shall they allow the ALPR system to be connected to any other devices.

Unauthorized members shall not access ALPR data.

Members authorized to access ALPR data shall do so only when it relates to a specific criminal investigation, or an administrative or civil action related to the Department. Data may be shared only with law enforcement or prosecutorial agencies.

2.455.30 Automatic License Plate Reader (ALPR) Data Collection and Retention

Automatic License Plate Reader (ALPR) data downloaded to the server shall be stored for a minimum of one year (California Government Code Section 34090.6). The Department shall maintain the data for two years. Data will be purged after two years unless it is, or it is reasonable to believe that it will become, evidence in a criminal or civil action; or, is subject to a lawful order to produce records. The Department shall, under those circumstances, preserve applicable data on portable media, which then shall be entered into evidence.

2.455.35 Automatic License Plate Reader (ALPR) Accountability and Safeguards

Data and images gathered by an Automatic License Plate Reader (ALPR) are for the Department's official use. Because this data has the potential for misuse, it is not open to public view.

Transmission and storage of data shall meet CLETS' requirements for network and computer security. Saved data shall be safeguarded and protected by both procedural and technological means. ALPR data downloaded to mobile workstations or servers shall be accessible only through a log-in password protected system.

Authorized members shall access the system only to participate in Department-approved training; or, to retrieve stored data related to a specific criminal investigation. Articulable suspicion

must exist that stored data is related to the specific criminal investigation.

Access or use of the ALPR data for other reasons may be cause for formal discipline or criminal prosecution.

Updated: 1-4-21

2.455.40 Automatic License Plate Reader (ALPR) Release of Data

Automatic License Plate Reader (ALPR) data gathered and retained by the Department may be used and shared with prosecutors and other law enforcement agencies only as permitted by law. Data gathered by the ALPR shall not be released to a non-law enforcement entity.

2.455.45 Disclosure of Breach of Security

California law (Civil Code section 1798.29) requires any agency that owns or licenses computerized data that includes personal information to disclose any breach of security, following its discovery, to any resident of the state whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. The law requires such disclosure to be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of the law enforcement agency. The disclosure shall be written in plain language.

It shall be the responsibility of the Commander of the Information Services Division to develop appropriate procedures to ensure compliance with these requirements, and to ensure such written notice is timely delivered.

2.455.50 Administration

The Commander of the Information Services Division shall be responsible for developing and maintaining written guidelines and procedures to ensure compliance with the requirements of California Civil Code section 1798.90.5 and all of its subsections.

These guidelines and procedures shall include, but are not limited to:

A description of the job title or other designation of the members and independent contractor authorized to use or access the ALPR system, or to collect ALPR information;

Training requirements for authorized users;

- A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws;
- Procedures for system operations to maintain records of access in compliance with California Civil Code section 1798.90.52;
- The title and name of the current designee overseeing the ALPR operation;
- Coordination with the custodian of records for the retention and destruction of ALPR data;
- Random user audits and reports from system administrators.

The Commander of the Information Services Division also shall make available all ALPR policies and procedures required by law and conspicuously post on the department's website.

2.460.05 Cellular-Site Simulators: Introduction

Cellular-site simulator, hereinafter "cell-site simulator," technology significantly enhances the Department's efforts to achieve its public safety and law enforcement objectives. Whether deployed as part of a complex narcotics investigation,

or to locate or rescue a kidnapped child, cell-site simulators fulfill critical operational needs.

As with other capabilities, the Department must always use this technology in a manner consistent with the Constitution, and all other legal authorities. Moreover, any information resulting from the use of cell-site simulators must be handled in a way that is consistent with the array of applicable statutes, regulations, and policies that guide law enforcement in how it may and may not collect, retain, and disclose data.

2.460.10 Cellular-Site Simulators: Authorized Users

Only members assigned to the Gangs/Narcotics Division shall be authorized to operate the cell-site simulators. All requests to use the cell-site simulators technology shall be made through the Gangs/Narcotics Division Commander, Executive Officer or designee.

2.460.15 Cellular-Site Simulators: Development and Maintenance of Policies and Procedures

The commander of the Gangs/Narcotics Division shall ensure written policy guiding the use of cell-site simulators is included in that division's manuals. Policies and procedures shall include, but are not limited to:

- Authorized purposes and use of cell-site simulators
- Authorized cell-site simulator operators and training requirements
- Legal processes and court orders for use
- Department monitoring and use of cell-site simulators
- Sharing of information gathered by cell-site simulators
- Retention and destruction of information gathered by cell-site simulators

It shall be the responsibility of the deputy chief of the Special Operations Bureau to review these policies and procedures, when laws and statutes change and to document their findings.

2.502. Workplace Facilities, Equipment, and Supplies

The County and the Department shall make every effort to provide the members with adequate and effective work areas. Within the constraints of mission and budget, not only areas, but supplies and equipment shall be provided to members in order for the assigned duties to be accomplished.

While the Department acknowledges that in specific cases there may be superior equipment or supplies in existence, it is in the context of the total mission that resources are allotted.

Members are expected to treat and handle the work area, supplies, and equipment with a sense of respect for the property of another. Misuse or abuse of these items cannot be tolerated as this further diminishes the finite resources of the Department.

When a member becomes aware of a deficiency, loss, damage, or destruction of a work area, equipment, or supplies as so provided, they are required to report such condition to their supervisor in a timely manner.

2.504. Lost or Damaged Department Equipment

Any member who discovers the existence of missing, lost, recovered, inoperable, or damaged County-owned equipment shall immediately report such property to their supervisor. The supervisor shall determine if the loss, damage, or condition of the item was a result of negligence on the part of a Department member.

When a member's Department identification card, badge or any other Department issued property is lost or stolen, the member shall immediately notify their supervisor. The member shall ensure a lost or stolen criminal report is taken and a teletype is sent. This teletype shall be included with the crime report(s) submitted. Additionally, the concerned member shall submit an inter-office memorandum, explaining the circumstances to their station/division commander.

If during the criminal investigation, it is determined the member was negligent or careless with the equipment the station/division commander shall be notified and may take administrative action.

Revised 10/19/21

2.506. Supplies for Type I Jail Facilities

Station commanders, having a jail facility, shall make annual budget requests for anticipated supplies needed to operate their facility. Budget transfers shall be made by the Administrative Services Division for the costs of such supplies.

Supplies may be obtained from Glen Helen Rehabilitation Center, West Valley Detention Center, or Central Stores as follows:

Glen Helen Rehabilitation Center (GHRC):

- Bedding Linens (blankets, sheets, pillows, pillowcases)
- Male Inmate Clothing and Shoes
- Mattresses
- Towels
- Indigent Inmate Supplies
- Non-Prescription Medical Supplies

- Laundry service for linens and clothing on a one-for-one exchange basis.

West Valley Detention Center (WVDC):
- Female Inmate Clothing
- Female Hygiene Supplies
- Restraint Equipment
- Inmate Food Service
- Booking Forms and Booking Jackets

Central Stores:
- Cleaning Supplies
- Mops, Buckets, etc.
- Paper Products
- Polyethylene Property Bags

2.508. Numerical Designations for Units, Divisions, and Contract Cities/Agencies

Department units, divisions, and contract cities/agencies shall be identified by the following numerical codes:

- 01 - Central
- 02 - Chino Hills
- 03 - Fontana
- 04 - Yucaipa
- 05 - Twin Peaks
- 06 - Big Bear
- 07 - Victor Valley
- 08 - Barstow
- 09 - Morongo
- 10 - Colorado River
  Parker Dam
- 11 - City of Rancho Cucamonga
- 12 - City of Grand Terrace
- 13 - City of Highland
- 14 - City of Yucaipa

- 15 - City of Loma Linda
- 16 - City of Big Bear Lake
- 17 - City of Victorville
- 18 - Town of Apple Valley
- 19 - City of Hesperia
- 20 - City of Twenty-nine Palms
- 21 - City of Needles
- 22 - City of Chino Hills
- 23 - Town of Yucca Valley
- 24 - City of Adelanto
- 25 - Colorado River Boats
- 26 - Phelan
- 27 - Lucerne Valley
- 29 - Trona
- 30 - Central Detention Center
- 31 - Transportation
- 32 - Glen Helen Rehabilitation Center
  Glen Helen Women's Correction Center
- 33 - Courthouse Holding
- 34 - West Valley Detention Center
- 36 - GHRC Work Release
  GHRC Electronic Monitoring Program
- 37 - Adelanto Detention Center
- 39 - Administrative Support Unit
- 40 - Emergency Operations
- 41 - Training
- 42 - Scientific Investigations
- 44 - Communications
  Crime Analysis
  Records
  Technical Services
- 45 - Safety and Security
- 46 - Automotive
- 47 - Administration and Finance (BofA)
- 50 - Employee Resources
  Public Affairs
- 51 - Civil Liabilities

- 54 - Emergency Operations
  Volunteer Forces
- 60 - Specialized Investigations
- 61 - Special Enforcement
- 62 - Narcotics
- 63 - Internal Affairs
- 64 - Criminal Intelligence
- 65 - Inland Regional Narcotics Enforcement Team (IRNET)
- 67 - San Bernardino Combat Auto Theft Taskforce
  (SANCATT)
- 70 - Coroner
  Public Administrator
- 75 - Cal-ID
- 77 - San Manuel
- 80 - Court Services – Needles
- 81 - Court Services – Valley/ Mountain Patrol Bureau
- 82 - Court Services – Chino
- 83 - Court Services – Fontana
- 86 - Court Services – Big Bear
- 87 - Court Services – Desert Patrol Bureau
- 88 - Court Services – Barstow / Morongo
- 89 - Court Services – Rancho Cucamonga
- 90 - Welfare Fraud
- 92 - Probation
- 94 - District Attorney
- Special Enterprises/Contracts-PC 832 (State Parole, School
  Police, U.S Marshal, County Code Enforcement, etc.)
- Special Enterprises/Contracts–NON PC 832 (Road
  Departments, Animal Control, etc.)

2.508.10 Executive Staff and Alpha Unit Designations

Members of the Executive Staff shall have the following numerical designations:

- 100 - Sheriff
- 100/A1 - Sheriff's Executive Council

- 101 - Undersheriff
- 102 - Assistant Sheriff/Criminal Operations
- 103 - Assistant Sheriff/Support Operations
- 104 - Deputy Chief, Special Operations Bureau
- 105 - Deputy Chief, Valley/Mountain Patrol Bureau
- 106 - Deputy Chief, Desert Patrol Bureau
- 107 - Deputy Chief, Administrative Services Bureau
- 108 - Deputy Chief, Support Services Bureau
- 109 - Deputy Chief, Detention and Corrections Bureau
- 110 - Deputy Chief, Court Services Bureau
- 111 - Sheriff's Executive Officer
- 112 - Sheriff's Legal Counsel
- 113 - Sheriff's Legal Counsel

The following alpha designations shall apply to the assignments/functions listed below:

- Adam - Administrative/Auxiliary units (Paid non-sworn Department personnel)
- Baker - Peace officer reserve members
- Bike - Bicycle assigned patrol units
- Boat - Boat assigned patrol units
- Charlie - Any member holding the rank of Captain
- David - Any member assigned rank of Deputy Sheriff III or Detective-type assignment
- Desk - Any person assigned desk duties (i.e. Station clerk, deputy on light duty)
- Dive - Unit assigned to the Department dive team
- Edward - Explorer Scout member
- Frank - (Unassigned)
- George - Unit assigned to Gang Detail
- Henry - Unit assigned to Homicide Detail
- Ida - Coroner Investigative Unit
- Jail - Patrol or Custody deputy assigned to a jail/custody function
- John - Juvenile Detail or Investigator
- K-9 - Unit assigned K9 duties

- King - Aircraft in the Aviation Division
- Lincoln - Any member holding the rank of Lieutenant
- Mary - Medical aid function
- Met - Unit assigned to Multiple Enforcement Team
- Nora - Unit assigned to Narcotics Division
- Ocean - Unit assigned Off Highway Vehicle (OHV) enforcement duties (motorized cycles/"quads")
- Paul - Unit performing beat patrol function
- Posse - Unit performing Posse duties, mounted or not
- Rescue - Unit performing rescue function
- Robert - Unit performing rover patrol function
- Sam - Any member holding the rank of Sergeant
- S&R - Units performing Search and Rescue duties
- Tom - Transportation units
- Victor - Unit designated as Citizen Patrol
- William - Unit assigned Special Duty (i.e. ADD campaign, checkpoints, sweeps)
- X-Ray - Unit performing traffic enforcement duties (Sworn personnel only)
- X50 thru X59 - Motorcycle units assigned to traffic enforcement
- Zebra - Unit assigned to Crime Impact Team

2.508.15 Patrol Unit Designation

Unit designations shall be identified as follows:

- The station (or contractual city numerical code), division, or bureau numerical code, followed by Department unit designator, then the beat assignment.
- P10 – Units assigned to Shift #1 (Graveyards)
- P20 – Units assigned to Shift #2 (Days)
- P30 – Units assigned to Shift #3 (Swings)
- P40 – Units assigned to cover shift
- P50 – Units assigned to School Resource Officer duties
- P60 – Corporals assigned to patrol

- P70 – Units assigned to mall, bingo or other contracted enterprises
- P80 – Units assigned to FTO duties

Example:

- 1 Paul 11 = Sheriff's Central Station, graveyard unit, beat 1
- 17 Paul 32 = Victorville City, swing shift unit, beat 2
- 11 Paul 50 = Rancho Cucamonga unit assigned as School Resource Officer
- 19 Paul 80 = Hesperia unit assigned FTO duties

2.512. Facility and Building Inspection

Division commanders and watch commanders shall make regular inspections and take such measures as are necessary to ensure that buildings under their supervision are neat, clean, and in good repair. Watch commanders shall see briefing room chairs and tables are clean before roll call. In addition, watch commanders shall see that briefing rooms, halls, and other rooms used during the preceding watches are clean and orderly.

2.514. Requests for Facility/Building Repairs

All requests for building repairs, building equipment repairs, or janitorial service shall be made by contacting the Field Support Division.

2.514.10 Requests for Facility/Building Improvements

Building alterations and improvements are accomplished by preparing a "Work Order" and forwarding it to the Field Support Division for approval. This "Work Order" shall set forth a brief description of work needed and the reason for requesting the alteration/improvement.

2.516. Ordering Office Supplies

Office supplies are obtained by ordering on-line through Office Depot and Central Stores Warehouse.

Personnel ordering supplies from both Central Stores and Office Depot shall have prior approval of the Administrative Services Division.

The completed order form shall be electronically sent to the Administrative Services Division. Once approved, the Administrative Services Division shall forward the order form to Central Stores for processing.

Special orders through Central Stores shall be prepared on a "County of San Bernardino Purchasing Department Warehouse Requisition Form" and sent to the Administrative Services Division. Upon approval, the form shall be forwarded to Central Stores for processing. Special order items consist of but are not limited to name plates, yearly calendar orders, rubber stamps and/or special printer cartridges not listed on their website.

2.518. Official Division Bulletin Board

A separate bulletin board, or a designated portion of a bulletin board, shall be established as an official bulletin board at each division. Official bulletin boards shall be placed at a location convenient to all personnel and out of public view.

Only Department publications of an informative or directive nature, and other material which is approved by the division commanding officer, shall be posted on an official bulletin board.

2.518.10 Official Division Bulletin Board

Only Department publications of an informative or directive nature, and other material which is approved by the division commanding officer, shall be posted on an official bulletin board.

2.520. Other Division Bulletin Boards

Unofficial bulletin boards may be established for the posting of miscellaneous material which is approved by the division commander.

2.520.10 Other Division Bulletin Boards

The use of bulletin boards for posting employee organization information is governed by the current Memorandum of Understanding and County policy and procedures.

2.522. Use of Department Communications Systems and Networks

The Department maintains and constantly strives to improve its intra-Department communications network to provide for rapid and efficient law enforcement response and to facilitate management control. All Department communication systems, including radio, telephone, electronic media, and mail, are reserved for official business and are not to be used for personal purposes.

2.522.10 Personally-Owned Communications Equipment

No member shall operate a privately owned transmitting device on any Sheriff's radio frequency without the written approval of the Sheriff.

2.522.15 Radio Communications Protocol

The proper radio procedure to be used by all members when using the Department radio shall be as follows:

The unit or station being called is to be given first, followed by the unit or station originating the call.

- EXAMPLE:
    - 1 Paul 1 from the unit designates that 1Paul 1 is calling his Dispatch Center.
    - 1 Paul 1 from the Dispatch Center designates that the Dispatch Center is calling 1 Paul 1.

2.522.20 Radio Communications Discipline

The Department radio is considered the lifeline to members in the field. It is imperative that members using the Department radio keep their transmissions to a minimum. Radio transmissions should be brief, concise, and to the point. Accepted radio codes and terminology shall be used whenever possible. Lengthy transmissions should be given over the telephone whenever possible. When a telephone is not available, those transmissions should be given over a frequency other than the primary channel.

2.522.25 Radio Talk Group Administration

The regional and local dispatch centers are responsible for the efficient use and coordination of the radio resources allocated to accomplish their communication missions. Consequently, the

use of these resources must be administered by the respective centers.

- The centers shall designate the "Primary" and "Tactical" Talk Groups to be used by the jurisdictions they serve.
- When additional resources are required by field personnel or groups to respond to an unplanned situation, they shall contact their respective communications center for the assignment of available resources.
- When stations or divisions plan events that shall require the use of radios, they shall include a representative from the communications center involved in the planning effort. This inclusion may be either in person or over the telephone, depending on the nature and scope of the event.

2.522.30 Phonetic Code - Alpha Word List

The following code words shall be used, when applicable, in local radio transmissions:

A - ADAM
B - BOY
C - CHARLIE
D - DAVID
E - EDWARD
F - FRANK
G - GEORGE
H - HENRY
I - IDA
J - JOHN
K - KING
L - LINCOLN
M - MARY
N - NORA
O - OCEAN
P - PAUL
Q - QUEEN
R - ROBERT
S - SAM
T - TOM
U - UNION
V - VICTOR
W - WILLIAM
X - X-RAY
Y - YELLOW
Z - ZEBRA

2.522.35 Radio Codes and Terminology

The following codes shall be used, when applicable, in local radio transmissions:

998 - Officer within state jurisdiction needs assistance, Code 3.
999 - Officer needs assistance, Code 3.
Code 3 - Emergency; emergency lights and siren.
Code 4 - No further assistance needed; situation under control.
Code 5 - Stake out; avoid area unless emergency or responding to a call.
Code 6 - Busy.
Code 7 - Out of service for meals.
Code 30 - No record, no wants.
Code 31 - Record, no wants.
Code 32M - Misdemeanor wants.
Code 32F - Felony wants.
Code 32X - Wanted; considered armed and dangerous.
Code 33 - Clear radio frequency for emergency traffic.
Code 77 - Caution, suspicious circumstances (possible ambush).
"a" - Designates officer's residence (e.g. Code7a).

2.526. Department Computer and Data Systems

The operating practices, policies, and procedures established for the effective operating of the various Department systems shall be adhered to at all times. All personnel authorized to access Department computer systems shall make themselves aware of California Penal Code section 502. All aspects and clarifications in this section shall be adhered to.

2.528. Computer Terminals

A computer terminal is defined as any personal computer, laptop computer, mobile data terminal, or terminal and keyboard, network, or electronic storage device.

Every member who uses a Department computer or computer system is responsible for the security of the computer systems they access/use. Department computer workstations, systems and related equipment shall only be accessed and used by authorized personnel for law enforcement business, or for reasonable personal use. There is no expectation of privacy in the use of Department computer workstations, systems and/or related equipment.

Sheriff's Technical Services may routinely monitor Department computer equipment, systems, and/or network traffic to ensure compliance with policy. Sheriff's Technical Services may formally audit any data stored on any automated systems belonging to or administered by the Department.

No member is to develop and/or introduce a program into a Department computer system that is intended to harass or annoy users. No member is to develop and/or introduce programs into a Department computer system that interfere with the functioning of a Department computer system. No

member shall attempt to infiltrate or "hack" a Department computer or computer system.

Information contained in any database belonging to or administered by the Department shall not be deleted, modified, or supplemented without authorization from the proper authority. Unauthorized attempts to access data will be recorded and may result in disciplinary action and/or criminal prosecution.

Computer equipment shall be treated with care and respect. Negligent or intentional damage to computer equipment shall not be tolerated.

Sheriff's networked computers and related equipment shall only be moved by personnel assigned to Sheriff's Technical Services.

2.530. Communications Resources, Networks, Mail, and Messaging Systems

Department electronic communications resources, networks, mail, and messaging systems shall only be used for law enforcement business, or for reasonable personal use. The extensive non-work-related use of Department electronic communications resources, networks, mail, messaging systems and equipment is prohibited.

Sheriff's Technical Services shall routinely conduct audits to ensure policy compliance.

Generally, the Department electronic mail and messaging systems will not allow the transmission of a message exceeding 15 megabytes in size, and/or has a distribution list exceeding 170 members.
The following are additional guidelines for the use of Department electronic mail and messaging systems:

- Messages containing subject matter, language, video files, audio files, or other materials that are abusive, profane, or offensive, are prohibited.
- Messages containing deceptive, fraudulent, or deceitful language or material are prohibited.
- Chain letters or other forms of mass mailing/messaging are prohibited.
- Members shall not send unnecessary attachment, nor shall they utilize email "stationary" or background programs that inhibit or interfere with the operation of the Department electronic mail or messaging systems.
- Members shall delete any email messages that are not necessary to retain for law enforcement purposes. Personal Folders (PSTs) should be utilized to store administrative, fiscal, or general correspondence.

If a member uses a personal account to conduct Department business, those records may be subject to disclosure under the California Public Records Act.

Sheriff's Technical Services shall cause a confidentiality notice to be automatically attached to all electronic mail sent to addresses outside of the Department.

2.532. Computer Security Accounts and Passwords

Department computers and/or computer systems shall not be accessed without Department authorization, nor shall an authorized user assist an unauthorized person to access Department computers or computer systems.

Security accounts and passwords used for accessing Department computers and/or computer systems are to be considered confidential and shall only be used by the designated member. Members shall not represent themselves

as someone else by using another person's electronic mail, security account, or password.

If members suspect that there is a security problem within a Department computer or system, or that a Department password is being misused, they shall immediately report the matter to their supervisor.

To further ensure computer and systems security, the use of "strong" passwords is required. The process for selecting a "strong" password is described on Starlink.

During the process of systems maintenance, upgrade, troubleshooting, etc., it may become necessary for Sheriff's Technical Services to reset a password in order to gain access to a specific computer. Users will then be notified that a change to their password has been made, and that thy are required to re-establish a strong password in order to securely access their machine.

2.532.10 Privacy of Computer Files, Passwords, etc.

Users are to respect the privacy of others. Users shall not intentionally obtain copies or modify files, passwords, or data belonging to anyone else. No one is to forward personal material without prior permission.

2.532.15 Logging Off Computer Terminals

It is the responsibility of the authorized person using a computer terminal to log off prior to leaving the immediate vicinity of the terminal. Single users are responsible for locking down their machines, and users of multiple-user terminals must log off the application and the system prior to leaving the vicinity.

2.532.20 Computer Security and Confidentiality of Information

The California Public Records Act (California Government Code 6254(f) et. sec.), outlines the provisions under which Department

information from the following computer sources is deemed confidential:

- Computer Aided Dispatch (CAD)
- California Law Enforcement Telecommunications System (CLETS)
- Central Name Index (CNI)
- Records Management System (RMS)
- Jail Information Management System (JIMS)
- Property Evidence Tracking System (PETS)

Confidential information shall not be disclosed except as required in the performance of an official duty.

The Civil Liabilities Division shall be responsible for updating and revising the Information Release Policy Chart and Definitions Matrix.

Questions by the media regarding the release of information shall be referred to the Public Affairs Division, Media Relations Unit.

The following additional information is deemed confidential and may not be released without authorization by a member holding the rank of sergeant or above:

- Internal inter-office memoranda regarding confidential personnel matters.
- Member lists containing names, addresses, telephone numbers, social security numbers, or other descriptive information.
- Credit card numbers or account numbers.
- Confidential member payroll information.

2.532.25 Authorized Access to Technical Systems

No access to Department computer or computer systems, including "dial-in" or VPN access, is approved unless authorized by Sheriff's Technical Services.

Approved Department members and authorized third parties may access Department computer or computer systems via "dial-in" or VPN. The approved user shall be responsible for selecting an Internet Service Provider (ISP), coordinating installation, installing any required software, and paying associated fees.

Approved users shall ensure that their computers and computer systems comply with Department systems requirements, and that they are configured to comply with Department security requirements.

- Members with VPN privileges shall ensure that unauthorized users are not allowed access to Department internal networks.
- Dual (split) tunneling is not permitted; only one network connection is allowed.
- All computers connected to Department internal networks via VPN or any other technology must use the most up-to-date anti-virus software.
- VPN users will be automatically disconnected from the Department network after thirty minutes of inactivity. Pings or other artificial network processes shall not be used to keep the connection open.
- Only Department-approved VPN clients may be used.
- Only Department-approved administrative programs may be used.

Third parties desiring to use the Department's VPN connection are required to sign and adhere to the "third party connection agreement," which shall be administered by Sheriff's Technical Services.

2.534. Downloading Programs and Applications

Users wishing to download applications from the World Wide Web must obtain permission from their commander. With the commander's approval, Technical Services shall evaluate the request to determine the impact upon the network and computer systems.

2.536. Unauthorized Computer Programs and Applications

All users must comply with the legal protection provided by copyright licenses to programs, books, and data.

Software that has not been purchased by the Department or is not supported by Technical Services shall not be "loaded" on to any Department-owned computers.

2.538. Destruction of Computer Printouts, etc.

All confidential printed information obtained through a computer terminal shall be disposed of by shredding or placing in a shredding container for future shredding.

2.544. Explosive Magazines

All Sheriff's patrol stations/substations shall have an explosive magazine available for the safe temporary storage of pyrotechnic materials such as, but not limited to, the following:

- Illegal Fireworks
- Smoke Grenades
- Flares
- Gunpowder

Each magazine shall have a minimum of one (1) lock, supplied by the individual station. Each station shall provide a key to the

magazine to the commander of the Bomb Detail and retain the second key for its magazine. Magazines shall be stored in a secure area, preferably outside. Procedures for utilizing the station magazines are:

- When any explosive material (including fireworks, smoke grenades, gas grenades, Ariel flares, military ordnance, etc.) or suspected hazardous device is found or comes under the control of the Department, the originating officer or his supervisor shall contact the Bomb Detail supervisor immediately for direction. The Bomb Detail supervisor shall dispatch a bomb technician to the scene or direct the deputy or his supervisor to transport the material to the station for temporary placement in the station's magazine.

A completed CR-1, notation for destruction, or disposition report must accompany all items placed in the temporary magazine. In all cases, the officer's name, date of recovery, package contents, and name of authorizing bomb technician shall be noted on the package.

Bomb Detail personnel shall generally pick up items authorized for magazine storage on the next scheduled workday. Under some circumstances and ONLY with approval of a Bomb Detail member, station personnel may be authorized to transport materials to the Bomb Detail's office to expedite delivery and save time.

No suspected explosive or pyrotechnic material shall be moved from the field or stored in a station magazine without the prior approval of a member of the Bomb Detail. Station magazines shall not be used for the storage of high explosives (dynamite, C-4, TNT, etc.), improvised devices, or "dud" munitions.

Station magazines are for the use of the individual stations and Sheriff's Department's specialized units operating in their

jurisdiction. The program is designed to assist stations by offering a more expeditious method for handling cases involving pyrotechnic materials and low explosives.

2.546. Lost or Missing Building/Facility Keys

When a Department building, or room issued key is lost, stolen, or damaged, members responsible for the key shall notify their commander via inter-office memorandum. The commander may replace the key at that time.

NOTE: No Department key may be duplicated without the expressed consent of a commander.

2.548. Fire Extinguisher Refill/Replacement

When a member uses, or causes the discharge of, any part of the contents of a fire extinguisher located on Department premises, or in a Department vehicle, they shall notify their supervisor.

When a supervisor becomes aware that a fire extinguisher on premises or in a vehicle, under their supervision, has been used, they shall ensure that the extinguisher is replaced as soon as possible.

2.602. Department Equipment: Member's Responsibility

Every Department member is responsible for the maintenance and retention of all equipment assigned to him by the by the Department. Every Department member is responsible for the maintenance and retention of all equipment assigned to him

by the division to which he is assigned. Care shall be taken to keep this equipment in the best possible condition.

Upon separation of employment with the Department, the member shall return all Department-issued equipment. Upon reassignment to another division, the member shall return all division-issued equipment.

2.604. Assignment and Maintenance of Armament

With the exception of specialty use chemical agents, Department-owned armament, and hand-held aerosol chemical agent devices shall be assigned by the Sheriff's Firearms Training Center. They shall also provide maintenance and repair service for Department-owned armament and for all other authorized duty weapons.

2.604.10 Division Inspection/Inventory of Armament

A station/division commander shall cause an inspection and an inventory to be made of the Department armament assigned to his command at least once each quarter. As a result of the inspection and inventory, the commander shall cause the necessary repairs or replacements to be made.

2.604.15 Modification, Alteration, and Maintenance of Armaments

All Department-issued and personally-owned firearms carried in an on-duty, off-duty, alternate duty, or back-up capacity must be in good working order and meet factory specifications. Any modifications, internal or external to Department-issued service handguns or magazines is prohibited. Any modifications to personally-owned service handguns must be inspected by Range staff and approved by the Range Master. Ornamentation, etching, and decorations are prohibited on

Department-issued firearms, and privately-owned handguns carried for duty use.

All Department-issued and personally-owned semi-automatic handguns carried in an on-duty, or alternate duty capacity must be black in color and revolvers silver or gray in color. However, handguns used in an off-duty or back-up capacity may be black, silver, gray, or military-type shades of green or brown. Off-duty and back-up handguns may also be two-toned as long as the color schemes are black, silver, gray, or military-type shades of green or brown. Personally-owned firearms approved by the Range Master shall not have a trigger pull less than five pounds, consistent with the Department-issued Glock 17 or 21.

All maintenance of Department-issued firearms, except for routine cleaning and lubrication, shall be performed by or at the direction of the Range Master. Maintenance of privately owned service handguns is available at the Range. Firearms carried for on-duty use shall be maintained in a clean, serviceable condition.

Members of the Specialized Enforcement Division are exempt from this policy but must comply with Section 2.672 of the Department Manual and their division specific policies.

2.606. Body Armor

The basic purpose of all body armor is to reduce or prevent personal injury to the wearer. Thus, the Department encourages the wearing of body armor while on-duty. Reserves and auxiliary personnel who work with an on-duty officer are

encouraged to purchase this protective equipment, and they are encouraged to wear same.

Body armor is issued to all safety members of the Department. It is the responsibility of all officers to have the body armor immediately available at all times while on-duty.

Immediately available generally means the following:

- On one's person.
- In a vehicle operated or occupied by a safety member while on-duty.
- In a locker for those personnel assigned to fixed stations.

In all situations where prior knowledge of a possible danger to officers is present (i.e., SWAT operations, raids, high-risk stakeouts, and search warrants, etc.), the body armor shall be worn by all participating personnel.

2.606.10 Body Armor: Hard Plates and Carriers

The basic purpose of hard plate armor is to reduce or prevent injury to the wearer. Hard plate armor is issued to all first responders assigned to field operations and must be readily available while on patrol or responding to critical incidents. Members of the Specialized Enforcement Division are exempt from this policy. Deputies may use personally owned hard plate armor and carriers, however they must meet the following criteria:

- Plate carriers and equipment pouches must be olive drab in color. Any other color is prohibited. Each plate carrier shall be equipped with a Department-issued ammunition pouch, capable of holding three Ruger Mini 14 magazines, and a medical trauma kit pouch. Any additional pouches or first aid kits must match in color and shall be approved by the Training Division Commander or

his designee. Plate carriers shall display "SHERIFF" in three-inch gold block lettering on back, "Sheriff" in one-inch gold block lettering on front right breast, and a gold, Velcro-style cloth badge on the front left breast. A five-inch by one-inch Velcro-style nametape may be added on the front right chest area of the plate carrier, displaying the first letter of the deputy's first name and his last name in gold embroidered lettering. The nametape may also be placed on the rear drag strap of the carrier. No other patches are authorized on the plate carrier.

- Ceramic Plates: Special Handling, Department personnel should be aware ceramic plates could sustain damage if dropped onto a hard surface. If a hard armor plate is dropped onto a hard surface, the plates shall be examined by the manufacturer prior to reuse. The hard armor ceramic plates shall be certified by the United States Department of Justice, National Institute of Justice (NIJ), in accordance with the 0101.04/.05 or the more recent 0101.06 specification, as level IV (4). Only plates that have been certified as "stand-alone" will be authorized for duty use. Stand-alone plates are certified to defeat the ballistic threat without the use of a soft armor backing. Combination plates or steel plates are not authorized. Deputies shall not alter, strip or trade any part of the issued plate carrier or hard armor.

- Hard Plate armor may not be worn in lieu of Department-issued soft body armor. Department personnel should wear their Department-issued soft body armor when they are wearing hard plate armor.

- Hard Armor Labeling: Pursuant to NIJ rules, all armor shall be labeled with the following information:

    - Company name

- Rated level of protection, according to either O 10 t .04/.05 or O I O 1.06
- Strike face (side that faces out)
- Size
- Date of manufacture
- Model designation
- Serial number
- Care information

Deputies should wear authorized hard plates and carriers when involved in the following tactical circumstances:

- Situations where suspect(s) is/are believed to be armed with a weapon(s) that is/are capable of defeating concealable ballistic armor (high velocity handgun or rifle).
- Where they may require additional tactical equipment, such as additional ammunition or a medical trauma kit, that would not normally be carried on the Sam Browne duty belt.
- Pre-planned events, such as a search warrant service, with the approval of the Watch Commander or officer in charge.

Once the tactical situation is over, deputies shall remove their plate carrier and return to their authorized daily uniform.

2.608. Standard Duty Handgun

A Standard Duty Handgun is generally defined as that handgun (typically issued by the Department) assigned and intended to be carried by safety personnel in uniformed field assignments.

Except as noted in section 2.672 of the Department Manual, duty handguns utilized by safety members shall be high-quality

double-action semi-automatic pistols as approved by the Sheriff's Range.

The Standard Duty Handgun issued by the Department to every safety member shall be the Glock Model 21 (.45 caliber). If the firearms instructor feels a safety member cannot qualify or has trouble shooting the Glock Model 21, the instructor shall write a memorandum to the Training Division Commander explaining any issues manipulating and utilizing the functions of the handgun and the remedial training given. Once approved by the Training Division Commander, the safety member may be issued a Glock Model 17 (9mm) as his Standard Duty Handgun.

If a safety member wishes to utilize a personally-owned handgun as their Standard Duty Handgun, the weapon, holster, magazines, and/or associated accessories shall be obtained at the safety member's personal expense. The firearm shall be a 9mm or .45 caliber handgun. The member shall have the firearm inspected by the Sheriff's Range staff for safety and reliability, and shall receive authorization from the Range Master, prior to utilizing the handgun on-duty.

It is highly recommended that safety members consult with the Sheriff's Range staff prior to purchasing a handgun for Standard Duty use, to ensure the suitability of their purchase.

Deputies who choose to utilize a personally owned handgun as their Standard Duty Handgun shall, after having secured the required authorization by the Range Master, surrender any Department-owned Standard Duty Handgun and related equipment previously issued.

Every safety member, regardless of rank or assignment shall qualify and maintain proficiency with a Standard Duty Handgun, even if this handgun is not ordinarily utilized by the member.

A handgun which has not been inspected and approved by the Range staff, or with which the member is not currently qualified, shall not be deemed an "approved firearm" for purposes of Department policy.

Only safety members who were issued or approved to utilize a revolver prior January 1, 2018, may continue to carry that handgun. Standard Duty Revolvers shall be chambered for the .38 Special or .357 Magnum cartridges and shall have a minimum total cartridge capacity of six. Revolvers carried by deputies in uniformed assignments shall have a barrel length of no less than four inches and no more than six inches. Double action, semi-automatic pistols used as Standard Duty Handguns must be chambered for the 9mm or .45 ACP cartridge, and have a barrel length of not less than four inches.

2.610. Alternate Duty Handgun

An Alternate Duty Handgun is generally defined as a firearm (other than the standard duty handgun) that may be authorized by the Sheriff's Range for on-duty use by a safety member, if that member is assigned to duties in which the carrying of the standard duty handgun is impractical or inappropriate. An Alternate Duty Handgun may also be utilized during plain-clothes assignments.

An Alternate Duty Handgun shall be of high-quality manufacture, as approved by the Sheriff's Range. Alternate Duty Revolvers shall be chambered for the .38 Special or .357 Magnum cartridge. Alternate Duty Semi-automatic Pistols shall be chambered for the 9mm or .45 ACP cartridge. These handguns shall have a minimum barrel length of 3¼ inches.

Alternate Duty Handguns shall have a minimum total cartridge capacity of six.

Prior to carrying an Alternate Duty Handgun, the safety member must successfully complete all currently-required training and qualification tests, as established by the Range Master.

A handgun which has not been inspected and approved by the Range staff, or with which the member is not currently qualified, shall not be deemed an "approved firearm" for purposes of Department policy.
Generally, an Alternate Duty Handgun shall not be issued by the Department, it will be supplied by the safety member. In these cases, the weapon, holster, speed-loaders/magazines, and associated accessories shall be obtained at the member's expense. All the above equipment must be inspected and approved by the Range staff prior to authorization for use.

It is highly recommended that safety members consult with the Sheriff's Range Master prior to purchasing a handgun for Alternate Service uses to ensure the suitability of their purchase.

For certain select assignments (Narcotics, SED, Public Affairs, Volunteer Forces, Civil Liabilities, Employee Resources Division, Internal Affairs, Training Division and/or Criminal Intelligence) the Training Division Commander may issue or approve Alternate Duty Handguns which do not conform to the caliber or barrel length criteria listed above.

Employees with the rank of Lieutenant or higher are authorized to carry an alternate duty handgun with a barrel length less than 3¼ inches and a caliber smaller than 9mm, if the employee successfully qualifies with the firearm and the weapon otherwise meets range standards for quality, manufacture, and suitability.

2.612. Off-Duty Handgun

An Off-Duty Handgun is generally defined as a handgun that may be authorized to be carried by a safety member, with the

rank of Regular Deputy Sheriff or higher, while the member is not on duty.

The Department recognizes that comfort and convenience are important considerations in selecting an off-duty weapon. However, it is also of paramount importance that a deputy be reliably and effectively armed if the necessity to use lethal force arises. Therefore, the Department strongly recommends that each member utilize their standard duty handgun as their off-duty handgun.

If a deputy elects to utilize a handgun other than the Standard Duty Handgun or authorized Alternate Duty Handgun for off-duty use, the handgun chosen for off-duty use shall conform to the specifications set forth by the Sheriff's Range. Such a handgun and its intended ammunition shall be inspected by the Range staff for safe and reliable functioning, and the deputy must successfully qualify with the handgun prior to its use.

It is highly recommended that safety members consult with the Sheriff's Range staff prior to purchasing a handgun for off-duty use, to ensure the suitability of their purchase.

Prior to carrying an Off-Duty Handgun, the safety member must successfully complete all currently-required training and qualification tests, as established by the Range staff.

A handgun which has not been inspected and approved by the Range staff, or with which the member is not currently qualified, shall not be deemed an "approved firearm" for purposes of Department policy.

Authorized handguns utilized by deputies as Off-duty Handguns shall be high quality double-action revolvers or auto-loading pistols, capable of being loaded with at least five cartridges in the cylinder or magazine and chamber combined.

Authorized Off-Duty Handguns shall be of at least .32 caliber. Single-action handguns such as the "1911 series" are not authorized for off-duty use with the exception of members currently assigned to the Specialized Enforcement Division.

2.614. Back-Up Handgun

The Department does not encourage the carrying of "Back-up" or "Hideout" Handguns. Deputies electing to do so shall comply with the following requirements.

- He shall first secure written authorization from his division commander to carry the weapon on duty.
- He shall then present this authorization to the Department Range Master, who shall inspect the handgun and its ammunition for safe and reliable functioning.
- He shall carry the handgun in such a manner that it is secure and unlikely to become dislodged while running or struggling with a suspect.
- No more than one Back-up Handgun may be carried on a deputy's person while on duty.

It is highly recommended that safety members consult with the Sheriff's Range staff prior to purchasing a handgun for back-up use, to ensure the suitability of their purchase.

Back-up Handguns shall be carried in such a manner that no part of the handgun or holster is visible when the deputy is dressed for duty without a jacket. Back-up Handguns shall not be drawn or exhibited in the performance of a deputy's duties, except in the gravest of circumstances.

Back-up Handguns shall be removed and secured when entering secure areas, such as jails, where deputies are required to be unarmed. It is the deputy's responsibility to secure the Back-up Handgun out of the sight of prisoners to preserve its

secrecy. Possession of any firearm inside a jail is grounds for disciplinary action.

Prior to carrying a Back-up Handgun, the safety member must successfully complete all currently required training and qualification tests, as established by the Range staff.

A handgun which has not been inspected and approved by the Range staff, or with which the member is not currently qualified, shall not be deemed an "approved firearm" for purposes of Department policy.

Authorized handguns utilized by deputies as Back-up Handguns shall be high quality revolvers or auto-loading pistols, capable of being loaded with at least five cartridges in the cylinder or magazine and chamber combined.

Such handguns shall be of at least .22 caliber and be chambered for a cartridge capable of generating at least sixty foot/pounds of kinetic energy, measured at the muzzle.

2.614.10 Back-Up Handgun: Authorized Types

Handguns utilized by deputies as Back-up Handguns shall be high quality revolvers or auto-loading pistols, capable of being loaded with at least five cartridges in the cylinder or magazine and chamber combined.

Such handguns shall be of at least .22 caliber and be chambered for a cartridge capable of generating at least sixty foot/pounds of kinetic energy, measured at the muzzle.

2.615. Optional Handgun Sighting System

Non-magnifying reflector sights (commonly referred to as red-dot or holographic sights) may be approved by the Sheriff's Rangemaster, to be used in the following configurations:

Standard Duty, Alternate Duty, Off-Duty and Back-up. Handguns and sighting systems must be of a high-quality manufacturer, determined by the Rangemaster, and must be in good working order and meet factory specifications; therefore, it is required that safety members consult with the Sheriff's Range staff prior to purchasing a handgun or optional sighting system, to ensure the suitability of their purchase. All safety members must first satisfactorily complete the optional Handgun Sighting System transition course, facilitated by the Training Division, before utilizing a red-dot sight on any of the mentioned handgun configurations.

The sighting system and handgun must be inspected and approved by the Sheriff's Range prior to utilizing the handgun(s) and sighting system(s). If approved, the safety member must successfully complete all currently required handgun training and qualification tests, as established by the Rangemaster.

Additionally, the handgun must have suppressor height, front and rear night sights to address the potential of mechanical failure of the red-dot sighting system. These handguns shall be carried in a holster rated at a minimum of Safety Level II while the member is on duty and have the same exterior finish as mentioned in section 5.610.10 of this manual. A handgun which has not been inspected and approved by the Sheriff's Range, or with which the member is not currently qualified, shall not be deemed an "approved firearm" for purposes of Department policy.

New: 12-30-20

2.616. Rifles, Shotguns, and Specialized Firearms

The Department provides safety members a variety of rifles, shotguns, and specialized firearms as deemed necessary to accomplish the law enforcement mission, based on the member's assignment and specific responsibilities. Department-

owned firearms shall be the only firearms of this type utilized by on-duty deputies when engaged in law enforcement action.

All in-service patrol units shall be equipped with a Remington 870 shotgun and a Ruger Mini-14 rifle. Those firearms shall be secured/stored in the locking racks provided when not in use.

2.616.10 Rifles and Shotguns: Storage in Vehicles

Ruger Mini-14 rifles carried/stored in an in-service Department vehicle shall have all rounds of ammunition in the magazine, and the safety shall be in the "off" position. A rifle shall not be stored in an in-service Department vehicle with a round in the chamber.

Remington 870 shotguns carried/stored in an in-service Department vehicle shall contain 4 rounds of ammunition in the magazine, shall not be cocked, and the safety shall be in the "off" position. A shotgun shall not be stored in an in-service Department vehicle with a round in the chamber.

2.618. Privately Owned Long Guns for On-Duty Use

No privately-owned long gun (rifle, shotgun, etc.) shall be authorized for on-duty use by any member of the Department.

2.620. Handgun Records: Authorized Firearms and Qualification

The Sheriff's Range shall maintain records of all firearms authorized for use as Standard Service, Alternate Duty, Off-duty, and Back-up Handguns for every safety member of the Department.

These records shall include (at a minimum) the make, model, caliber, and serial number of each weapon and the date the

safety member received Department authorization to use the handgun.

Records shall be updated yearly during the 2nd trimester qualification period of each fiscal year (October-February): or more frequently as determined necessary by the commander of the Training Division, the Board of Deputy Chiefs, or the Office of the Sheriff.

2.620.10 Handgun Records: Limit on Authorized Weapons

At any given time, safety members shall not be authorized to use more than one handgun in each of the following categories:

- Standard Service
- Alternate Duty
- Off-Duty
- Back-up

Once a safety member has qualified with a handgun in any of the categories listed above, he must continue to qualify with that handgun in successive qualification periods. Safety members may only change their firearm selection for each category of authorized handguns once per year; during the 2nd trimester qualification period of each fiscal year (October-February).

Exceptions to this policy may include:

- Equipment Failure (breakage)
- Product Recall
- Promotion/Reassignment

2.622. Ammunition

Duty ammunition shall be supplied annually to each officer for use with the Department issued or approved handgun. Generally, except for training, no on-duty deputy shall carry any ammunition that is not approved by the Range staff.

Ammunition manufactured by a reputable and recognized commercial ammunition manufacturer is required for use on duty in all firearms. Ammunition commonly known as "handloads" or "reloads" is prohibited for on-duty use.

When firing on any range facility operated by the Department, members shall secure the permission of the deputy in charge of the Range facility prior to firing any "handloaded" ammunition not supplied by the Department.

2.622.10 Training Ammunition

The Department shall furnish ammunition as is necessary to complete the required course of fire. Deputies who prefer, and have approval, to carry handguns of calibers other than .38 Special, .357 Magnum, .45 ACP, or 9-mm shall be responsible for providing their own ammunition for the required training with these optional weapons.

Deputies who elect to utilize a .38 Special or .357 Magnum revolver, other than their duty handguns and alternate handguns, for off-duty use, shall be furnished sufficient ammunition by the Department to complete one qualification course of fire per trimester. Deputies failing to qualify with additional handguns of these calibers shall furnish the necessary additional ammunition at their own expense.

Deputies shall furnish, at their own expense, any necessary ammunition to satisfy the qualification requirement concerning Back-up Handguns.

2.622.15 Duty Ammunition for Alternate, Back Up, and Off-Duty Handguns

Deputies in plainclothes authorized to carry an alternate duty handgun of other than .9-mm or .45 ACP, shall provide their own ammunition for the optional weapon, both for training and on-duty use. Generally, except for training, no on-duty deputy shall carry, either in his Alternate Duty Handgun or on his person, any ammunition for his handgun that is not approved by the Range staff.

2.624. Division Ammunition Cache

Each station/division commander shall cause a supply of extra ammunition to be maintained at the operational base of his command. Such supply shall include ammunition for handguns, as well as for any rifles and shotguns assigned to his command. This ammunition shall be maintained in such a manner that it is accessible to any officer assigned to his command.

Additionally, the Department shall maintain extra supplies of ammunition as determined by the Sheriff's Range. The ammunition storage locations shall be at Glen Helen Rehabilitation Center, Adelanto Detention Center and Aviation Division. Such ammunition is available at any time of the day or night to any station/division needing it due to an urgent tactical situation.

No member shall tamper with, remove, or use any ammunition described above, except when necessary during a tactical situation. In all cases, use of such ammunition shall be reported to the appropriate commander with no unnecessary delay, so that it can be replaced immediately.

Each commander shall cause required supplies of extra ammunition maintained by his command to be inspected

monthly to ensure the proper quantity and its clean and serviceable condition.

2.626. Less Lethal Shotguns and Munitions

Less Lethal Munitions are specialty munitions, designed to be deployed from a 12-gauge shotgun. They are referred to as less lethal because they may have a potential for causing injury, but minimal probability of causing serious injury or death.

The Sheriff's Training Center issues the Department's approved less lethal munitions. Only Department approved less lethal munitions shall be utilized in the Department's designated less lethal shotguns. The stock and forend of the Department's designated less lethal shotguns shall be painted yellow in color. Lethal shotgun ammunition shall never be loaded into a shotgun designated for less lethal munitions.

At the beginning of each shift, less lethal shotguns shall be visually and physically inspected by a safety member assigned to each area or vehicle where weapons are stored. The purpose of the inspection is to ensure the weapons are in good working order, there are adequate supplies of less lethal munitions, and when appropriate, loaded with the proper munitions.

Six rounds of less lethal munitions may be mounted in a six-shell side carrier on the 12-gauge less lethal shotgun and the remaining four rounds of less lethal munitions may be stored in a buttstock shell holder pouch, or all ten rounds of less lethal munitions may be stored in a buttstock shell holder or pouch. Both the six-shell side carrier and the buttstock pouch must be approved and installed by the Department's Firearms Training Center (Range).

When available, a second safety member shall observe the inspection and, if possible, the loading process to ensure it is

completed in a safe manner. The less lethal shotguns shall only be chambered immediately prior to deployment.

Less lethal shotguns shall not be stored loaded near lethal shotgun ammunition or other types of shotguns. Less lethal shotguns kept in other areas where lethal shotgun ammunition is not present may be stored "parking lot" loaded with less lethal munitions. When "parking lot" loaded, the weapons shall be kept in either a locked armory box or a locked mounted gun rack.

The less lethal round approved for use in the transportation busses and transportation cells shall be the fin stabilized translucent 12-gauge shell with finned rubber sabot. The Transportation less lethal shotgun shall be stored, "parking lot" loaded and locked in the shotgun rack of each bus or shall be loaded and stored in the Transportation Services locked gun rack or armory.

In patrol and unmarked vehicles, less lethal shotguns shall be stored, unloaded, in one of the following options:

A hard case marked "STUN BAG" in the trunk area. Also stored in the case shall be ten rounds of less lethal munitions.

An approved fixed mount, under the utility shelf of marked patrol Utility Vehicles (UV's).

2.628. High Capacity Magazines

Safety and reserve members requesting to purchase high capacity magazine(s) must complete a Department Authorization Letter and obtain the authorization/signature of their station/division commander. After the letter is completed, the deputy/reserve can purchase the high capacity magazine from the vendor of his choice.

2.630. Ear Protection

All Department personnel who are on or near the firing line of any range being operated by the Department or for the official use of Department members when live firing is taking place, shall wear ear protectors provided by the Department or personal ear protectors of a type approved by the Department Range Master.

2.632. Special Weapons Defined

As used herein, special weapons mean any firearm except the Ruger Mini-14 .223 rifle, the Remington Model 870 12-gauge shotgun, and handguns issued or approved for routine use on-duty, off-duty, or as an on-duty "back-up". Special weapons include bolt action rifles, rifles of other calibers, fully automatic rifles, and submachine guns, specialized weapons, weapons designed to fire chemicals or explosive projectiles, weapons designed to fire non-lethal projectiles, such as "rubber" bullets, "bean bags," and colored dye-filled projectiles, and weapons designed to deliver a non-lethal electrical shock to a suspect.

2.636. Department Vehicles

The Department employs a wide variety of ground vehicles to accomplish its official tasks, assignments, and missions.

Ground vehicles used by the Department include the following:

- Marked Law Enforcement Patrol Units
- "Slick-Top" Patrol Units
- Motorcycles
- Unmarked Detective/Investigative Units
- "Plain-Wrap" Units
- Marked Administrative/Support Vehicles
- Evidence Units
- Citizen Patrol Units
- Search and Rescue Units
- Unmarked Administrative/Support Units
- All-terrain and Off-highway Enforcement Vehicles
- Trailers

Prior to each tour of duty before accepting responsibility for the safe operation of the Sheriff's units, members shall physically inspect the vehicles to ensure that any visible defects are identified. Lights should be checked, tires should be inspected, and the body of the vehicle should be scrutinized for cleanliness and any needed repairs or damage. If minor corrections are required, they should be accomplished immediately.

Major defects should be noted and brought to the attention of a supervisor who will cause the defects to be corrected and if necessary, take the unit out of service until this is accomplished.

2.636.10 Use of Seatbelts in Department Vehicles

All members who drive Department vehicles shall use the available seatbelts installed in the vehicle. Members shall ensure that all occupants of the Department vehicle are using

seatbelts while the vehicle is in motion. The following are exceptions to this policy:

- Prisoner transportation vans and buses not equipped with seatbelts for prisoners. However, the driver and passenger(s) for whom seatbelts are provided are required to use them.
- Undercover operations where compliance with this policy would not fit the role the safety member is playing.
- Arrestees, when transported, shall be seat belted unless there is a specific reason that doing so would endanger the safety member or arrestee.
- When arriving at an emergency call, the seatbelt may be disengaged just prior to stopping to allow for a quick exit and to prevent entanglement in the belt.
- When conducting a traffic stop, the seatbelt may be disengaged just prior to stopping to allow for a quick exit and to prevent entanglement in the belt.
    - Caution should be exercised to ensure the violator is going to stop. This will prevent the safety member from becoming involved in a pursuit without the use of their seatbelt.
- While operating the vehicle at a low speed and assigned to a call where a suspect is on foot in the area.

2.636.15 Assignment of Department Vehicles

Safety personnel holding rank of Deputy, Detective, Sergeant, or Coroner Investigators assigned unmarked vehicles, owned by the County of San Bernardino, who utilize that vehicle in the

normal course of their assignment shall be authorized to use that vehicle for the commute to home and work except when:

- The member is on an approved leave of any kind for 40 hours or greater; or
- The vehicle is assigned for official use by other members; or
- The vehicle is out of service or inoperative for any reason.

Vehicles shall not be used for personal business except when that business is transacted during the normal commute to or from work, or in the event a member is on an out-of-area assignment.

The use of a county-owned vehicle does not establish a property interest for the purpose of compensation.

The use of a Department vehicle is specific to the member's assignment and not to the member. The member maintains use of the vehicle at the discretion of the appointing authority and any misuse of the vehicle could lead to loss of the use of the vehicle and/or disciplinary action.

In the case of transfer, reassignment or demotion to a position that does not require on-duty use of a Sheriff's Department vehicle, all rights to use that vehicle will terminate.

Use of a county vehicle for the commute to and from work does not imply that the members is on duty for the purpose of overtime compensation, nor shall the use of a personally owned vehicle for the commute to and from work result in mileage reimbursement.

2.636.20 Personal Use of an Assigned "Take Home" Department Vehicle

A member who has been assigned a "take home" Department vehicle for use in his executive, administrative, or investigative assignment, is generally prohibited from using that vehicle to transport family members, conduct personal errands, or attend personal events/appointments except when that use is accomplished contemporaneously with and incidental to his regular commute to or from the workplace; or in the course of executive command, or community relations activities. The member shall ensure that the vehicle contains all necessary safety equipment and any specialized equipment enabling them to competently respond to any incident, event, or circumstance as required by their duty assignment or classification.

A member who is designated as being "on-call" and receiving "on-call" compensation shall, when called, respond to any location assigned or determined by their commander or designee. They may use an assigned Department vehicle while "on-call" for personal errands, events, or appointments only if they are prepared to immediately and directly respond to a call for service; within the time frame required by their classification or assignment; from any location they may be without having to drive to an intermediate location to change clothes, pick up equipment, drop off passengers, etc.

When a severe, catastrophic event such as a major earthquake, significant terrorist incident, or act of war occurs, any member who has been assigned a "take home" Department vehicle shall report to their assigned duty station or facility as soon as possible. If this is not feasible, or communication fails, the member shall report to the nearest Department station or facility. If the member cannot respond to any Department station or facility due to severe infrastructure damage, etc. they shall report to the nearest law enforcement agency or facility.

A sworn member may, while operating a "take home" Department vehicle, either on or off-duty, choose to initiate or participate in a law enforcement action based on circumstance or exigency. When this occurs, the member shall notify the Sheriff's Communications Division and/or the appropriate local agency as soon as practicable to advise them of the circumstances and request any additional assistance as needed.

2.636.25 Security of Department Vehicles

All members who take a Department vehicle home shall take reasonable precautions to ensure the safety of the vehicle and its contents.

Whenever possible the vehicle should be:

- Parked off the street.
- In a garage or carport.
- In a driveway.
- In a lighted area.
- Locked.

2.636.30 Marking/Alteration of Department Vehicles

All Department vehicles shall be marked and equipped in accordance with the protocol established by the Sheriff's

Automotive Committee, as approved by the Office of the Sheriff.

No member shall make any unauthorized alterations, additions, removals, or repairs to Department vehicles, nor shall they cause or permit any other person to perform such changes.

No member shall attach or affix stickers, ornaments, or decorations to any Department vehicle without the approval of the Office of the Sheriff.

2.636.32 Citizen Patrol Vehicle Specifications and Markings

Understanding that the majority of citizen patrol vehicles are donated, the only criteria is that the vehicle comply with the California Vehicle Code for safety and equipment, to include driver and passenger restraint devices.

Each citizen patrol vehicle shall be painted in accordance with its standard City or County color scheme. The words "POLICE" and/or "SHERIFF" shall be eliminated from the color scheme with the single exception of "SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT" being affixed to the rear trunk lid as specified in the approved markings.

Each vehicle shall also be marked as follows:

- "CITIZEN PATROL" in a minimum of three inch or larger letters on the rear, right, and left sides of the vehicle.
- "SAN BERNARDINO COUNTY SHERIFF'S DEPARTMENT" as the standard Sheriff's decal in one inch letters. It is preferable that this decal appear on the rear trunk lid or in the rear window of the vehicle.
- Roof marking, as prescribed by the Automotive Division. A roof marking to designate the citizen

patrol vehicle as a volunteer (i.e., 14V, 17V, 18V, etc.)
- Sheriff's Department logo decal, eleven inch, shall be put on the driver's and front passenger doors.

It shall be optional to put "DONATED BY" and the sponsor's name on the left and right sides of the vehicle in letters not to exceed two inches.

2.636.35 "Slick-Top" or "Plain-Wrap" Department Vehicles

A "Slick-Top" vehicle is a marked patrol vehicle that does not have emergency lights mounted on the outside or roof of the vehicle. Instead, emergency lighting is generally mounted inside the front grill, on the rear deck inside the rear window, and/or behind the windshield in the vehicle's interior.

A "Slick-Top" vehicle is not authorized for routine patrol assignments. "Slick-Top" vehicles are only authorized for use by:

- Traffic Enforcement Units
- Gang Teams
- MET (Multiple Enforcement) Teams
- Crime Impact Teams

A "Plain-Wrap" vehicle is an unmarked patrol vehicle that does not have emergency lights mounted on the outside or roof of the vehicle. Instead, emergency lighting is generally mounted

inside the front grill, on the rear deck inside the rear window, and/or behind the windshield in the vehicle's interior.

A "Plain-Wrap" vehicle is not authorized for routine patrol assignments or traffic enforcement. "Plain-Wrap" vehicles are only authorized for use by:

- Gang Teams
- MET (Multiple Enforcement) Teams
- Crime Impact Teams

2.636.40 Out-of-Service Department Vehicles

When a Department vehicle is not available for operational assignment or use; due to maintenance, repair, or administrative reasons; that vehicle is considered to be in an "out-of-service" status.

When it becomes necessary for a member to operate a marked Department vehicle that has been placed in an "out-of-service" status on a roadway, an "Out-of-Service" sign or placard shall be prominently displayed on the vehicle.

2.636.45 VEHICLE LOCATION/TELEMATICS SYSTEMS

Patrol and other Department vehicles, at the discretion of the Sheriff or their designee, shall be equipped with a system designed solely to track the vehicle's location, as well as a Telematic system to be utilized specifically for vehicle data collection. While the systems may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the systems. At the start of each shift, members shall verify that the systems are on and immediately report any malfunctions to

their supervisor. If the member finds that the systems are not functioning properly at any time during the shift, the member should exchange the vehicle for one with working location systems, if available.

Systems data may not be accessed without cause. Sheriff's Dispatch may access systems data to assist in dispatching a member closest to the scene of an emergency call. Additionally, Sheriff's Dispatch or a supervisor may access current vehicle location information if exigent circumstances exist, such as when a member's safety is in question. Access to historical data may be obtained by a station/division commander or above during criminal/administrative investigations where the driver or occupant of the vehicle is a subject of investigation. Any other requests to access historical data will be reviewed by County Counsel.

VEHICLE TELEMATICS

The primary purpose of vehicle telematics hardware/software is to collect vehicle and driver information. Telematics software is used to manage the Department's fleet and can be also used to track the vehicle's location and is separate from a Vehicle Location System. The same guidelines used for the Department Vehicle Location System shall be adhered to with respect to telematics, with the exception of Sheriff's Dispatch and supervisors. Supervisors may be given access to data/tracking at the discretion of the station/division commander. Dispatchers shall not have access to vehicle telematics data/tracking.

Added: 7-12-21

2.637. Department Watercraft

Prior to each tour of duty, before accepting responsibility for the safe operation of Department watercraft, members shall

physically inspect the watercraft and complete a watercraft inspection sheet. The inspection sheets shall be submitted to a supervisor to ensure any visible defects are identified. Lights should be checked, the hull and interior inspected, and the entire vessel should be inspected for cleanliness and any needed repairs or damage. If minor corrections are identified they should be accomplished immediately. Major defects should be noted and brought to the attention of a supervisor who will cause the defects to be corrected, and if necessary take the vessel out of service until this is accomplished.

2.637.10 Department Watercraft- Personal Floatation Devices

All members while on duty and on-board Department or other watercraft underway shall at all times wear a Department approved auto-inflate HIT (Hydrostatic Inflator Technology) personal floatation device (PFD) or other Department approved PFD. In addition, members shall ensure that all passengers on board Department watercraft underway are wearing a Department approved PFD. The HIT PFD shall be of the suspender design and all other PFD's shall be of the vest style not requiring inflation. All PFD's shall be black, red, or gray in color, Coast Guard approved, and in serviceable condition. The word "SHERIFF" may appear on the back neck area of the PFD in gold capital block lettering 2 inches high and 6 inches wide and a Department approved cloth badge may be sewn on to the front left side of the PFD.

The orange Type II PFD may be used for arrestees on board Department watercraft.

Updated 5-30-20

2.638. Automotive Vehicle Equipment

Safety members shall ensure that each assigned vehicle shall contain the following basic equipment in good working order:

- Fire Extinguisher
- Radio
- Spare Tire, Jack, Tire Tools
- Vehicle Log Book
- First Aid Kit/Trauma Kit
- Flares
- Shovel
- Shotgun
- Rifle
- Less Lethal Shotgun/Launcher

Station/division policy may require additional equipment depending on the geographic area or assignment for which a member is responsible (i.e., tear gas, special weapons, etc.).

2.638.10 Citizen-On-Patrol Vehicle Authorized Equipment

The following is the authorized equipment inventory for all Citizen-On-Patrol vehicles:

- Sheriff's 800 MHz and/or 800 MHz Handie Talkie
- Amber lights bar mounted on the roof.
- The amber lights shall only be activated when the vehicle is in park.
- First Aid Kit
- Road Flares
- Jumper Cables
- Shovel
- Blanket
- Flashlight(s)
- Snow Chains

2.640. Vehicle Maintenance

Division commanders shall cause all motorized equipment in their respective divisions to be maintained in the best practicable condition. Watch commanders shall be responsible for the inspection of motorized equipment for defects, needed repairs, or maintenance at the change of each watch.

Each division commander shall designate a person to be responsible for vehicle maintenance. Regular vehicle maintenance not only ensures the safe operation of the equipment but shall also result in higher trade-in allowance and lower cost of operation.

Members having vehicles assigned for their use shall be responsible for their regular inspection and maintenance.

Washing and waxing of Sheriff's vehicles not only creates a good image for the Department but ensures the long life of the vehicle's paint and chrome.

It is the responsibility of each member to see that Sheriff's units are kept clean, maintained, and operating in a safe manner.

2.640.10 Department Vehicle Speedometer Calibration

Speedometers of all Department automobiles used to enforce the provisions of the California Vehicle Code shall be calibrated every six months, and the results of the calibration posted within the vehicle for reference.

2.642. Purpose of Department Aircraft

Department aircraft shall be used as a tactical aid to regular law enforcement operations; in addition, the aircraft may be

used for specific assignments that shall assist in furthering the objectives of the Department.

2.644. Motorcycle Enforcement Units: Authorized Vehicles

Motorcycle Enforcement Units shall only be equipped with vehicles approved by the Sheriff's Automotive Committee.

The Sheriff's Automotive Committee shall create standards for motorcycle selection and equipment based on input received from deputies assigned to Motorcycle Enforcement Units within the Department, and information obtained from area law enforcement agencies.

The Sheriff's Automotive Division shall ensure that all motorcycles assigned to Motorcycle Enforcement Units are similarly equipped, and similarly marked.

The modification or "personalization" of motorcycles or related equipment assigned to Motorcycle Enforcement Units is prohibited, without prior written approval from the Sheriff or his designee. The application or attachment of stickers, antenna balls, tassels, etc. to the motorcycles or related equipment assigned to Motorcycle Enforcement Units is prohibited.

Department motorcycles shall not be driven to and from work, except in specific instances with the specific approval of the division commander.

2.644.10 Motorcycle Enforcement Units: Vehicle Maintenance

The division commander shall ensure that safety members assigned to a Motorcycle Enforcement Unit are provided two hours of maintenance time each week to clean and maintain their motorcycle and related equipment. This routine

maintenance shall be accomplished during the member's regularly scheduled work time.

2.646. Off-Highway Vehicle Enforcement Units: Vehicles

An Off-Highway Enforcement Unit shall only be equipped with vehicles approved by the Sheriff's Automotive Committee. Vehicles authorized for use in Off-Highway Vehicle Enforcement Units include:

- Four Wheel Drive Truck or Sport Utility-Type Vehicles
- Utility Trail Vehicles
- Dual-Sport Motorcycles, ATV/Quads, and
- Sand-Rails

The commander of a division having an Off-Highway Enforcement Unit shall determine whether the unit will operate trucks, SUVs, utility trail vehicles, motorcycles, ATV/Quads, utility trail vehicles, sand-rails, or a combination thereof.

Sheriff's Automotive Division shall ensure that all off-highway vehicles assigned to Off-Highway Enforcement Units are similarly equipped, and similarly marked.

Nothing shall be attached to an Off-Highway Enforcement Vehicle that would interfere with the operator and/or the safe operation of the vehicle. The modification or "personalization" of Off-Highway Enforcement Vehicles or related equipment assigned to Off-Highway Enforcement Units is prohibited, without prior written approval from the Sheriff or his designee. The application or attachment of stickers, antenna balls, tassels, etc. to the OHV Enforcement Vehicles or related equipment assigned to OHV Enforcement Units is prohibited.

Department vehicles assigned as Off-Highway Enforcement Vehicles shall only be used for official law enforcement

activities, search and rescue operations, or recruitment and display purposes.

Generally, the use of an Off-Highway Enforcement Vehicle in a pursuit is prohibited.

2.646.10 Off-Highway Vehicle Enforcement Units: Emergency Lighting and Sirens

Off-Highway Enforcement Vehicles are considered emergency law enforcement vehicles, and as such they shall be equipped with emergency lights and sirens.

The Sheriff's Automotive Division shall ensure that the emergency lighting and siren equipment utilizes the factory Original Equipment Manufacturer (OEM) wiring harness wherever possible. If this cannot be accomplished, an alternate wiring configuration shall be determined by the Automotive Division, in consultation with the division commander and the Sheriff's Automotive Committee.

The installation of emergency lighting and sirens shall not interfere with the designed function of the vehicle; or interfere with the operator and/or the safe operation of the vehicle.

2.646.15 Off-Highway Vehicle Enforcement Units: Markings

All Department Off-Highway Enforcement Vehicles shall be marked on the sides, as well as front and rear (if applicable), with the Department Star Logo. The Automotive Division shall ensure that all Off-Highway Enforcement Vehicles are similarly marked according to the type of vehicle, and that they are readily identifiable as law enforcement vehicles.

2.648. Bicycle Enforcement Team: Equipment

The equipment for the Bicycle Enforcement Teams shall include the following:

A law enforcement model mountain bicycle, white or black in color, twenty-one (21) speed, or a comparable all-terrain bicycle marked as follows:

- The words "SAN BERNARDINO COUNTY SHERIFF" or "POLICE" and the designated contract city name in one and one-half inch (1 ½") black and white lettering located on each side of the cross member and frame.
- The Sheriff's white and black star shall be centered on the front of the yoke.
- A dual-beam lighting system.
- Bicycle kickstand.
- Siren-Stand Alone.
- Digital patrol LED red/blue light.
- A rear taillight.
- A black accessory bag mounted behind the seat.
- A seat rack.
- A heavy-duty cable lock.

A Department of Transportation (D.O.T.) approved safety helmet (adjustable fit, white or black in color), marked as follows:

- The word "SHERIFF" or "POLICE" and the designated contract city name in one and one-half inch (1 ½") black and white lettering centered on each side.

2.650. Department Tow Service

Tow service for Department vehicles may be obtained by notifying the Sheriff's Automotive Division. If a Sheriff's tow truck is not available, local authorized tow services may be used.

2.652. Mobile ID Technology and Devices

The term "mobile identification technology" refers to a computerized system/process that utilizes hand-held biometric equipment to capture fingerprints and photographs of subjects in the field; and then to electronically transfer the data to the CAL-ID Automated Fingerprint Identification System (AFIS) for analysis.

Once the fingerprint and photograph are analyzed in the AFIS database, a result is electronically transmitted back to the hand-held device. The safety member may then use this information to further their investigation.

The purpose of this computerized system/process is to allow members to quickly confirm the identification of individuals they contact in the field, thereby increasing officer safety and enhancing investigations.

2.652.10 Mobile ID Technology and Devices: Management

San Bernardino County CAL-ID shall be responsible for the inventory, assignment, and management of mobile identification technology and devices.

The San Bernardino County Remote Access Network (RAN) Board is responsible for recommending policy, determining equipment purchase criteria, and establishing parameters for use, to ensure the effectiveness of the system and equipment.

2.652.15 Mobile ID Technology and Devices: Training

Only those safety members who have successfully completed CAL-ID approved training in the use of mobile identification technology shall be authorized to operate mobile identification equipment and have access to the CAL-ID AFIS database.

Division commanders shall assign at least one safety member to serve as a liaison with CAL-ID on Mobile Identification Technology issues. This liaison shall also assist CAL-ID personnel with training, utilizing the "train the trainer" concept.

2.652.20 Mobile ID Technology and Devices: Use

Mobile identification devices shall only be used in circumstances in which a safety member has a legal right to request identification from a subject.

The identification information provided by the use of mobile identification technology is considered to be supplemental information, and shall be used to compare, evaluate, and/or corroborate information obtained through other investigative methods. Mobile identification technology shall not be used as the sole criteria for confirming a person's identity.

The use of a mobile identification technology device in the field is discretionary. Safety members are not required to use the device in situations where the member's safety would be compromised.

2.656. Division Key Control System

Each division commander shall establish and maintain records of Department keys assigned to their command. When a member transfers or terminates, they shall return all Department keys to their division commander.

2.656.10 Duplicate Vehicle Keys

Each division and station having automotive equipment shall maintain a duplicate set of keys for each vehicle assigned to the station or division.

No vehicle key shall be duplicated without the consent of a division commander.

2.656.15 Lost Vehicle Keys

Any department vehicle key that is misplaced or lost shall immediately be reported to a supervisor. An inter-office memorandum shall be directed to the division commander, advising of the misplaced or lost key.

2.658. Use of Department Exercise Equipment

The weight machines and other exercise equipment located at the various stations/divisions are there for member's off duty convenience. This equipment shall not be used while on duty. The Department does not warrant the mechanical condition of this exercise equipment or assume any responsibility for its condition or for any injuries associated with its use. Any injury resulting from the use of this equipment shall not be considered an occupational injury.

This policy shall not apply to:

- Students or staff assigned to the Sheriff's Basic Academy while on duty and engaged in the regular supervised physical fitness curriculum of the Sheriff's Basic Academy.
- Safety personnel assigned to SWAT while utilizing their 60 minutes of on duty workout time in compliance with Specialized Enforcement Division's policy and the employee's Memorandum of Understanding.

A member meeting the above criteria who is injured during participation in such authorized activities shall immediately report their injury to their supervisor or watch commander.

2.660. Automated External Defibrillator (AEDs)

Commanders may elect to participate in the Public Safety-Defibrillator (PS-D) program and purchase AEDs.

Members shall, prior to participating in the PS-D program, complete the required training course and become certified in the skills essential in the use of the AED. The Sheriff's Training Division shall provide the necessary continued training as required by state law and/or POST.

Stations/divisions will be responsible to ensure their personnel utilize the procedures outlined for the use, care and reporting as mandated by state law. The Sheriff's Station Inspection Matrix shall include AEDs during the yearly station inspection. AEDs shall be inspected and maintained by the station commander or designee (ref: Health and Safety Code, Division 2.5, section 1797.196 and California Code of regulations Title 22 division 9, chapter 1.5 First Aid Standards for Public Safety Personnel).

2.664. Citation Books

The Department's issuance of citation books is the responsibility of the Sheriff's Warehouse. Each division using citation books shall obtain its needed supply from the Sheriff's Warehouse.

Each command using citation books shall establish a record and control over the issuance and return of all citation books and shall cause a supervisory check to be made on all completed citations. To ensure accountability of citations, all citation books shall be inventoried, and an entry based on the first and last citation number of each book shall be entered into the Sheriff's Records Management System.

Members assigned to divisions using citation books shall obtain the books according to their established station policy. These citation books are to be used by the member during their assignment at that division.

Members issued a citation book shall safeguard the book against loss or damage. If either loss or damage occurs, the user shall submit to their station commander a memorandum explaining the circumstances.

When a member is reassigned from one division to another, or when terminated from the Department, all citation books in their possession shall be returned to the issuing supervisor of that division. These citation books shall then be made available for reissuance.

Each division commander or their assigned subordinate shall conduct a periodic inspection of the issued citation books to ensure continuity of numbers and that the procedures for voiding citations have been followed.

2.668. High-Visibility Reflective Safety Vest

All Department members who are reasonably expected to respond to or participate in a field incident, shall have a serviceable, Department-issued High-Visibility Reflective Safety Vest (HRSV), readily accessible for use while on duty.

The HRSV shall be worn under the following circumstances:

- While engaged in traffic control duties at the scene of a stabilized road closure, collision investigation, safety check point, or other civic/public event.
- While engaged in the investigation of a crime, the investigation of a traffic collision, or in other public safety incidents where the scene and/or immediate area

contains a freeway, highway, roadway or private alley or drive where moving vehicles may be present.
- When, in the judgment of the incident commander or ranking member that the safety of involved personnel would be enhanced by the wearing of the HRSV.

The HRSV shall only be worn when the incident, scene, or situation has stabilized to the point where there is no longer any reasonable tactical concern for the safety of personnel due to the enhanced visibility produced by wearing the vest.

Further, there may be occasions when the exigency of an event or situation does not permit the member to immediately don the vest. Once the situation is stabilized the vest shall be retrieved and worn.

2.672. SWAT Service Handgun

Active members of the Department Special Weapons and Tactics Team (SWAT) shall carry a safety-governed single-action semi-automatic pistol or alternate designated pistol as their service handgun. Active members of SWAT are required to qualify and maintain proficiency with this handgun, as described in this and subsequent sections.

No Department member is authorized to carry a safety-governed single-action semi-automatic pistol unless:

- They have been specifically identified by the SWAT commander of the Specialized Enforcement Division (SED) as being a part of core, tactical SWAT operations, and;
- They have been specifically authorized by the SWAT commander of the Specialized Enforcement Division to carry the weapon as their service handgun.

SWAT support elements such as crisis negotiators, Arson/Bomb Unit personnel, etc. are not considered part of core, tactical SWAT operations for purposes of this policy.

Recommendations on the make, model, and specifications of the SWAT service handgun shall be offered by the Commander of the Specialized Enforcement Division in consultation with the Sheriff's Range. The Board of Deputy Chiefs shall review the report and make recommendations to the Office of the Sheriff for final approval.

2.672.10 SWAT Service Handgun: Transition and Qualification

Active members of the Department Special Weapons and Tactics Team (SWAT) who intend to carry a safety-governed single-action semi-automatic pistol are required to successfully complete a transition course. This transition course shall be

developed and administered in a cooperative effort by SED and the Sheriff's Range.

Active members of SWAT carrying a safety-governed single-action semi-automatic pistol shall successfully complete Department Use of Force trimester qualifications with this pistol.

Active members of SWAT are also required to successfully complete recurrent weapon proficiency and tactical qualifications developed and administered by SED.

The Specialized Enforcement Division shall maintain all records of training and proficiency for active members of SWAT, other than Use of Force trimester training records and the transition course.

Failure to successfully complete the safety-governed single-action semi-automatic pistol transition course and/or qualify and maintain proficiency with this or the alternate designated pistol as required by the Department and SED may result in the member's removal from his SWAT assignment.

2.672.15 SWAT Service Handgun: Transition Back to Department Service Handgun

Safety members who are no longer assigned as active core tactical members of the Department Special Weapons and Tactics Team (SWAT) are immediately required to transition back to a Department service handgun, as described in section 2.608 of the Department Manual. They are no longer authorized to carry a safety-governed single-action semi-automatic pistol as their service weapon.

The safety member shall be required to successfully complete a training course administered by the Sheriff's Range designed to

accomplish the transition back to the approved service handgun.

2.676. Sale or Trade of Department Badges

All badges issued by the Department, even those purchased by the employee, are considered to be the property of the Department.

Department members, or former Department members, who have "purchased" Department pin-on (duty) or slimline (off-duty) badges as mementos, or who otherwise come to legally possess Department pin-on or slimline badges may not sell, trade, or otherwise distribute those badges to anyone. Pin-on or slimline badges as described above may, however, be transferred to family members as heirlooms or keepsakes.

The purchase of a badge merely allows a member of the Department, or former member, to maintain possession of the badge for memento, keepsake, or heirloom purposes; and creates no property right or interest in the badge.

The Office of the Sheriff, upon discovery that a Department pin-on or slimline badge is being offered for sale, trade or distribution, may initiate measures to recover the badge.

2.678. Department-Issued Cellular Phones

The Department may issue cellular telephones to members based on organizational need.

Department cellular telephones, systems and related equipment shall only be accessed and used by authorized personnel for law enforcement business, or for reasonable personal use. There is no expectation of privacy in the use of Department cellular telephones generally; and specifically no

expectation of privacy in the use of their texting, email, calendar, photograph/video, or internet access features.

To obtain a Department-issued cellular telephone (cell phone), the station/division commander shall complete a "Department-Issued Cell Phone Request Form," which may be found on Sheriff's Templates. The station/division commander must identify the organizational need for the issuance of a cellular telephone, and specifically identify the member and/or job position intended to use the phone.

This form shall then be submitted to the appropriate Deputy Chief for consideration, and the Deputy Chief in turn shall make a recommendation to the Office of the Sheriff.

2.678.15 Department-Issued Cellular Phones: Accounting and

The Bureau of Administrative is responsible for establishing accounting and record-keeping procedures in compliance with applicable county requirements and tax regulations, related to the use of Department-issued cell phones.

2.704. 10851 Awards

BLUE 10851 AWARD PIN:

- CRITERIA. Safety members who during a twelve (12) month period meet any of the following criteria should receive recognition for the accomplishment. A 10851 Pin should be awarded under these circumstances:
    - Make six (6) separate incident rolling stolen in-custody arrests.
- Recover a total of twelve (12) stolen vehicles of which a minimum of three (3) must be rolling stolen.

- Develop information which results in the identification of a theft ring, subsequent arrest of
- two (2) or more suspects, and the recovery of at least ten (10) vehicles.

GOLD MASTER 10851 AWARD PIN:

CRITERIA. Safety members who meet the above criteria for the Blue 10851 Award Pin five (5) times are eligible in lieu of a fifth blue pin.

PROCEDURE. The safety member's station commander is responsible for the preparation of the appropriate documentation, which is then forwarded to the Public Affairs Division.

2.708. Thank You Card

DESCRIPTION**.** Fold-over card with a place for the issuing member's business card and space for a brief thank you message.

PRESENTED BY. Any Sheriff's Department member.

WHO IS ELIGIBLE. Any person who has provided assistance or service to the Sheriff's Department.

HOW PRESENTED. Presenter's discretion.

SOURCE. Sheriff's Warehouse.

CRITERIA. Given by a Sheriff's Department member. Can be given at any time to any person or organization for service or assistance rendered to the Sheriff's Department.

2.710. Letter of Thanks

DESCRIPTION. Sheriff's approved letterhead.

PRESENTED BY. Any member of the Sheriff's Department.

WHO IS ELIGIBLE. Any person who has provided assistance or service to the Sheriff's Department.

HOW PRESENTED. Presenter's discretion.

SOURCE. Sheriff's Warehouse.

CRITERIA. Given by a Sheriff's Department member. Can be given at any time to any person or organization for service or assistance rendered to the Sheriff's Department.

2.712. Commander's Award

DESCRIPTION. A standardized certificate developed for stations/divisions.

PRESENTED BY. Station/division commander.

WHO IS ELIGIBLE. Any person or entity that provides service or assistance to the Sheriff's Department.

HOW PRESENTED. Commander shall present at a formal or semi-formal occasion.

SOURCE. Public Affairs Division.

CRITERIA. Standardized departmental certificate given by the station or division commander for service or assistance rendered to the Sheriff's Department to a greater degree than a card or letter.

2.713 Community Partnership Award

DESCRIPTION: A certificate issued by the Department Diversity Committee including a synopsis of the reason for the award.

PRESENTED BY: Station/Division commander upon the request of the Department Diversity Committee.

WHO IS ELEGIBLE: Any person or entity that provides service or assistance to the Sheriff's Department.

HOW PRESENTED: Commander shall present at a formal or semi-formal occasion.

SOURCE: Public Affairs Division.

CRITERIA: Standardized departmental certificate issued by the Department Diversity Committee and given by the station or division commander for the creation or furtherance of partnerships between the community and the Sheriff's Department to a lesser degree than the Sheriff's Medal for Meritorious Service.

New: 5-5-21

2.714. Division Award Plaques

Once per calendar year, the Public Affairs Division will provide each division with the opportunity to award division plaques, in the following categories:

- Employee of the Year
- Reserve or Volunteer of the Year
- Citizen of the Year

In certain instances, multiple plaques in the same category may be awarded at the request of the division commander, upon approval by the Deputy Chief.

2.716. Frank Bland Medal for Meritorious Service

DESCRIPTION. The SEBA bronze medal with a solid blue neck ribbon, and award ribbon.

PRESENTED BY. Sheriff or designee.

WHO IS ELIGIBLE. Any Sheriff's member.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. SEBA.

CRITERIA. May be awarded to Sheriff's Department safety members who distinguish themselves by performing exceptional service in a duty of great responsibility or of critical importance to law enforcement, but to a lesser degree than required for the Sheriff's Arrowhead Award.

2.716.10 Frank Bland Medal of Valor

DESCRIPTION. The SEBA silver medal with a solid red neck ribbon and award ribbon.

PRESENTED BY. Sheriff or designee.

WHO IS ELIGIBLE. Any Sheriff's safety member.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. SEBA.

CRITERIA. May be awarded to Sheriff's Department safety members who distinguish themselves by performing exceptional service in a duty of great responsibility or of critical importance

to law enforcement, but to a lesser degree than required for the Sheriff's Arrowhead Award.

2.718. Arrowhead Award

PRESENTED BY. Sheriff or his designee.

WHO IS ELIGIBLE. Persons or entities which have demonstrated an exemplary level of service or assistance to law enforcement in San Bernardino County.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. Public Affairs Division.

CRITERIA. The Arrowhead Award is the Department's highest award for service and may be awarded to an employee, citizen, or organization who has distinguished themselves by performing exceptional service in a duty of great responsibility or of critical importance to law enforcement in San Bernardino County.

Updated 5-30-20

2.720. Awards from the Sheriff

The Public Affairs Division shall be responsible for coordinating the Exceptional Service and Lifesaving Awards Ceremonies. The Division shall be responsible for collecting award nomination memos from stations/divisions and submitting memos to the Sheriff's Awards Committee for review.

2.720.10 Sheriff's Awards Committee

The Sheriff's Awards Committee shall consist of the following members:

- The President of the Sheriff's Advisory Council.
- One (1) member of the Sheriff's Executive Staff.
- One (1) rank and file member picked from a list provided by SEBA (to be appointed by the Sheriff).
- The President of SEBA.
- One (1) commander (to be appointed by the Sheriff).

2.720.15 Sheriff's Medal: Description

All Sheriff's medals shall be two and three-fourths inches by two inches (2 3/4" x 2"). The outer part of the medal shall have a six (6) point "starburst" effect. The center circle shall read "SHERIFF" across the top and "SAN BERNARDINO COUNTY" across the bottom with two (2) small five-point stars to separate top and bottom lettering. All lettering shall be blue. The center shall encase the seal of the San Bernardino County arrowhead with blue letters, blue circle, and white background behind the arrowhead. The reverse side of the medal shall be inscribed with the recipient's name and year presented.

The award of a Sheriff's medal shall be accompanied by the presentation of a lapel pin three-fourths of an inch (3/4") in diameter and an enameled bar ribbon for uniform wear.

2.722. Retirement Plaque

DESCRIPTION. An eight inch by ten-inch (8" x 10") plaque with the member's name and years of service with an appropriate message.

If a safety member, the last badge shall be retired and placed on the plaque.

PRESENTED BY. Sheriff or his designee.

WHO IS ELIGIBLE. Any Department member.

HOW PRESENTED. Sheriff's Staff Meeting or an appropriate ceremony.

SOURCE. Office of the Sheriff.

2.724. Sheriff's Plaque

Shall remain the Sheriff's personal award to be given strictly at his discretion.

2.726. Sheriff's Distinguished Service Award

DESCRIPTION**.** A standard certificate.

PRESENTED BY. Sheriff or designee.

WHO IS ELIGIBLE. Member or citizen who has provided distinguished service to the Sheriff's Department.

HOW PRESENTED. Sheriff's Staff Meeting or at the Sheriff's discretion.

SOURCE. Public Affairs Division.

CRITERIA. Sheriff's personal award to be given at his discretion to a member or citizen who has provided distinguished service to the Sheriff's Department. This award is to be given by the Sheriff or designee at an appropriate ceremony.

2.728. Sheriff's Medal for Meritorious Service

DESCRIPTION**.** The medal shall be "bronze" in finish. Top applied ribbon shall read "MERITORIOUS SERVICE." Attached to the blue,

white, blue neck ribbon. A matching short ribbon shall be furnished. The award ribbon shall be enameled blue, white, blue.

PRESENTED BY. Sheriff or designee.

WHO IS ELIGIBLE. Any Department member or citizen.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. Public Affairs Division.

CRITERIA. May be awarded to members or citizens who distinguished themselves by service above and beyond the normal demands of the law enforcement profession, but to a lesser degree than the Frank Bland Medal for Meritorious Service.

2.730. Sheriff's Medal for Life Saving

DESCRIPTION**.** The medal shall be "Platiloy" silver in finish. Top applied ribbon shall read "LIFE SAVING." Attached to the medal shall be a thirty-six inch (36") green, white, green neck ribbon. A matching short ribbon shall be furnished. The lapel pin and bar

ribbon shall be "Platiloy" silver in finish. The bar ribbon shall be enameled green, white, green.

PRESENTED BY. Sheriff or his designee.

WHO IS ELIGIBLE. Any Department employee or citizen.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. Public Affairs Division.

CRITERIA. May be awarded to employees or citizens who distinguish themselves by saving a life.

2.732. Sheriff's Medal of Valor

DESCRIPTION**.** The medal shall be "Carltone" gold in finish. Top applied ribbon shall read "MEDAL OF VALOR." Attached to the medal shall be a thirty-six-inch (36") red, white, red neck ribbon. A matching short ribbon shall be furnished. The award ribbon shall be enameled red, white, red.

PRESENTED BY. Sheriff or designee.

WHO IS ELIGIBLE. Any Department member or citizen.

HOW PRESENTED. At an appropriate ceremony.

SOURCE. Public Affairs Division.

CRITERIA. May be awarded to members or citizens who distinguish themselves by bravery and/or heroism above and beyond the normal demands of the law enforcement profession, but to a lesser degree than the Frank Bland Medal of Valor.

2.742. Speaking Engagements

Any requests for a member of this Department to speak on law enforcement or related topics shall be handled at the discretion of the commander of the division contacted. After carefully considering the nature of the request and the issue to be discussed, the division commander may choose to select a speaker from within their division or refer the matter to a more appropriate division.

Occasionally a request shall be made that requires the attention of the Office of the Sheriff or Deputy Chief. In these instances, a decision shall be made whether the speaking engagement shall be handled at the executive level or delegated to an appropriate person or division.

2.744. Helicopter Displays at Community Events

When any person, in the interest of Department community relations, desires a Department helicopter to land at a site not previously approved for helicopter landings, he shall submit to the Sheriff's Emergency Services/Aviation Division for approval:

- Written approval from the owner of the property on which the helicopter is to land.
- When requested, a one-time landing permit that is authorized through the State Department of Transportation, Division of Aeronautics.

Upon completion of the request, the Sheriff's Emergency Services/Aviation Division shall be responsible for the evaluation of safety inspections and resource availability.

All requests should be made at least four (4) weeks in advance, if possible.

2.746. The Department Honor Guard

The Honor Guard shall be utilized for special occasions such as funerals, ceremonies honoring dignitaries, and at other occasions where circumstances dictate.

2.746.10 Honor Guard: Staffing

When an assignment for the Honor Guard is approved, the Honor Guard shall consist of five (5) safety members and one (1) supervisor.

In those cases where an outside agency requests, or the Department desires to send a representative to a special ceremony or funeral, a minimum of two (2) safety members may be assigned to attend.

2.746.15 Honor Guard: Assignment

Generally, all members of the Honor Guard shall be selected from the custodial divisions, or from any station with the approval of the Sheriff.

2.804. The Department Budget

The budgetary process is required by the County and is an essential planning tool, enabling the Department to organize its financial resources in an objective-directed effort to derive the maximum return for the tax dollars expended.

The Department budget is a reflection of relative needs within the Department based on quantitative and qualitative data. It involves a decision regarding objective priorities with

consideration given to the volume and type of work required and the costs involved.

Budgeting is a continuous process which is the responsibility of each division commander. It involves the identification of objectives and the determination of organizational needs based upon a reasonable evaluation of future requirements.

Division commanders communicate their organizational needs by means of budget requests. Such requests should be limited to those items which are necessary to continue the present standard of service, materially improve the standard of service, or reduce the cost of service. It is the responsibility of the commander to weigh their needs carefully and to present budget estimates which incorporate reasonable and economically sound requests. If an item is requested on the basis that it will improve the standard of service, the justification should show conclusively how this objective will be reached.

The budget is used two ways as a management tool. First, it is used to periodically require the review of departmental operations. It will require re-establishment of goals and priorities, service levels, and efficient and effective use of resources. Second, the planning and implementation of a budget is considered a measurement when evaluating individual managerial skills.

2.804.10 Budget Management

Law enforcement is one of the most expensive and complex services provided by the County. The quality and extent of service provided is necessarily limited by available resources which are to a large extent dependent upon the resources of the County. To ensure that the highest level of service is obtained from the resources at its disposal, the Department

must make use of the most efficient management and budgeting techniques available.

Fiscal and operational management go together. Without sufficient funds for salaries and equipment, an operation will fail. Without operational planning, fiscal planning would be impossible. The tighter the financial limits of a budget, the greater the need for fiscal and operational planning. Department managers, from the Sheriff on down, must review their operations, determine goals and priorities, establish service levels, develop efficiencies and plan how they will operate within their funding limits.

In the fall of each year, Department managers will be asked to form their operational plan and funding needs for the following fiscal year. These plans shall be combined, refined, and approved by the next higher manager until all plans and fiscal needs are grouped into appropriate cost centers. Meanwhile, the Sheriff and his Executive Staff shall determine departmental priorities for the following year. They shall then review operational and fiscal plans submitted by the managers and make adjustments to meet Department priorities and funding limits.

Decisions by the Sheriff and Executive Staff shall make up the departmental budget request which is submitted to the County Administrative Office in the spring of each year. All County department budgets are reviewed by the Administrative Officer and recommended to the Board of Supervisors. Items requested by the Sheriff that cannot be funded within his budget limit are submitted to the Board of Supervisors as policy items to be considered separately. The Board gives approval to a proposed budget for all County departments by the end of June. Fiscal budget approval is given by the end of August of each year.

2.804.15 Budget Implementation

Following approval of the Department's budget by the Board of Supervisors, appropriations and revenues for the fiscal year shall be formally allocated to each cost center to carry out the operational plan previously approved by the Sheriff.

It is then the responsibility of managers to see that both the operational plan and the budget, or fiscal plan, is carried out.

Each cost center budget shall list various accounts and their appropriation or revenue limit for the fiscal year. This is called a line item budget. Each manager shall receive a monthly report showing how much has been spent or received in each account.

Two or three times during the fiscal year, all cost center managers shall be asked to project an estimate of the total amount they will spend and receive during the year. If these projections exceed that budgeted, a decision must be made to either change operating procedures to reduce spending or to allow over-expenditures to occur. It must be remembered, however, that the Department budget, as a whole, cannot be over expended.

Unplanned operational changes that are desired or must occur during the fiscal year need to be reviewed for fiscal impact. The value of the change should be weighed against its cost or savings. Also, a change in operations may affect how funds are spent which will require transfer of appropriations or revenues between line item accounts.

2.806. Planning

It is essential that there be planning in law enforcement. The Office of the Sheriff is responsible for devising long-range plans utilizing the entire resources of the Department.

In addition to developing standing procedures, the Department must regularly devise single-use plans to accommodate specific needs. These plans may involve a Department-wide response to a major unusual occurrence or a tactical answer to an isolated law enforcement incident. Once executed, such plans should be evaluated for the development of standing procedures or for future references in analogous situations.

When a need develops for a single-use plan affecting more than a single bureau or when it is necessary to develop a major project within a limited time it may be appropriate to assemble a planning group. When a planning group is assembled, it shall be structured with clearly defined objectives, organizations, responsibility, and authority. The ranking officer shall have the responsibility and accountability for the group's performance.

Planning group personnel shall be provided on loan from various bureaus or divisions to accomplish a specific task. These groups may be designated as Planning Groups, Task Force, Transition Team, Advisory Group, or any other title deemed appropriate by the appointing authority.

2.810. Credit Card Use

All credit cards assigned/issued to the County, the Department, a contract city, or to a member of the Department are considered the property of each respective government agency and are intended for official use only. Card users shall adhere to all policies and procedures regulating the use of these credit cards.

2.810.10 Credit Account Use

All credit accounts established through a retailer/vendor by the County, the Department, or a contract city, belong exclusively to that government agency and are intended for official use only. Account users shall adhere to all policies and procedures regulating the use of these credit accounts.

2.810.15 Credit Card/Account Use: Commander Approval

No credit card or credit account purchases/transactions are permitted without pre-approval of the Appointing Authority or his designee. Unauthorized purchases or transactions are prohibited and may lead to disciplinary action.

2.810.20 Fuel: Purchase Card Use

All fuel-purchase cards assigned/issued to the County, the Department, a contract city, or to a member of the Department are considered the property of each respective government agency and are intended for official use only. Fuel-purchase card users shall adhere to all policies and procedures regulating the use of these credit cards.

2.810.25 Fuel: Purchase Account Use

All fuel-purchase credit accounts established through a retailer/vendor by the County, the Department, or a contract city, belong exclusively to that government agency and are intended for official use only. Fuel purchase credit account users shall adhere to all policies and procedures regulating the use of these credit accounts.

2.810.30 Unauthorized Fuel Purchases

Unauthorized purchases or transactions are prohibited and may lead to disciplinary action.

2.810.35 Review of Credit Card, Credit Account, and Fuel Purchases

Division Commanders are required to establish review procedures for the purpose of ensuring that all credit card, credit account, and fuel-purchase account transactions generated by personnel within their division are authorized and accomplished within established policy and procedural guidelines.

2.820. Response to Party, Event, etc.: Cost Recovery

Department members responding to a party, gathering, event or assembly of persons for a subsequent time may initiate a process pursuant to San Bernardino County Code §24.0603, Chapter 6, Division 4 of Title 2 to recover costs required to control the threat to the public peace, health, safety and welfare and to disperse the party.

The subsequent response must be within a twelve-hour period, and a written notice must have been provided to a person deemed to be a responsible party.

2.820.10 Response to Party, Event, etc.: Billing

Within five working days of the party, gathering, event, or assembly the Sheriff's Administrative Services Division shall be provided with:

- An incident report that provides a narrative of the event coupled with a copy of the completed party response notification form.
- If more than one person is responsible for the party, gathering, event or assembly, the incident report

shall articulate proportionally actions attributable in causing the violation of the law resulting in a subsequent response.
- A list of personnel who were utilized to address a subsequent response that includes the total time each employee was encumbered.
- Documentation listing any damages, medical treatments, use of equipment or other costs associated with the subsequent response.

The Sheriff's Administrative Services Division shall compute the appropriate fees based upon the current County Fee Ordinance, §16.0226(m) of the San Bernardino County Code.

The person deemed to be responsible shall then be forwarded a bill through registered United States mail, return receipt requested.

The bill shall outline the appeal process as set forth in San Bernardino County Code §24.0606.

A copy of the bill shall be forwarded to the concerned commander.

2.820.15 Response to Party, Event, etc.: Appeals

Any person receiving a bill for Sheriff's services based upon a subsequent response to a party, gathering, or event may, within fifteen working days of receipt of the bill from the Administrative Services Division file a written request with the Department appealing the bill. The Administrative Services Division upon receipt of such written appeal, shall, within ten working days, forward the appeal to the concerned division commander.

The commander shall within ten working days hear the appeal. Subsequent to hearing the appeal, the commander shall advise the Administrative Services Division of his determination.

The determination, with respect to any non-judicial processes, shall be considered final.

The Administrative Services Division shall be responsible for the final correspondence to the person making the appeal, indicating one of the following:

- That the appeal was denied and that payment is due.
- That the appeal was partially granted and the amount of the adjusted fees must be submitted.
- That the appeal was granted and that no fees need be forwarded.

The Administrative Services Division shall, in the event reasonable billing attempts are unsuccessful, turn the matter over to County Collections.

2.830. Donations and Gifts

It is the policy of the San Bernardino Sheriff's Department to accept donations and gifts of property or money offered to the Department when such offers are made without restriction and for the use, benefit, and advantage of the citizens of San Bernardino County as determined by the Sheriff.

All proposed donations shall be forwarded, in writing, to the Sheriff for approval before being accepted.

When a donation or gift is accepted by the Sheriff, a letter of acknowledgement and thanks, from the Sheriff or designated Deputy Chief, shall be delivered to the donor. The letter shall be on departmental letterhead and presented by a station/division supervisor whenever possible.

2.830.10 Donations and Gifts: Criteria for Acceptance

In order that any unforeseen problems or costs may be avoided, the following restrictions shall govern the acceptance of any gifts by the Department:

- All gifts offered shall be reviewed by the appropriate station/division to determine the potential impact, if any, of the gift.
- Gifts shall not be accepted if they result in any unreasonable expense to the Department, or if they have any restrictions that are incompatible with Department operations.

Donors should be advised that acceptance of any gift is tentative and is dependent upon compliance with this policy statement. Offers of gifts and donations must be in writing by the station/division representative, clearly setting forth a description of the gift, its estimated cash value, and its intended use.

If it is determined that the gift/donation is not of value to the Department, then the representative shall prepare a politely worded letter from the Sheriff and/or designated Deputy Chief to the donor declining the offer of the gift.

2.830.15 Donations of Real Property

The review of any donation of real property shall be coordinated with the EPWA Engineering Contract Services Department.

All donated real property shall be subject to a title search for possible liens.

2.830.20 Donations of Vehicles

The following steps shall be followed when considering a vehicle as a potential gift/donation to the Department:

- Initiating division personnel should contact the Sheriff's Automotive Division to coordinate a time and place for the inspection of the donated vehicle.
- The vehicle shall be inspected by the Automotive Division to determine its present condition and value.
- If the vehicle passes the inspection, a written report shall be provided to the initiating division for them to complete and submit to the Sheriff's Bureau of Administration, and other related documentation as required.
- A report/recommendation to the Board of Supervisors must be prepared by the Sheriff's Bureau of Administration, Contracts Unit, with the necessary information (i.e., vehicle's year, make, model, identification number, an approximate dollar amount, and its intended use).

- The report/recommendation to the Board of Supervisors contains three (3) parts:
  - Recommendation
  - Background
  - Statement of financial impact, if any.
- Once the Board of Supervisors approves the acceptance of the donated vehicle, all the necessary documentation shall be forwarded to the Sheriff's Automotive Division for processing the vehicle(s) into the Sheriff's Automotive inventory.

2.830.25 Donations of Money

Proposed cash donations for use toward the purchase of a specific item or task shall be forwarded, in writing, to the Sheriff for approval before being accepted.

Once approved, the Administrative Services Division shall process the necessary documentation for the donations intended use.

2.900. Department Forms

All Department authorized forms are located in the INFORM report writing system or in the Department's Starlink website under Templates.

Members shall not use unauthorized forms for dissemination of information for official Department business. All Department forms shall be approved by the Office of the Sheriff.

This policy does not preclude a station/division commander from making a form for use within their command to specifically address a need unique to their station/division.

2.910. Policy and Procedure Manual Updates

The Department shall conspicuously post on its internet website all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act. Any updates to standards, policies, practices, operating procedures, and education and training materials shall be transmitted to Public Affairs for posting on the internet website.

Volume 3 Field Operations and Activities

3.102. Safe, Legal Driving of Department Vehicles

Department members are required to operate Department vehicles in a safe and legal manner. The high visibility and attention drawn to Department vehicles gives rise to heightened scrutiny by the public of an operator's driving behavior. Department members are expected to model good driving habits such as safe following distance, use of turn signals and obedience to speed limits. Although there are situations which call for an expeditious response, these are occasions where the member is expected to use appropriate Code Three procedures.

3.102.10 Use of Cell Phones and Other Electronic Devices in Department Vehicles

The Department recognizes the importance and usefulness of portable electronic devices to modern law enforcement. However, the use of such devices while driving can adversely affect officer safety, cause unnecessary distractions and present a negative image to the public.

Members should avoid extensive use of a Mobile Data Computer or laptop while driving a Department vehicle. The use of a cell phone should be restricted to matters of an urgent nature and members shall, absent exigent circumstances, stop

the vehicle or use a hands-free device when talking on a cell phone. Department members shall not manually text while driving.

The infrequent use of a cell phone for critical personal communication is permitted unless the communication interferes with or interrupts Department business or conflicts with the performance of the member's professional duties.

Members shall not use personal laptop computers, DVD players or gaming systems for entertainment purposes while operating a Department vehicle.

3.104. Responsibility of Patrol Divisions

Each patrol division is responsible for delivering basic law enforcement services to communities within their jurisdictional area. Patrol divisions are also responsible for providing

supervisory, investigative, administrative, and clerical support for those basic law enforcement services.

More specifically, patrol divisions are required to provide a variety of law enforcement services to the public which includes, but is not limited to, the following:

- Promotion of public safety and preservation of the public peace.
- Enforcement of federal, state, county, and city statutes and ordinances.
- Critical incident and emergency response.
- Investigation of reported or observed criminal activity.
    - Apprehending violators.
    - Identifying, collecting, and preserving evidence.
    - Obtaining criminal complaints/filings as a product of investigation efforts.
- Investigation of reports of missing, found, or unidentified persons/juveniles.
- Prevention and suppression of crime through pro-active patrol, public education, and community-oriented policing efforts.
- Enforcement of traffic laws and collision investigation (primarily, contract cities).
- Assisting other law enforcement and public agencies/organizations as requested, needed, or required to aid in the promotion of public safety and the preservation of the health or safety of the public.
- Investigation of uses of force, complaints of misconduct, and alleged violations of policy or law by members of the organization; in coordination with departmental support divisions.

3.104.10 Type I Jail Operations Responsibility

Each patrol division having a Type I jail facility is responsible for the following:

- Receiving and processing all bookable arrestees.
- Maintain booking and release information on all arrestees received and/or released.
- Receive and securely store all personal property and/or clothing of inmates.
- Provide for the security and safety of all male and female arrestees housed within the station jail facility.
- Prepare foodstuffs necessary for inmate meals.
- Arrange to have inmates available to the courts, as required.
- Supervise inmate-attorney visits.
- Provide supervision of inmate workers.
- Other duties as required by the Detentions and Corrections Manual, and/or the Type I Jail Manual.

3.104.15 Responsibility of Patrol Division Investigations

Detectives assigned to patrol divisions are primarily responsible for the following:

- Follow-up/supplemental investigation of felony and serious misdemeanor crimes occurring within the division's jurisdictional area.
- Response to critical crime scenes for the purpose of coordinating investigation efforts.
- Liaison with departmental, law enforcement and public agencies/organizations to ensure appropriate information, cooperation, and coordination is achieved.
- Collection, organization, and maintenance of appropriate division investigative and informational records.
- Other duties and tasks as assigned.

3.106. Administrative Tasks of Patrol Divisions

Each patrol division is responsible for the following administrative tasks:

- Maintenance of patrol, investigative, administrative, and support vehicles.
- Maintenance of emergency equipment.
- Maintenance of the building, grounds, and associated structures/facilities.
- Assignment and supervision of volunteer personnel.
- Preparation and administration of the division budget.
- Collection, reporting, and analysis of statistical information.
- Maintenance of division personnel and medical files.
- Preparation, maintenance, and distribution of reports and memorandums, and other division correspondence.
- Warrant due-diligence.
- Other functions as determined by Department policy or procedure; or as directed by the Sheriff's Executive Staff.

3.108. Roll Call and Briefing

A period of roll call and briefing shall be conducted at the beginning of all watches or shifts within patrol and corrections divisions; and in other divisions or units as directed by the commander. Generally, this period shall not exceed 15 minutes in length, unless operational or training requirements necessitate the use of additional time.

Each employee assigned to a watch or shift is required to report on time: wearing the appropriate uniform, equipment, and/or professional attire required for his duty assignment.

A supervisor of the watch or shift shall generally conduct the roll call and briefing. The supervisor shall ensure that he has adequately prepared for the event by gathering the

information to be presented, and by determining employee assignments.

A period of roll call and briefing shall generally contain the following subject matter:

- An attendance roll call of the employees assigned to the watch or shift. A notation shall be made of those who are present, absent, or tardy.
- The assignment of beat, duty assignment, and/or tasks to each employee assigned to the watch or shift.
- Training items, special instructions, relevant information, and the discussion of pertinent issues and special concerns.
- The inspection (formal or cursory) of the employees assigned to the watch or shift.

All Department and division orders that might affect employees of the watch, and officer safety information, shall be read and/or discussed with the employees assigned to the watch or shift for a minimum of three consecutive days. The employee reading an order shall initial and date the face of the document to indicate it has been read to the watch.

Personnel required to attend the roll call and briefing may be dismissed early by the supervisor, or the event be suspended entirely, due to in-progress operational requirements or other exigencies.

3.110. Change of Watch

Change of watch is that time at which the responsibility for the operation of a division passes from one watch to another. It is normally preceded by a period of roll call and briefing for the watch or shift coming on duty.

3.110.10 Hours of Watch

Each division commander shall establish the hours of duty for the watches or shifts of the division, subject to review and approval by the Bureau Deputy Chief.

3.110.15 Supervision of Mid-Watches

Mid-watches, special traffic details, and other details or assignments that do not conform to a specific regular change of watch shall be under the supervision of the watch commander on duty. The responsibility for supervision of such a detail or assignment is transferred at the change of watch to the oncoming watch commander on duty.

3.112. Acting Watch Commander

When a watch commander is to be absent or unavailable, he or a superior officer shall designate a qualified subordinate to assume the duties and responsibilities of the watch commander.

3.114. Teletypes and Priority Communiques

A watch commander shall cause all messages transmitted over the Department teletype system to his division to be read promptly upon receipt. Messages requiring action shall be acted upon without delay. Messages which should be read on the next watch shall be so marked.

3.116. Recording Law Enforcement Contacts

Department members shall activate their belt recorders, when safe and reasonable to do so, prior to all law enforcement related contacts, during the transport and booking of arrestees and when there is a reasonable likelihood or indication a contact or event may result in an administrative or civil complaint against the Department and/or its members.

Generally, belt recorders shall not be activated to record conversations or events that are not related to a law enforcement incident or criminal investigation.

Updated: 1-4-21

3.116.10 Recording Law Enforcement Contacts: Pre-Planned Law Enforcement Actions

Department members shall activate their belt recorders when participating in pre-planned law enforcement actions, including the following:

1. Dispatched calls for service.
2. All self-initiated law enforcement contacts i.e. traffic stops and pedestrian checks.
3. Interviews conducted of civilian witnesses and subject(s)during a Use of Force and/or criminal investigation.
4. The service of search warrants.
5. The service of arrest warrants.
6. Parole/probation compliance contacts.
7. Narcotic and sex registrant compliance contacts.
8. Cell extractions or planned contacts with disruptive or combative inmates.
9. Scheduled evictions.

It is each Department member's responsibility to ensure their belt recorder is in good working condition before and during their assigned shift.

The recordings shall be retained as supporting information for criminal and/or administrative reports per Department policies 2.454 through 2.454.40.

Revised: 8-5-20

3.118. Handling Assigned Report Calls

Deputies handling an assigned report call shall remain available for high priority calls when practicable.

A low-priority report call is any call broadcast as a report or investigation and not designated Code 3, in progress, or pre-empted by a request to expedite.

When dispatch assigns a field unit a low-priority report call, dispatch shall continue to show the unit available for a high-priority call during the time it is en route to the call location. During this time the unit may be assigned a high priority call, if no other unit is available. When the unit arrives at the report call location, it shall so advise dispatch.

3.120. Duty to Handle Assignments/Assigned Calls

A member who has been dispatched to a call via the radio or MDC shall not pass on that call to the succeeding watch without prior permission of the watch commander.

3.122. Priority of Calls for Service

Often, because of a high volume of calls for service and/or the limited resources available within a jurisdiction, immediate law enforcement response to every call for service may not be possible. Therefore, the Department has developed a method to prioritize calls for service in order to ensure the most efficient and effective delivery of law enforcement services.

Generally, the initial priority of a specific call is determined by dispatch. A watch commander, however, may adjust the

priority level of a call for service based on information which may not be available to dispatch personnel.

The five (5) priority classifications are as follows:

- Priority E - Incidents in which a significant injury has occurred or the potential for injury exists.
- Priority 1 - Incidents that are "in progress" or when there is a likelihood that the perpetrator(s) is still in the immediate area.
- Priority 2 - Incidents in which the suspect is definitely out of immediate area, but when a delay in response would cause the loss or contamination of evidence.
- Priority 3 - Incidents in which the suspect is definitely out of the immediate area and a delay in response would not cause the loss or contamination of evidence.
- Priority 4 - Incidents in which the suspect is definitely out of the immediate area and where the existence of evidence is highly unlikely.

Priority E calls for service shall always take precedence.

When a delay in response is anticipated for a lower priority call for service, the watch commander should complete, or cause to be completed, a phone call to the reporting party indicating the reason for the delay.

3.124. Code Three Vehicle Operation

Authorized "Code Three" vehicle operation occurs when a deputy driving a Department emergency vehicle activates the emergency lights and siren while responding to an emergency call.

Deputies are not liable for civil damages due to personal injury or death of any person or damages to property resulting from the on-duty operation of an authorized emergency vehicle

responding to an emergency call. This immunity from civil liability is only in effect when the vehicle is being operated with emergency lights and siren activated in accordance with the California Vehicle Code and when the driver acts with due regard for the safety of all persons using the highway.

This exemption from civil liability is a consideration that demands responsible and controlled Code Three responses at all times.

Generally, a vehicle in Code Three operation should not be driven in excess of 30 miles an hour above the posted speed limit. The reasonable speed for a vehicle being operated Code Three may be slower when taking into consideration factors such as time of day, traffic conditions and pedestrians. This restriction does not apply to pursuit driving.

Generally, except in life-threatening situations, unmarked vehicles should not become involved in or initiate Code Three responses.

3.126. Code Three Vehicle Operation: Criteria

Members receiving incoming calls from the public shall identify those calls that may require Code Three response. Any member receiving incoming calls for service and/or dispatching may initiate Code Three responses. The following are examples of instances generally requiring a Code Three response:

- Traffic accidents with a report of injuries.
- Crimes of violence in progress.
- When a deputy requests a Code Three response.
- Circumstances in which a Code Three response may preserve a life.

When a deputy determines that a Code Three response is appropriate, he shall immediately broadcast his intention to

respond to the call Code Three unless doing so might impair other higher priority radio traffic.

All members authorizing, supervising, or participating in Code Three responses must be able to justify their decisions and actions within the guidelines of this section.

3.126.10 Code Three Vehicle Operation: Dispatcher Responsibility

When a Code Three response to a call for service has been authorized or initiated, or a vehicle pursuit is underway, the primary dispatcher shall immediately notify the watch commander, and shall ensure that any other agency which may be sending emergency personnel or equipment to the call has been notified of the Code Three response.

3.126.15 Code Three Vehicle Operation: Supervisor's Responsibilities

Supervisors weighing the decision to authorize or cancel a Code Three response should be mindful of qualified immunity. This immunity from civil liability is only in effect when a vehicle is being operated with emergency lights and siren activated in accordance with the California Vehicle Code and when the driver acts with due regard for the safety of all persons using the highway.

When the circumstances are unclear but there is a reasonable belief that an emergency response is appropriate, the supervisor should authorize or order deputies to respond Code Three.

The supervisor should also be mindful that there are many situations where it may be prudent to have multiple deputies respond Code Three to an emergency. In situations where one deputy arriving alone would endanger the officer, the

supervisor should authorize or order sufficient units to drive Code Three.

3.128. Urgent Calls Not Warranting Code Three Responses

Unless a Code Three response is appropriate, neither the emergency lights nor the siren shall be used, and all traffic laws shall be observed.

This Department does not recognize "Code Two" responses.

Department members are required to operate vehicles in strict compliance with the rules of the road, pursuant to and conforming with the Vehicle Code, unless exempt under Code Three conditions.

The Department recognizes a member's desire to expeditiously respond to urgent calls; however, the speed limit cannot be exceeded unless the vehicle is being operated Code Three. Exemptions from civil and criminal liability are dependent upon strict compliance with these guidelines.

3.130. Completion of Pre-Empted Calls

When a unit handling an assigned report call is subsequently assigned a high-priority call, the reporting person shall be advised of the reason for the unit leaving the location. The unit originally assigned the report shall later complete the report or shall, at the direction of a supervisor, have the call reassigned.

3.132. Security of Department Vehicles

Except for designated K-9 units or as required by a call for service, safety members shall not allow the engine of a Department vehicle to be left running while unattended.

Members shall remove the keys from the ignition, roll up the windows, and lock the doors unless an emergency dictates otherwise. Similarly, when vehicles are parked on Department property, the ignition key shall be removed from the vehicle, the windows rolled up, and the doors locked.

The storage of firearms in Department vehicles parked in a station/division parking lot is prohibited. Department vehicles parked in a station/division secured garage are exempt.

All long guns, including shotguns, mini-14 rifles, less-lethal shotguns, and less lethal launchers shall be checked out of an armory or safe by members at the beginning of shift and returned to the armory/safe at the end of shift, unless the watch commander assigns the same Department vehicle to the safety member for immediate use for the upcoming shift, or the locked vehicle/firearms remain in a securely locked garage.

Updated: 7-23-20

3.134. Phases of Investigation

There are two (2) inseparable phases in the investigation of a crime. The first phase is called the preliminary investigation and begins immediately after the crime is reported to or discovered by an officer. The second phase is called the follow-up investigation and continues from the point where the preliminary investigation ends.

In a particular crime, the scope of the preliminary investigation may be limited by investigative procedure, and in all cases, it is limited by an officer's assignment workload. Consistent with his other responsibilities, an officer should continue a preliminary investigation to a point where a discontinuance of the

preliminary investigation would not materially jeopardize the successful conclusion of the case.

In specific crimes, the Department may adopt specific requirements as to the assignment of investigations, notifications, and procedures. These shall be enumerated in the section on procedures.

3.136. Preliminary Investigations: Definition

The primary objective of a preliminary investigation is to determine who committed the crime and to apprehend the criminal. This includes obtaining information about the crime which shall solidly support eventual court action when an arrest is made.

The framework for the preliminary investigation is the undertaking of three major tasks:

- Verification that an offense has actually occurred, identification of the victim, and where and when the crime occurred.
- Identification of investigative leads.
- Communication of the circumstances of the crime, and the identification of completed investigative tasks; and of those investigative tasks that need to be completed.

3.136.10 Preliminary Investigations: Patrol Unit Responsibility

Field units assigned to calls or discovering incidents requiring reports, are responsible for the preliminary investigation and the preparation of all necessary reports. In those instances where detectives respond to the scene and desire to conduct the preliminary investigation, they shall notify the assigned unit

that they are taking over at that time and shall prepare the necessary reports.

The unit being relieved shall then:

- Give the detectives all pertinent information they have received.
- Assist the detectives where necessary or requested.
- Assist in the preparation of the reports when necessary to maintain continuity of evidence.
- Return to their normal duty assignments when no further assistance is required by the investigative unit.

3.138. Follow-Up Investigations

Frequently it is not feasible, due to manpower requirements or the demands of calls for service, for a deputy to complete an entire investigation at the time of the initial call or incident. In these cases, the preliminary investigation shall be conducted so that all reasonably available evidence, leads, interviews, and enforcement actions, etc. are collected, identified, conducted and taken.

In these instances, a follow-up investigation is required to complete the investigation. A follow-up investigation is a continuance of a preliminary investigation that occurs at a time separate from the preliminary investigation. The purpose of a follow-up investigation is to perform additional investigative and enforcement tasks necessary to complete an investigation.

Follow-up investigations shall be accomplished in a reasonably timely manner and shall generally include a re-contact with the victim. This re-contact may be accomplished in person, via telephone, or through written communication.

3.140. Crime Broadcasts

The first safety member to arrive at the scene of an in-progress crime shall conduct a brief interview with the victim and witnesses. The following information, when applicable, shall be transmitted to the dispatcher without delay:

- Type of crime.
- Occurred _____ minutes ago (time element).
- Location.
- Vehicle used (or left on foot).
- Direction of travel (DOT).
- Number, gender, description of suspects.
- Features, notable characteristics of the suspects and/or vehicles.
- Weapon/officer safety information.
- General type of property taken.

As soon as practicable, after the initial information concerning the crime has been relayed to dispatch for broadcast, supplemental information, including a more "detailed" description of the suspect, shall be relayed to the dispatcher.

3.142. Crime Scene Preservation and Supervision

The ultimate success of a criminal investigation is largely dependent upon the rapidity and strategy of initial law enforcement response; and the quality of the crime scene investigation. Preservation of the crime scene is clearly an important first step in the Department's total investigative effort. A primary responsibility of the deputy first arriving at any crime scene is to protect it.

Crime scene investigations are conducted to protect, gather, and preserve all pertinent evidence and information that tends

to prove or disprove that a crime has been committed, and to identify the persons involved.

It is imperative that the first deputies to arrive at any crime scene act to prevent the possibility of contamination or alteration of the crime scene and/or the physical evidence contained therein. Preservation of a crime scene includes removal of all unauthorized persons from within the perimeters of the crime scene area, including fellow deputies. Tact and good judgment must be exercised to avoid alienating or driving away potential witnesses, etc. who may possess information of value to the investigation.

It is also of prime importance that the first deputy on the scene issue a crime broadcast if warranted, and render first aid and/or summon medical assistance as needed.

Generally, supervision of the crime scene shall be the responsibility of the first deputy to arrive at the scene. This remains in effect unless the deputy is relieved by, or receives direction from, a ranking member. The crime scene supervisor is responsible for preserving the crime scene while ensuring that the appropriate investigation is undertaken, whether it is done by the deputy himself or other investigators.

More experienced deputies of the same rank, who may be present, shall respect the authority of the first (or primary) deputy at the crime scene, except when the actions of the less experienced deputy are clearly contrary to Department policy or the protocols of competent law enforcement investigation.

3.142.10 Evidence Collection and Processing

Routine crime scene photographs and fingerprint collection should be done by station personnel.

The need for Scientific Investigations Division personnel at a crime scene should be determined by a supervisor. Scientific Investigations Division personnel shall be called to process extensive crime scenes or major crime scenes where extensive photographic documentation is needed.

Scientific Investigations Division personnel generally should not be called to a crime scene to process an item of evidence that can be transported to the Scientific Investigations Division with a property tag.

Crime scenes located outside the boundaries of San Bernardino County shall be processed by special arrangements only.

A completed fingerprint request form shall accompany all cases submitted for comparison.

Deputies are encouraged to contact the Scientific Investigations Division personnel for assistance and/or advice on the collection and preservation of fingerprint evidence, as required.

3.142.15 Crime Scene Photographs and Images

All investigative photographs shall be taken using Department-approved equipment and methods.

When Department-approved electronic devices are used to record investigative photographs, the images shall be stored in a manner permitting retrieval without alteration.

Stored images shall be retained within the Department property and evidence system, in accordance with Departmental policy.

3.142.20 Handling of Suspected Narcotics

The handling of suspected narcotics exposes personnel to serious hazards. To avoid potential exposure hazards, personnel shall not perform presumptive field tests to confirm the identification of suspected narcotics. The suspected narcotic shall be packaged according to Department policy as set forth in the Scientific Investigations Division's Evidence Collection, Packaging and Processing Guidebook. This includes placing the suspected narcotics into a secondary container, such as a plastic bag, prior to placing the suspected narcotic into an evidence envelope, bag or box. The suspected narcotics shall not be stored at the station level and shall be delivered to the Scientific Investigations Division (S.I.D.) Property/Evidence Unit as soon as reasonably possible.

3.144. In-Field Show-Ups

Generally, a victim or witness should be transported to the location of a suspect for the purpose of identification.

An officer who intends to conduct a field confrontation shall inform the victim or witness that:

- The person is in temporary custody as a possible suspect only.
- The fact that the person is in custody does not indicate his guilt or innocence.
- The purpose of the confrontation is either to eliminate or identify the person as the perpetrator.

3.146. Completing Reports

Once a preliminary investigation has been conducted, it is the member's responsibility to prepare an accurate and detailed report of the incident. The report should reflect the actual effort undertaken by the member to prevent duplication of effort by follow-up investigators.

Members shall utilize the Department's web-based report writing system to generate reports. Prior to going off-duty, members shall in all cases complete the minimum forms necessary to generate a report.

Generally, when a member creates a report number, that report is to be completed by the end of the member's work shift. In the event a-member is unable to complete a report prior to the end of their shift, the member shall seek supervisor approval to hold the report until the member's next work day. The supervisor shall determine which reports are to be completed prior to the end of the member's work shift, and which can be completed on the member's next work day. The member shall note the supervisor's approval to hold a report in the comments section of the report writing system.

It is the member's responsibility to forward any pertinent investigative information to the appropriate investigator or to his supervisor.

All "In Custody" reports shall be completed prior to the end of the member's work shift, unless specific prior approval is received from a supervisor and noted in the comment section of the report writing system.

It is the member's responsibility to attach other forms not maintained in the report writing system, such as: associated documents, call histories, C.L.E.T.S. printouts, or ensure these forms are placed in the appropriate location to cause the forms to be scanned and attached per station specific policies.

3.146.10 Racial and Identification Profiling Act (RIPA)

Members of the San Bernardino County Sheriff's Department are prohibited from unlawfully considering race, ethnicity, religion, national origin, sexual orientation, gender, or lifestyle in deciding whether or not law enforcement intervention will occur.

Effective July 1, 2018, all detentions or searches meeting the documentation requirements of Assembly Bill 953, The Racial and Identity Profiling Act (RIPA) and Government Code section 12525.5 shall be documented per state law and Department training standards.

3.146.20 BIAS-FREE POLICING

The Department expressly prohibits racial and identity profiling and is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner that keeps both the community and members safe and protected. The intent of this policy is to increase the Department's

effectiveness as a law enforcement agency and to build mutual trust and respect with San Bernardino County's diverse groups and communities.

The Department recognizes that explicit and implicit bias can occur at both an individual and an institutional level and is committed to eliminating bias from the law enforcement function. Law enforcement action that is biased is unlawful and alienates the public, fosters distrust and undermines legitimate law enforcement efforts.

All members of the Department are prohibited from taking actions based on actual or perceived personal characteristics, including but not limited to race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group.

Department members must not delay or deny policing services based on an individual's actual or perceived personally identifying characteristics.

Added: 7-17-20

3.146.30 DEFINITIONS RELATED TO BIAS

Racial or Identity Profiling: the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except when a deputy may consider or rely on characteristics listed in a specific suspect description. Such activities include, but are not limited to, traffic or pedestrian stops, or actions taken during a stop, such as asking questions, frisks, consensual and nonconsensual searches of a person or

any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest.

Bias-Based Policing: conduct by safety members motivated, implicitly or explicitly, by the member's beliefs about someone based on the person's actual or perceived personal characteristics, i.e., race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability.

Implicit Bias: the attitudes or stereotypes that affect a person's understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control. Implicit biases are different from known biases that individuals may choose to conceal.

Bias by Proxy: when an individual calls/contacts law enforcement and makes false or ill-informed claims of misconduct about persons they dislike or are biased against based on explicit racial and identity profiling or implicit bias. When law enforcement act on a request for service based in unlawful bias, they risk perpetuating the caller's bias. Members should use their critical decision-making skills, drawing upon their training to assess whether there is criminal conduct.

Reasonable Suspicion to Detain: reasonable suspicion is a set of specific facts that would lead a reasonable member to believe that a crime is occurring, had occurred in the past, or is about to occur. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.

Detention: a seizure of a person by a member that results from physical restraint, unequivocal verbal commands, or words or conduct by a safety member that would result in a reasonable

person believing that he or she is not free to leave or otherwise disregard the safety member.

Reasonable Suspicion to Conduct a Pat Search: safety members are justified in conducting a pat search if members have a factual basis to suspect that a person is carrying a weapon, dangerous instrument, or an object that can be used as a weapon, or if the person poses a danger to the safety of the members or others. Safety members must be able to articulate specific facts that support an objectively reasonable apprehension of danger under the circumstances and not base their decision to conduct a pat search on any perceived individual characteristics. Reasonable suspicion to conduct a pat search is different than reasonable suspicion to detain. The scope of the pat search is limited only to a cursory or pat down search of the outer clothing to locate possible weapons. Once a member realizes an object is not a weapon, or an object that can be used as a weapon, the member must move on.

Probable Cause to Arrest: under the Fourth Amendment to the United States Constitution, arrests must be supported by probable cause. Probable cause to arrest is a set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested.

Added: 7-20-20

3.146.40 RIPA DATA COLLECTION AND ANALYSIS

As required by the California Racial and Identity Profiling Act of 2015, the Department is required to collect data on: (a) civilian complaints that allege racial and identity profiling and (b) perceived demographic and other detailed data regarding pedestrian and traffic stops. The data to be collected for stops includes, among other things, perceived race or ethnicity, approximate age, gender, LGBT identity, limited or no English fluency, or perceived or known disability, as well as other data

as the reason for the stop, whether a search was conducted, and the results of any such search. All agencies must report this data to the California Department of Justice.

The Department will regularly analyze data to assist in identifying practices that may have a disparate impact on any group relative to the general population.

Added: 7-17-20

3.146.50 Supervisory/Command Staff RIPA Review

Supervisors shall ensure that all members under their supervision, including dispatchers and professional staff, understand the content of the Racial and Identity Profiling Act of 2015 (RIPA) and comply with all policies related to the Act. Supervisors shall conduct daily random audits to ensure RIPA compliance and the appropriate number of forms are completed as compared to call types. The audits will entail a comparison of randomly chosen safety member unit histories with the RIPA tracking system. When discrepancies are discovered, remedial training will be provided. The audits shall be recorded in the daily watch commander log.

Commanders shall regularly monitor the Department's RIPA dashboard to ensure compliance with the Act. RIPA data shall be reviewed by command and executive staff members at Department staff meetings. The data will be shared at public meetings and upon media requests.

New: 11-30-20

3.148. Rotation and Contract Towing Companies

Station commanders shall be responsible to provide their dispatch center with a tow rotation list. When a rotation tow is

requested by an officer of that particular station, the dispatcher shall call the tow company that is next in line for the tow.

Tow companies shall be selected for a station's tow rotation list in conformity with the selection process set forth in the Department's approved standardized Tow Service Agreement.

Once all existing individual station tow service agreements have expired, and for individual station tow service agreements that have no expiration date, by no later than January 1, 2003, only selected tow companies in good standing whose operators sign the Department's approved standardized Tow Service Agreement shall be placed and retained on a station's tow rotation list.

Station commanders shall ensure that tow practices comply with the policies and procedures approved by the Department.

3.150. Employees Provided with Meals from a Jail

Other than inmates, the only persons authorized to routinely eat meals at jails, pre-trial detention, and/or sentenced facilities, are on-duty personnel specifically assigned to work in those facilities. Generally, off-duty personnel, patrol deputies, clerical staff, dispatchers, etc. are not authorized to eat jail meals.

There may be occasions when it is necessary or appropriate to authorize persons other than jail staff to eat a jail-prepared meal. These occasions require authorization of the facility commander.

3.152. Overdue Aircraft

When the Department receives notification through confirmed sources that an aircraft is overdue or missing in the Sheriff's jurisdiction, the information shall be recorded and the Sheriff's

Emergency Operations Division/Aviation Unit shall be notified as soon as geographically possible.

If the area of the overdue or missing aircraft is different than that of the station receiving the information, the station of jurisdiction shall also be notified.

Upon receiving notification of an overdue or missing aircraft, Sheriff's Emergency Operations Division/Aviation Unit shall contact the appropriate federal agencies.

The station of jurisdiction shall coordinate with the Sheriff's Emergency Operations Division/Aviation Unit in investigating the circumstances of the overdue or missing aircraft. If the circumstances warrant, a search operation shall be initiated. Sheriff's Emergency Operations Division/Aviation Unit shall coordinate the search with the station of jurisdiction and all other agencies.

3.152.10 Downed Aircraft

When the Department receives a call of a downed aircraft in the Sheriff's jurisdiction, the dispatcher shall cause a field unit to respond to the location of the crash, if accessible. If serious injuries or death is involved or if the watch commander requests assistance and/or technical advice, the Sheriff's Emergency Operations Division/Aviation Unit shall be notified and respond (circumstances permitting) to assist the field unit.

The concerned station shall be responsible for the notification of the appropriate agencies concerning the aircraft accident. Upon request and availability, the Sheriff's Emergency Operations Division/Aviation Unit shall assist with these notifications.

All necessary and appropriate reports shall be the responsibility of the assigned officer. The assigned officer shall be from the

station of jurisdiction unless serious injury or death is involved. In the case of serious injury or death, the assigned officer shall be from the Sheriff's Emergency Operations Division/Aviation Unit.

- Agencies to be notified:
- Aircraft Accident - Non-injury or Minor Injury
  - Emergency Operations Division/Aviation Unit

(optional)

- Federal Aviation Administration (FAA)
- Aircraft Accident - Serious Injury or Death
  - Emergency Operations Division/Aviation Unit
- Federal Aviation Administration (FAA)
- National Transportation and Safety Board (NTSB)
- County Coroner (When death occurs.)

3.154. Motorcycle Enforcement Units

Commanders of divisions having patrol responsibilities may request Motorcycle Enforcement Units through the Office of the Sheriff, for which the primary purpose is the enforcement of traffic laws and the investigation of traffic collisions on dedicated roads and surface streets within the division's jurisdiction.

The commander of the division requesting a Motorcycle Enforcement Unit shall generate a Request for Motorcycle Enforcement using the Request for Motorcycle Enforcement memorandum. The memorandum must be completed in its entirety and provide justification for motorcycle enforcement units in their city. The memorandum is located in Starlink, under "Templates'" then "Administrative Templates." Once completed, the request for Motorcycle Enforcement memorandum shall be submitted to the region Deputy Chief and the Office of the Sheriff.

Deputies assigned to Motorcycle Enforcement Units shall wear the class "A" motorcycle uniform as described in Volume 5 section 5.855 of the Department Manual, while engaging in patrol enforcement duties.

Enforcement units that utilize dual-sport type motorcycles (street legal) for their enforcement activities, such as Off-Highway Vehicle Enforcement Units, are not considered to be Motorcycle Enforcement Units as defined in this section; and therefore, generally should not engage in the enforcement of traffic laws on dedicated roads and surface streets as a primary or routine function, duty, or assignment.

3.154.10 Motorcycle Enforcement Units: Assignment Criteria

Deputies seeking assignment to a Motorcycle Enforcement Unit shall submit a request memorandum to the commander of the division having such unit.

Generally, assignment to a Motorcycle Enforcement Unit requires a minimum two-year commitment from the deputy. This commitment, however, shall not affect a deputy's ability to promote.

There is no time limit for assignment to a Motorcycle Enforcement Unit. The length of assignment is at the discretion of the division commander.

3.154.15 Motorcycle Enforcement Units: Training Requirements

Motorcycle Enforcement Unit candidates shall successfully complete the following minimum training before being assigned to motorcycle enforcement duty:

- An 80-hour POST-certified law enforcement officer motorcycle training course.
- A minimum 30-day period of training and work performance evaluation, beginning on the first day of assignment to the field as a Motorcycle Enforcement Deputy.

Additional training may be required as directed by the division commander, the Sheriff's Training Division, or the Office of the Sheriff.

Deputies who have enrolled in the 80-hour POST certified law enforcement officer motorcycle training course may participate in pre-course training sessions under the direct supervision of a POST-Certified Motorcycle Instructor (CMI), in preparation for attending the class.

Motorcycle Enforcement Unit candidates must, at a minimum, possess a motorcycle instruction permit issued by the DMV to participate in any pre-course training sessions. Motorcycle Enforcement Unit candidates shall not participate or engage in enforcement actions during these training sessions.

Generally, a Motorcycle Enforcement Unit candidate shall receive no more than two opportunities to successfully complete the 80-hour POST-certified law enforcement officer motorcycle training course.

A POST-Certified Motorcycle Instructor (CMI) shall administer the 30-day period of training and work performance evaluation for newly assigned Motorcycle Enforcement deputies. If there are no CMIs available at the station to which the trainee is assigned, he shall be assigned temporarily to a division having a CMI.

Personnel assigned to a motorcycle enforcement unit shall attend, on a trimester basis, 8 hours of POST certified

Motorcycle Officer Update training at SBCSD's Emergency Vehicle Operations Center. Training will be conducted by a certified motorcycle enforcement instructor, and all records will be maintained by EVOC.

All personnel will be evaluated during the 8-hour training course by a CMI. If a CMI determines a rider is deficient, EVOC CMIs will provide remediation training and then reevaluate the rider. If the rider cannot correct deficiencies, then EVOC staff will recommend rider be removed from motorcycle enforcement duties for the safety of the rider.

3.158. Off-Highway Vehicle Enforcement Units

Commanders of divisions having patrol responsibilities may establish Off-Highway Enforcement Units, for which the primary purposes are the enforcement of off-highway vehicle laws and the patrol of Off-Highway Vehicle (OHV) recreational areas within the division's jurisdiction.

Deputies assigned to Off-Highway Enforcement Units, while engaging in off-highway vehicle enforcement duties, shall wear

the class "D" uniform as described in Volume 5 of the Department Manual, with the following modifications:

- The trousers shall be black Nylon-type "over-the-boot" motorcycle riding pants with cargo-style pockets.
- The boots shall be black high-top motorcycle riding boots.
- The gloves shall be black leather motorcycle gloves.
- The goggles shall be motorcycle-type safety/tactical goggles which meet or exceed American National Standards Institute (ANSI) Z87.1-1989 standards.

Deputies shall wear a load-bearing vest with the following features:

- Forest green in color.
- A patch of the 3" Sheriff's star over the left breast.
- A forest green patch with the deputy's first initial and last name embroidered in gold colored thread, ¾" block lettering over the right breast.
- A forest green patch containing the word "SHERIFF" in 3 1/2" gold block lettering will be attached to the back of the vest.

The commander of the division establishing an Off-Highway Enforcement Unit shall determine the amount of staff and the scheduling of staff for that unit.

The division commander may authorize exceptions or alternatives to the uniform standard in order to address specific climate, terrain, or enforcement conditions, or to address general safety issues.

Deputies assigned to Off-Highway Enforcement Units shall wear a safety helmet as described in Volume 5 of the Department Manual while engaging in OHV enforcement duties.

Off-Highway Enforcement Units shall not engage in the enforcement of traffic laws on dedicated roads and surface streets as a primary or routine function, duty, or assignment.

3.158.10 Off-Highway Vehicle Enforcement Units

Deputies seeking assignment to an Off-Highway Vehicle Enforcement Unit shall submit a request memorandum to the commander of the division having such a unit.

Generally, assignment to an Off-Highway Vehicle Enforcement Unit requires a minimum two-year commitment from the deputy. This commitment, however, shall not affect a deputy's ability to promote.

There shall be no time limit for assignment to an Off-Highway Vehicle Enforcement Unit. The length of assignment shall be at the discretion of the division commander.

3.158.15 Off-Highway Vehicle Enforcement Units: Training Requirements

Off-Highway Vehicle Enforcement Unit candidates shall successfully complete the following minimum training before being formally designated as an OHV enforcement deputy:

For deputies operating motorcycles:

- A 40-hour POST-certified Off-Road Motorcycle training course for law enforcement officers.
- A minimum 24 hours of training and assessment, supervised by a unit coordinator,

beginning on the first day of assignment to off-highway vehicle enforcement duties.

For deputies operating All-Terrain Vehicles (ATVs)/Quads and/or Sand-Rails:

- A State of California certified ATV safety course.
- A minimum 24 hours of training and assessment, supervised by a unit coordinator, beginning on the first day of assignment to off-highway vehicle enforcement duties.

Additional training may be required as directed by the division commander, the Sheriff's Training Division, or the Office of the Sheriff.

3.162. Bicycle Enforcement Teams

The mission of the Bicycle Enforcement Team is to enhance community-based policing by establishing a bond between the community and the Sheriff's Department based on trust, respect, and service.

The goals of the Bicycle Enforcement Team are to be a pro-active law enforcement operation protecting the citizens the Department serves, safeguarding lives and property, enforcing the laws on a one-on-one basis through the interaction of the bicycle patrol deputy with law violators and citizens alike.

3.162.10 Bicycle Enforcement Teams: Assignment Criteria

Deputies seeking assignment to a Bicycle Enforcement Team shall submit a request memorandum to the commander of the division having such a unit.

Generally, assignment to a Bicycle Enforcement Team requires a minimum two-year commitment from the deputy. This commitment, however, shall not affect a deputy's ability to promote.

There shall be no time limit for assignment to a Bicycle Enforcement Team. The length of assignment shall be at the discretion of the division commander.

A Bicycle Enforcement Team shall be supervised and coordinated by either a Sergeant or Corporal. The team may be comprised of:

- Corporals
- Deputies
- Level I Reserve Deputies, and/or
- Level II Reserve Deputies as long as they are directly supervised by a full-time safety member while participating in Bicycle Enforcement Team activities or duties.

3.162.15 Bicycle Enforcement Teams: Training Requirements

Bicycle enforcement deputies shall successfully complete a POST-approved twenty-four-hour training course covering basic bicycle riding techniques and operational principles of police bicycling, prior to assignment to a Bicycle Enforcement Team.

3.166. Definition of a Vehicle Pursuit

A vehicle pursuit is defined as an event involving one or more law enforcement officers operating motor vehicles and utilizing

emergency lights and sirens, attempting to apprehend a suspected or actual law violator in a motor vehicle while the driver is actively attempting to avoid detention/arrest by using high speed driving or other evasive tactics, such as:

- Driving off surface streets/paved roads.
- Turning suddenly or abruptly.
- Bypassing traffic control devices.
- Driving in a legal manner, but willfully failing to yield to the officer's signal to stop.

3.166.10 Initiating a Pursuit

A pursuit is justified only when the apparent need for immediate apprehension or protection of the public outweighs the level of danger created by the pursuit (to innocent motorists, peace officers or the general public).

Whenever a safety member pursues an offender, he shall continually weigh the risk to public safety against law enforcement's duty to enforce the law and apprehend violators. Factors to be considered in initiating a pursuit include:

- The type or seriousness of the crime committed (e.g., violent v. non-violent).
- Whether the crime was committed in the safety member's presence.
- Whether the fleeing offender's identity is established to the point where later

apprehension may be accomplished without further risk to public safety.

- The known criminal history of the fleeing offender.
- The type of area involved in the pursuit, such as rural, urban, business, industrial, or schools.
- The volume of vehicular and pedestrian traffic in the area.
- Whether there are civilian passengers in the pursuing patrol vehicle.
- Whether there are other persons in or near the pursued vehicle.
- Road conditions, such as line of sight, hills, curves, road surfaces, obstructions, construction, and parked vehicles.
- Weather conditions, such as rain, fog, or snow.
- The time of day.
- The speed of the pursuit given the conditions.
- Vehicle Code provisions related to vehicle pursuits, emergency vehicle operations, and/or public safety.
- Whether the area is familiar to the deputies involved.
- The quality of radio communication between pursuing units, the supervisor, and the dispatcher.
- The type and capability of the pursuit vehicles.
- The availability of backing units and other resources.

It is the responsibility of all involved safety members to continually evaluate whether a pursuit should be continued, balancing law enforcement's duty to enforce the law and apprehend offenders against the risk to public and officer safety.

3.166.12 Responsibilities of the Unit Initiating a Vehicle Pursuit

The deputy initiating a vehicle pursuit shall immediately notify the dispatch center that a pursuit is underway, giving the following information:

- The unit identification.
- The known law violations or reasons for the pursuit.
- A description of the pursued vehicle, including the license number if known.
- The location and direction of travel of the pursued vehicle.
- The speed of the fleeing vehicle.
- The number of known occupants in the fleeing vehicle.
- Any pertinent information concerning the identity of the offender(s).
- Any pertinent information concerning unusual hazards.

3.166.15 Vehicle Pursuits: Responsibilities

Generally, pursuits should be limited to no more than two marked ground units plus a supervisor. The supervisor may join the pursuit as the third unit.

The unit that first attempts to stop the suspect vehicle is considered to be the initiating pursuit unit. Generally, the initiating pursuit unit shall be the primary unit (the first or closest pursuit unit immediately behind the pursued vehicle). The assisting unit is the second of the two marked units allowed to participate in a pursuit.

The primary unit, the assisting unit, and the supervisor should be the only units to pursue the suspect vehicle in Code Three mode. Units involved shall not pass other units unless requested to do so by the primary unit or the pursuit supervisor. All other units shall stay clear of the pursuit, but alert to its progress and location.

The deputy in charge of the primary unit or the supervisor may request additional units to assist, if it appears certain the officers

in the units involved would not be sufficient to safely accomplish the arrest of the suspect(s). Generally, any assigned units other than the primary, secondary, or supervisory unit shall follow at a distance that would allow them to respond for an apprehension, but shall not join in the pursuit.

PRIMARY UNIT RESPONSIBILITIES - The deputy in charge in the primary unit, whether driving or riding as a passenger, shall be responsible for the following:

- The initial coordination of the pursuit.
- Assumption of command at the termination point of the pursuit unless relieved by a higher authority.
- Requesting a second unit.
- Requesting additional units, if needed, based on officer safety or public safety concerns.
- Reporting the crime and/or circumstances involved in the initiation of the pursuit.
- Discontinuing the pursuit if hazards to deputies and/or the public appear to outweigh the benefit of suspect apprehension.

SECONDARY UNIT RESPONSIBILITIES - The secondary unit is the assisting unit and shall notify communications of his involvement in the pursuit as a secondary unit. The secondary unit, once in position, is typically responsible for the following:

- Reporting the location, direction of travel, and the speed of the fleeing vehicle.
- Providing traffic condition updates as frequently as possible during the pursuit.
- Assessing and reporting information concerning unusual hazards, and any other safety concerns.
- Reporting the actions of the fleeing vehicle and/or suspect(s) such as running red lights, throwing objects out of the window, and other unusual activities.

- Reporting the number of known occupants in the fleeing vehicle.

3.166.20 Vehicle Pursuits: Speeds

Although it is typically the offender that controls the actual speed of a pursuit, it is the responsibility of all involved safety members to constantly evaluate whether a pursuit should be continued, balancing the speed and driving behavior of the offender against the risk to public safety, officer safety, and

against law enforcement's duty to enforce the law and apprehend violators.

For example, the "reasonable" speed of a pursuit in a rural area or on a freeway may be much different than the "reasonable" speed of a pursuit in an urban or surface street environment.

The following factors should be considered in determining whether the speed of a pursuit is "reasonable":

- The type or seriousness of the crime committed (e.g., violent v. non-violent).
- The safety of the public and of involved law enforcement personnel.
- Whether the fleeing offender's identity is established to the point where later apprehension may be accomplished without further risk to public safety.
- Vehicle Code provisions related to vehicle pursuits, emergency vehicle operations, and/or public safety.
- Whether there are civilian passengers in the pursuing patrol vehicle.
- Whether there are other persons in or near the pursued vehicle.
- The presence of pedestrian and vehicular traffic.
- The location of the pursuit (e.g., school zone, playground, residential, downtown, jurisdiction) and the time of day.
- Weather, visibility, and road conditions.
- The capabilities of law enforcement vehicle(s) and the driving ability of deputies involved.
- The availability of additional resources.
- Deputy/supervisory familiarity with the area of the pursuit.
- The quality of radio communications (e.g., out of range or poor transmission quality).

3.166.25 Vehicle Pursuits: Dispatch Responsibilities

With respect to a pursuit, Department dispatchers shall be responsible for the following:

- Informing the field supervisor immediately if a pursuit is initiated.
- Initiating a "Code 33" on the pursuit frequency.
- Requesting the assistance of Sheriff's Aviation, or other law enforcement aircraft if necessary.
- Advising all units to switch to alternate frequencies if necessary.
- Notifying adjoining law enforcement agencies and coordinate assistance if requested or needed.
- Providing additional direction and/or coordination as indicated by the supervisor.

3.166.30 Vehicle Pursuits: Supervisor Responsibilities

Generally, the field supervisor is responsible for the overall monitoring, management, and control of a pursuit; and assessing risk factors involved. Specific areas of concern for a

supervisor during a vehicle pursuit include, but are not limited to, the following:

- Determining that a law violation constitutes justification for the pursuit.
- Ensuring that no more than the required or necessary units are involved in the pursuit.
- Ensuring that available aircraft have been requested.
- Ensuring that the proper radio frequencies are being utilized.
- Ensuring that the driving and pursuit intervention tactics used by pursuing deputies are reasonable and within policy.
- Evaluating the speed of the pursuing vehicles.
- Assessing roadway, weather, and traffic conditions.
- Assessing the hazards presented to uninvolved bystanders or motorists.
- Ensuring that Department policy and applicable inter-agency pursuit Memorandums of Understanding or agreements are followed.
- Planning/coordinating the apprehension of suspects.
- Stabilizing/containing the incident.
- Determining whether to request another agency's assistance.
- Determining whether to grant assistance in response to the request of another agency.
- Notifying affected allied agencies.
- Ensuring that the initiating and/or primary pursuit unit has provided the information set forth in this manual.
- Engaging in the pursuit, when appropriate and practicable, to provide direct on-scene supervision.

If, at any time, in the pursuit supervisor's judgment, the risks or danger to the public outweigh the necessity for immediate apprehension of the offender, he shall cause the pursuit to be immediately terminated. If the suspect's identity is established to the point where later apprehension may be accomplished

and there is no immediate threat to public safety, the pursuit supervisor shall cause the pursuit to be immediately terminated.

As an option, the pursuit supervisor may direct pursuing units to disengage from the pursuit and allow aviation to monitor the pursued vehicle and broadcast its location so ground units may safely arrest its occupants when stopped.

The pursuit supervisor shall proceed to the termination point of the pursuit, if practicable, to provide guidance and supervision.

3.166.32 Vehicle Pursuits: Additional Requirements and Information

SAFETY CUSHION BETWEEN PURSUIT UNITS AND SUSPECT VEHICLE - All safety members involved in the pursuit of suspect vehicles shall ensure, as much as practicable, that the distance between involved vehicles is such that a reasonable "safety cushion" exists. This "safety cushion" of distance will allow for pursuing units to react safely to any erratic or dangerous driving activity perpetrated by the suspect vehicle, and will allow safety members to more accurately assess specific dangers the pursuit may present to public and/or officer safety.

LOSS OF PURSUIT UNIT - If the primary pursuit unit cannot continue, the assisting unit shall become the primary unit and shall generally request another marked unit to assist. This is also applicable if the assisting unit is disabled.

PURSUIT OF VEHICLES OFF ROAD - Absent extraordinary circumstances safety members shall not pursue vehicles off road.

UNMARKED UNITS - Engaging in a pursuit with an unmarked unit is generally not recommended, but there may be certain situations where it is appropriate. Unmarked units that initiate a pursuit shall, after sufficient marked units have joined the pursuit,

discontinue Code Three mode and drop out of the pursuit. They should, however, continue to the termination point of the pursuit.

MOTORCYCLE UNITS - Engaging in a pursuit with a motorcycle unit is generally not recommended, but there may be certain situations where it is appropriate. Motorcycle units that initiate a pursuit shall, after sufficient marked units have joined the pursuit, discontinue Code Three mode and drop out of the pursuit. They should, however, continue to the termination point of the pursuit.

3.166.40 Vehicle Pursuits Into Other Jurisdictions

Generally, when a pursuit crosses into another law enforcement agency jurisdiction, the deputy in charge or the pursuit supervisor shall retain control of the pursuit, at least initially.

In all cases, when practicable, the other jurisdiction shall be notified of the pursuit and may be requested to assume full control, assist, or provide traffic control of the pursuit. The allied agency also may be requested to assume the secondary unit position in order to broadcast the location and direction of the pursuit while in its jurisdiction. Whichever agency is in supervisory control of the pursuit shall be fully responsible for management of the pursuit and coordination with other assisting agencies.

If the other jurisdiction assumes control of the pursuit it may be necessary to continue the initiating/primary unit to provide information for the arrest. All other units shall terminate the

pursuit and remain in their area of jurisdiction, except possibly for the field supervisor.

When a pursuit crosses into another law enforcement agency jurisdiction the following should be considered in determining who takes control of the pursuit:

- The distances involved.
- The pursuing officer's possible unfamiliarity with the new area.
- Radio coverage and communications issues.

When deputies assist with an inter-jurisdictional pursuit arrest, the deputies' methods, techniques, and tactics shall comply with Department policy and all applicable interagency Memoranda of Understanding.

3.166.42 Vehicle Pursuits from Another Jurisdiction

Notification by another agency of a pursuit in progress shall not be automatically considered a request to join or assume control of the pursuit. Units shall not become involved in another agency's pursuit unless requested to do so by that agency, or when such assistance is provided for in established inter-agency agreements.

Requests for assistance should generally be evaluated and approved by a supervisor. If assistance is approved, units shall only assist within their jurisdiction and not more than one pursuing unit should assist the initiating agency. Additional units shall be used for traffic control assistance at key intersections for protection of the public while letting pursuit vehicles pass.

When deputies assist with an inter-jurisdictional pursuit arrest, the deputies' methods, techniques, and tactics shall comply with

Department policy and all applicable interagency Memoranda of Understanding.

3.166.45 Vehicle Pursuits: The Use of Road Spikes

A deputy may deploy road spikes when, in his opinion, their use would shorten a pursuit and hasten the apprehension of the suspect: thus minimizing danger to the public and to law enforcement officers.

The following factors should be considered prior to using road spikes:

- The reason for the pursuit of the suspect and the violation that occurred.
- The distance the pursuit has traveled or may travel.
- The geographic area of the pursuit.

Road spikes should not be deployed to stop the following vehicles unless the continued movement of the pursued vehicle would result in an unusual hazard to others:

- A vehicle transporting a hazardous material, as defined in the Vehicle Code.
- A passenger bus transporting passengers.
- A two-wheeled vehicle.

When road spikes are used, the deputy deploying them shall ensure that the following information is communicated over the pursuit frequency:

- The intent to use the road spikes.
- The anticipated location where they are to be deployed.
- Whether the suspect vehicle rolled over the road spikes.

3.166.47 Vehicle Pursuits: The Pursuit Intervention Technique

The Pursuit Intervention Technique (PIT) is a method of intervention involving the direct contact of a suspect vehicle by a law enforcement vehicle, in an attempt to cause the suspect vehicle to "spin out," thus ending the pursuit. When properly

executed by trained personnel, the PIT is a safe tactic to employ when the situation is appropriate.

The likelihood of injury to persons involved is very slight when used under the proper guidelines.

The use of the PIT is considered a reportable use of force and its use must comply with the Department's Use of Force Policy.

The following factors should be considered prior to using the PIT:

- PIT maneuvers are not authorized at speeds in excess of 35 mph.
- The belief that the continued movement of the pursuit could place the public in imminent danger or harm.
- The apparent risk of harm to the public is great and outweighs the apparent risk of harm involved in using PIT.
- The other reasonable means of apprehension have been considered and exhausted or eliminated.
- The availability of a properly trained officer to employ the tactic.
- The potential danger to the public that PIT may create.
- Weather conditions.
- The volume of vehicular and pedestrian traffic in the area of the pursuit.
- The location where the PIT is to be attempted.
- Road conditions, such as restricted line of sight, hills, curves, road surfaces, obstructions, construction, and parked vehicles.
- The time of day and lighting conditions.
- Whenever possible, a supervisor's permission should be obtained before the PIT is attempted.
- The PIT should not be utilized when the pursued vehicle is a pickup truck or similar type of vehicle when subjects are occupying the open bed portion unless the use of deadly force would appear reasonable.

- The PIT should not be utilized when the pursued vehicle is a motorcycle unless the use of deadly force would appear reasonable.

3.166.50 Vehicle Pursuits: Aviation Responsibility

Upon receiving notification of a vehicle pursuit involving safety members, Sheriff's Aviation personnel shall respond if available to provide an additional margin of safety to deputies and citizens.

Once the aircraft is in a position to maintain visual contact with the pursued vehicle, the aircraft crew shall notify the appropriate dispatch center and establish communication with pursuing units. The aircraft crew shall then assume broadcast control of the pursuit, providing that aircraft personnel are familiar with the area and are capable of giving accurate information concerning the pursuit. Although broadcast control

has been shifted to the aircraft, overall command still remains with the pursuit supervisor.

The aircraft crew shall coordinate the activities of resources on the ground, and provide units and supervisors with information to evaluate whether or not to continue the pursuit.

In the event that the aircraft crew is unable to call intersections, the pursuit units shall be asked to broadcast whatever information is necessary.

The following factors are of particular concern to aircraft crewmembers during a pursuit:

- Intersection/Traffic Analysis
- Illumination (Use of Spotlight)
- Surveillance Tactics
- Weather
- Road Hazards
- Number of Air Units
- Aircraft Safety

The aircraft crew shall continue participation in the pursuit until it is terminated, discontinued, or until operative conditions, including inclement weather and air traffic congestion, necessitate their disengagement from the pursuit. Under those conditions, the involved ground units shall be advised to resume broadcast control of the pursuit.

Department aircraft crewmembers involved in pursuits are authorized and encouraged to activate their video recording equipment when practicable and safe to do so.

When Department aircraft crewmembers assist with an inter-jurisdictional pursuit, the Department aircraft crewmembers' methods, techniques, and tactics shall comply with Department

policy and all applicable interagency Memoranda of Understanding.

3.166.57 Vehicle Pursuits: Aviation Responsibility- The Use of Lethal Force

Department aircraft crewmembers shall adhere to the following guidelines when making the decision to use lethal force:

- The use of lethal force shall be in compliance with the Department Use of Force Policy.

- The use of lethal force cannot be justified solely by stating that it was initiated due to an order or authorization given by another deputy or officer. The use of lethal force must be objectively reasonable based on information available to the Department aircraft crewmembers at the time force is used.

- Whenever time and circumstances permit, any personnel involved in the pursuit should convey pertinent facts that could be considered by the aircraft crew in their decision to use lethal force.

I. The Department aircraft crew shall broadcast to all pursuing units, the pursuit supervisor and to dispatch the intent to use lethal force. The decision to use lethal force should be clearly stated, using the term "lethal force".

- The pursuit supervisor, any unit involved in the pursuit or aircraft crew shall always have the option to suspend the use of lethal force.

In employing the use of lethal force, Department aircraft crewmembers shall take every reasonable precaution to ensure the safety of innocent persons.

Updated: 10-29-20

3.166.60 Discontinuing a Vehicle Pursuit

Deputies and supervisors involved in a pursuit must continually assess whether the totality of the circumstances justifies the continuance of a vehicle pursuit. Deputies must continually weigh the risk to public safety against law enforcement's duty to enforce the law and apprehend violators.

Generally, pursuits shall be discontinued when:

- The level of danger created by the pursuit (to innocent motorists, peace officers and/or the general public)

outweighs the apparent need for immediate suspect apprehension.
- The pursued vehicle's location is no longer definitely known.
- The fleeing offender's identity is established to the point where later apprehension may be accomplished without further risk to public safety.

As deputies and supervisors continually assess the appropriateness of a continued pursuit, or its termination, the following additional factors should also be considered:

- The type or seriousness of the crime committed (e.g., violent v. non-violent).
- Whether the crime was committed in the deputy's presence.
- The type of area involved in the pursuit, such as rural, urban, business, industrial, or schools.
- The volume of vehicular and pedestrian traffic in the area.
- Whether there are civilian passengers in the pursuing patrol vehicle.
- Whether there are other persons in or near the pursued vehicle.
- Road conditions, such as line of sight, hills, curves, road surfaces, obstructions, construction, and parked vehicles.
- Weather conditions, such as rain, fog, or snow.
- The time of day.
- The speed of the pursuit given the conditions.
- Vehicle Code provisions related to vehicle pursuits, emergency vehicle operations, and/or public safety.
- Whether the area is familiar to the deputies involved.
- The quality of radio communication between pursuing units, the supervisor, and the dispatcher.
- The type and capability of the pursuit vehicles.
- The availability of backing units and other resources.
- The distance between the pursued vehicle and the pursuing vehicles.

- The availability of air support.
- Whether emergency equipment (e.g., emergency lights and siren) or vehicles have become disabled.
- Whether the pursuit is going the wrong way on a roadway.
- Whether the pursuit is leaving the initial area of jurisdiction.

3.166.65 Wrong Way Vehicle Pursuits

Deputies shall not pursue a vehicle by entering the wrong way on a freeway or divided highway that is open to vehicular traffic. They shall maintain visual contact with the suspect by

paralleling on the correct side of the roadway, and shall implement one or more of the following additional measures:

- Discontinue the vehicle pursuit.
- Reduce speed.
- Request or employ the assistance of Sheriff's Department Aviation or other law enforcement agency aircraft for aerial observations.
- Coordinate other units to monitor and/or block freeway on/off ramps and/or cross streets in order to prevent additional vehicles from being involved.
- Notify allied law enforcement agencies with BOLO information.

In the event a suspect vehicle travels the wrong way on a surface street, the deputy should consider implementing one or more of the following measures:

- Maintain visual contact with the suspect vehicle while paralleling on the correct side of the roadway.
- Reduce speed.
- Request or employ the assistance of Sheriff's Department Aviation or other law enforcement agency aircraft for aerial observation.
- Coordinate other units to monitor and/or block freeway on/off ramps and/or cross streets in order to prevent additional vehicles from being involved.
- Notify allied law enforcement agencies with BOLO information.

3.166.70 Vehicle Pursuits: Apprehending Offenders

The safety of the public and safety members during the effort to capture an offender is an important consideration when a pursuit concludes. The safety member in command at the apprehension location continues to be the primary unit unless relieved by a supervisor, and is responsible for organizing and

accomplishing the apprehension of the offender(s) in a controlled and reasonable manner.

When practicable, a high-risk car stop technique shall be used to apprehend offenders involved in a vehicle pursuit.

Additional factors to be considered during the apprehension of offenders involved in a vehicle pursuit include:

- The behavior of the offender(s) and level of threat.
- The availability/presence of additional units.
- The availability/use of arrest team.
- The physiological and psychological condition(s) of the involved officer(s).
- Department use of force policy and available force options.
- Less lethal force options.
- The characteristics of the arrest location.

3.166.75 Vehicle Pursuits: Reporting Procedure

Whenever a safety member engages in a vehicle pursuit as defined in this manual, a criminal report and a Blue Team Pursuit Report shall be completed. The supervisor shall be responsible for completing the Blue Team entry and a CHP187A form.

Safety members who participate in the vehicle pursuit shall prepare a criminal report and/or supplemental report(s) which shall include, but not limited to the following information:

- The type or seriousness of the crime committed (e.g., violent v. non-violent).
- Whether the crime was committed in the safety member's presence.
- The type of area involved in the pursuit, such as rural, urban, business, industrial, or schools.

- The volume of vehicular and pedestrian traffic in the area.
- Whether there are civilian passengers in the pursuing patrol vehicle.
- Whether there are other persons in or near the pursued vehicle.
- Road conditions, such as line of sight, hills, curves, road surfaces, obstructions, construction, and parked vehicles.
- Weather conditions, such as rain, fog, or snow.
- The time of day.
- The varying speed of the pursuit.

The supervisor shall be responsible for monitoring and managing the pursuit, and if possible, respond immediately to the pursuit location.

The supervisor shall be responsible for reviewing the subsequent criminal report to ensure the pursuit conformed to Department policies. If the supervisor identifies potential policy violations or concerns, the station/division commander shall be notified of the circumstance as soon as practicable.

In determining whether the pursuit conformed with Department policies, the supervisor, station/division commander/lieutenant may request dispatch audio recordings, review belt recordings or any other items deemed useful during the debrief.

The supervisor shall then complete the Blue Team Pursuit Report and upload a completed CHP187A form before submitting the report to the station/division commander/lieutenant. The station/division commander/lieutenant shall review and forward the Blue Team Pursuit Report to the Civil Liabilities Division, no later than ten (10) days after the date of the pursuit. The Civil Liabilities Division will be responsible for reporting the vehicle pursuit data to the California Highway Patrol (CHP) pursuant to

California Vehicle Code section 14602.1. The Civil Liabilities Division will also complete the final IA Pro Report submission from Blue Team.

If the pursuit results in a traffic collision, use of force, employee injury or any other reportable event during or after a vehicle pursuit, the appropriate reporting documentation shall be completed by the supervisor in accordance with Department policies.

Updated: 10-22-20

3.168. Moving Stalled Vehicles with Sheriff's Automobiles

Employees may use a Sheriff's vehicle to push another vehicle when:

- The Sheriff's vehicle is equipped with a push bar.
- It is necessary to clear the roadway.
- The circumstances indicate neither vehicle will be damaged by such action.

In such cases, the other automobile shall be moved no further than the nearest place of safety or legal parking. No attempt shall be made to start the vehicle during such movement.

Care shall be made in moving vehicles equipped with automatic transmissions. Such vehicles should be moved a short distance at speeds less than twenty (20) miles per hour.

NOTE: Any exception to the above regulations shall be reported via inter-office memorandum to the station/division commander indicating the emergency situation that necessitated the use of a Sheriff's vehicle, without a push bar, to push another vehicle.

3.170. Active Shooting Incidents

Unlike conventional barricade and hostage incidents, where the tactical situations typically become sufficiently stable to adequately rely on the response of SWAT, or other resources, for resolution, incidents involving one or more active shooters require an immediate response.

Safety members are expected to remain tactically proficient in the measures necessary to immediately engage one or more active shooters and to employ those measures should such a need occur.

3.174. Animal Bite Calls

The member receiving a call of an animal bite should, during business hours, direct the information to County Animal Control Services.

3.174.10 Lost Animal Calls

A person requesting that a report be taken of a lost animal should be referred to County Animal Control or the appropriate city Animal Control Officer. Additionally, a log item should be placed on the daily log.

3.174.15 Dead Animal Calls

When dead animals are reported to be found along the roadway, the member receiving the information shall cause the appropriate city or county road department to be notified for its removal.

In those instances where the dead animal presents a traffic hazard, an attempt should be made by the responding deputy

to move the animal to a location where the hazard no longer exists.

3.174.20 Destroying Animals

The killing of an animal by an officer is justified when necessary to prevent injury to the officer or another person, to prevent or stop significant destruction of property (such as livestock), or when the animal is so badly injured that it humanely requires its relief from further suffering.

Seriously wounded or injured animals should not be destroyed by an officer when the services of agencies such as County Animal Control, the Humane Society, or the Department of Fish and Wildlife are reasonably available and they can be expected to handle the situation.

When an animal is critically injured and County Animal Control is not readily available, the owner's permission shall, if known, be obtained to destroy the animal.

The owner's permission shall, if known, be obtained prior to destroying a vicious, potentially dangerous, or rabid animal unless obtaining the permission results in a delay which exposes others to dangers from the animal. Animals suspected of being rabid should not be shot in the head except in an emergency.

If the owner is not available, the names and addresses of witnesses who can verify the animal is critically injured or potentially dangerous shall be obtained.

In all cases, officers must keep in mind their primary mission of protection of the public. Animals shall not be shot if the officer cannot do so safely, considering the possibilities of a miss or a bullet passing through the animal.

An officer's watch commander shall be notified in all cases where an officer destroys an animal and/or discharges a firearm on duty. Whenever the animal is shot or destroyed by an officer during an enforcement action necessary to prevent injury to the officer or another person or to prevent or stop significant destruction of property, the action shall be documented in compliance with the Department Use of Force Policy. In cases where the officer fires at an animal and misses, thus not striking the animal, the action shall also be documented in compliance with the Department Use of Force Policy.

3.174.25 Care of Animals: Owner Arrested

When a person having an animal in his possession is arrested, the arresting officer shall, if unable to make any other arrangements for its care, request County Animal Control or the appropriate City Animal Control to respond to the location to take charge of the animal.

NOTE: When an animal is to be held as evidence, the appropriate Animal Control Officer shall be advised the animal is not eligible for release.

3.178. Due Diligence

To ensure the Sheriff's Department meets "due diligence" requirements, commanders shall develop a system that tracks

and maintains a record of all activity on arrest warrants sent to their station.

Service of the arrest warrants shall be attempted within 30 days of receipt.

If the warrant is not served within 30 days, the information sheet shall be completed and returned to the Sheriff's Records Division.

3.180. Mental Health Crisis Intervention Team

The Department has established the Crisis Intervention Team (CIT) program to ensure that mental health-related calls for service are handled safely and effectively, with compassion and understanding.

Members who have completed CIT training are a useful resource to supplement traditional law enforcement response to mental health crisis: identifying alternate resources that may be used, suggesting effective options to booking at a jail facility, and assisting in the attempt to restore the person to a pre-crisis level.

CIT-trained personnel have specific training to deal with persons experiencing mental health crisis, and therefore their expertise should be utilized when available.

Patrol divisions should work toward the goal of having at least one deputy trained in mental health intervention on duty at all times.

An overview of the Crisis Intervention Team program, and a detailed description of CIT program procedures for dealing with people in a mental health crisis, is located in the Crisis Intervention Manual on Starlink.

3.182 Taking Mentally Ill Persons into Custody

When a safety member is confronted with a person who is exhibiting symptoms of a mental disorder and is an obvious danger to himself or others, or is gravely disabled, they may, upon probable cause, take that person into custody pursuant to Welfare and Institutions Code 5150, and ensure that the person is taken into a mental health facility for a seventy-two-hour evaluation, transferred to a Department of Behavioral Health Community Crisis Response Team (CCRT), or other approved Department of Behavior Health service with prior approval from a watch commander.

When reasonably possible a member who is dispatched to a welfare check of a subject who may be a danger to themselves or others because of suspected mental illness (WI 5150) should, when reasonably possible, check for any firearms registered to the subject through the DOJ Automated Firearms System before arrival on scene.

When a safety member takes a mentally ill person into custody, they shall complete an Application for a 72-Hour Detention for Evaluation and Treatment Report and, when applicable, any other required crime-related reports. All reports shall include:

1. The person's full legal name, date of birth, and present address.
2. The member's advisal statement pursuant to the Welfare and Institutions Code 5157(a) and (b).
3. The circumstances under which the person's condition was reported (e.g., the reporting party's initial contact and statement).
4. A detailed description of the person's behavior and statements which indicate the person's need for evaluation.
5. The member's signature, employee number, station, address and telephone number.

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3.182.10 Taking Mentally Ill Persons into Custody: Pending Criminal Charges

When a deputy takes a mentally ill person into custody for a 72-hour evaluation, and that person is also a suspect in a criminal investigation, he shall complete the section of the evaluation report marked "Certification of Criminal Charges" (Welfare & Institution sections 5152.1 and 5152.2) which indicate the charges pending.

Deputies shall include a copy of the 72-hour evaluation report with any crime reports which list the person as a suspect.

3.182.15 Taking Mentally Ill Juveniles into Custody

In addition to completing a 72-hour evaluation report and any other crime reports related to the incident, deputies shall also complete a Juvenile Application for Petition pursuant to Welfare and Institutions Code 300(c), when taking mentally ill juveniles into custody.

3.182.20 Handcuffing Mentally Ill Persons

Deputies may handcuff a mentally ill person taken into custody, in compliance with Department policy, when the person is not restrained by leather restraining straps.

When a mentally ill person whose age or physical condition is such that the personal safety of the mentally ill person and the deputy clearly will not be jeopardized, the use of handcuffs may not be necessary.

3.182.25 Taking Mentally Ill Persons into Custody: Property Inventory

When a safety member takes a mentally ill person into custody, a property inventory form shall be completed.

- For public detainments, members shall complete the inventory form, if applicable, and shall indicate on the form "subject detained in a public place."
- When a person is taken into custody inside their residence, members shall take reasonable precautions to preserve and safeguard the personal property in the possession of or on the premises occupied by the person. The member taking the subject into custody shall either release the property to a responsible relative, guardian or conservator of the subject or shall complete a property inventory form describing the subject's property and its disposition.

If a responsible relative, guardian, or conservator of the detained person is in possession of the person's property, the inventory form need only include the name of that relative, guardian, or conservator.

Responsible relatives shall include the spouse, parent, adult child, or an adult brother or sister of the person. It does not include the person who applied for the petition stated in the Welfare and Institutions Code 5150.

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3.202. Vice Enforcement

The people, through their elected representatives, have decided that criminal sanctions should be imposed against certain behavior which has been traditionally labeled as

"vice." The Department is charged with the enforcement of all criminal statues, including those defining vice offenses. Where vice conditions are allowed to continue, they can be exploited by organized crime, and the money thus obtained is often used to finance other criminal ventures or attempts to corrupt public officials. To prevent the spread of vice conditions, the Department shall take aggressive enforcement action against all commercialized vice activities, against those vice activities which have been complained of, and against conspicuous vice conditions which appear on the streets and in the public places of the County.

Any officer who becomes aware of violations of any liquor, prostitution, or gambling laws shall immediately report all details to his superior officer who shall direct the action to be taken, or forward the information to the proper division.

NOTE: Nothing in this section is intended to prevent an officer from taking appropriate action when he becomes aware of an offense being committed in his presence.

3.204. Narcotics Enforcement

It is the objective of the Department to enforce all local, state, and federal statutes which prohibit the possession, use, manufacture, or traffic of narcotics, non-prescribed dangerous drugs, and other restricted or prohibited substances. Through a combination of aggressive enforcement and public education, the Department seeks to prevent and deter the use and possession of, and traffic of all such substances within the County, in cooperation with appropriate law enforcement agencies, to prevent the flow of such illegal substances into the County.

To prevent the spreading use of narcotics and other dangerous substances, the Department engages in public education programs to inform people about the effects and hazards of

drug abuse. Additionally, the Department provides the public with factual information with which to make decisions regarding the use of drugs and to assist members of the public in recognizing symptoms and indication of drug use in others. An understanding and appreciation of the full effect and extent of drug abuse is essential for success in overcoming its threat. By working with and through the community, the Department seeks to engage the people in a cooperative attack on this critical problem.

Any officer who becomes aware of any violations of any laws dealing with narcotics or other controlled substances, shall immediately report all details to his superior officer who shall direct the action to be taken or forward the information to the proper division.

3.206 PHOTOGRAPHIC LINE-UPS

To ensure reliability and accuracy in suspect identifications, Penal Code 859.7 lists specific, best practices for completing photographic and live line-ups. To comply with the law, the following steps shall be completed when conducting a photographic line-up:

1. Initial Investigation

1. Prior to conducting the identification procedure, and as close in time to the incident as possible, the investigator shall gather a suspect description from the witness and document it in the criminal report.

2. Photographic Line-Up Composition

1. During the composition of the photographic line-up, the filler photographs used shall generally fit the witness' description of the suspect. The photograph of the suspect should, if practicable, resemble his or her appearance at the time of the offense and not unduly stand out.

2. The line-up presented to the witness shall not contain any writings or information concerning any previous arrest of the suspect.
3. Only one suspect shall be included in each photographic line-up.

3. Administration of Line-Up

1. The investigator conducting the line-up procedure shall use "blind" or "blinded" administration during the identification procedure.
    1. "Blind Administration" means the administrator of an eyewitness identification procedure does not know the identity of the suspect.
    2. "Blinded Administration" means the administrator of the line-up procedure may know who the suspect is, but does not know where the suspect, or his or her photo, as applicable, has been placed in the identification procedure."
        1. The "folder shuffle method" may be used as a form of "blinded administration." The "folder shuffle method" has the investigator place photographs in folders, randomly numbering the folders, shuffling the folders, and then presenting the folders sequentially so the administrator cannot see or track which photograph is being presented to the witness until after the procedure is completed.
    3. If "blinded administration" is used in place of "blind administration," the investigator shall document the reason(s) why, in the criminal report.
2. Prior to the administration of the line-up, the investigator shall read aloud the photographic line-up admonishment from the Department "Photographic Line-Up Admonishment" form, and

the witness shall sign the form under the "viewing party" line.

3. All witnesses shall be separated when viewing an identification procedure.
4. Nothing shall be said to the witness that might influence his or her identification of the suspect.
5. If the witness identifies a person he or she believes to be the suspect, all the following shall apply:
   1. The investigator shall immediately ask the witness' confidence level in the accuracy of the identification. The investigator shall document what the witness said, **verbatim**, in the criminal report.
   2. Information concerning the identified person shall not be given to the witness prior to obtaining the witness' statement of confidence level and documenting the exact words in the criminal report.
   1. The investigator shall not validate or invalidate the eyewitness' identification.

3. Recordings

1. During administration of the photographic line-up with the witness, both audio and video recording should be made. If it is not possible to obtain both audio and video recordings, an audio recording shall be made.
2. In the event only an audio recording is made, the investigator shall document, in the criminal report, why video recording was not feasible.

Department members shall no longer conduct live line-ups.

3.208. Reporting Intelligence Information

Employees shall notify their supervisor when intelligence information comes to their attention which may be of significance to the Department or another law enforcement agency. Generally, the information is documented in the form

of an inter-office memorandum and forwarded to the employee's commanding officer for the concerned division.

When the information is of such a confidential nature that the integrity of an ensuing investigation might be jeopardized by reducing information to writing, a personal contact should be made.

Intelligence information may include but is not limited to the following:

- Vice information (e.g. Narcotics, Gambling, Prostitution Human Trafficking)
- Information related to persons, organizations, or activities suspected of being connected to organized crime
- Sabotage or espionage activities

The following activities require immediate notification to the Criminal Intelligence Division in addition to notification of the employee's commanding officer.

- Groups advocating the disruption of public order through civil disobedience
- The unlawful overthrow of the government
- Threats to the safety of a Sheriff's Department Employee, an elected or appointed official or other persons of public prominence

3.208.10 Notification Process for Potential Homeland Security Activity

Potential Homeland Security activity is defined as unusual or suspicious activity that may have a nexus to terrorism.

Following any incident or upon receipt of any information which may be potential Homeland Security activity, the discovering employee shall contact the Criminal Intelligence Division. This

notification will ensure the information is analyzed and the proper subject matter expert is contacted.

Potential Homeland Security activity may not rise to the level of a crime and may not have a clear nexus to terrorism. Potential Homeland Security activity includes, but is not limited to:

- Suspicious photography (e.g. bridges, natural gas lines, airports or other Infrastructure)
- Theft of military equipment, including body armor
- Theft of public safety equipment or uniforms
- Theft of utility or delivery company vehicles or uniforms
- Subjects found to be in possession of explosives other than commercially manufactured fireworks
- Discovery of potential chemical, biological, radiological weapons or materials and/or plans to create them
- Crimes or incidents determined to be ideologically motivated (e.g. race or religiously motivated crimes)
- Thefts of large quantities of chemicals (10 Gallons) or fuel (500 gallons)
- Threats to any educational facility

The information can be reported to the Criminal Intelligence Division via telephone or their email at LEINC@SBCSD.ORG. For incidents or information requiring immediate attention, the on-call detective shall be contacted.

3.208.20 Terrorist Screening Center Match –NCIC Query

The Terrorist Screening Center (TSC) is located in Washington D.C. and maintains the U.S. governments Consolidated Terrorist Watch List. This resource is a single database of identifying information about those known or reasonably suspected of being involved in terrorist activity. Access to the TSC database is accomplished via CLETS/NCIC queries.

Upon receiving a possible match to a known or suspected terrorist, pursuant to an NCIC query, deputies shall contact the TSC immediately or as soon as practical. The TSC match will indicate an associated handling code. The handling code will specifically indicate whether to arrest, detain or field interrogate the subject. Deputies shall handle TSC subject query matches according to the associated code and/or instructions.

After contact is made with TSC, deputies shall cross report the query hit to the Criminal Intelligence Division. The on-call Criminal Intelligence Detective shall be contacted day or night. A detective will respond to assist if needed.

If a police report is not generated from the incident, a field interrogation card will be completed and forwarded to the Criminal Intelligence Division. Any associated police reports should not mention the existence of a TSC match.

3.210. Bars, Taverns, Etc. Presenting Law Enforcement Problems

Employees shall report any information concerning premises licensed by the Department of Alcoholic Beverage Control (ABC) which have become law enforcement problems, and when it is believed that the Department of Alcoholic Beverage

Control may assist through investigation or law enforcement action.

The information shall be forwarded to the Department of Alcoholic Beverage Control and shall include:

- The name of the licensee.
- The type of license.
- The address of the premises.
- The number of the license.

An employee having information indicating organized criminal activity or extensive criminal association of a licensee or an applicant for a license granted by the Department of Alcoholic Beverage Control shall notify their watch commander immediately.

3.212. Deputy: Victim of an Assault

Any officer, while on duty, who is the victim of any assault, battery, or physical offense against him, shall notify his supervisor of the incident as soon as practicable. The supervisor shall ensure that an arrest is lawful and within the guidelines of the Department. The supervisor may assign other officers, not involved in the incident, to conduct follow-up interviews and/or investigations, as needed.

3.214. Incidents of Kidnapping

Those who would unlawfully take a person captive and secrete him do so for a variety of reasons. In any case, the Department views such crimes as very serious offenses that endanger the lives of the victims.

Although identification and apprehension of the perpetrator(s) are critically important goals, the safety of the victim is the first

priority. All appropriate resources shall be utilized without delay to secure the victim's safe return.

Responding officers should generally treat kidnap scenes as they would homicide scenes while attempting to make an early determination regarding the motive for the crime.

Even abductions carried out by family members as a result of child custody disputes can endanger the safety of the victim due to the often desperate mood of the kidnapper.

Abductions for other motives, such as extortion, sexual gratification and revenge, frequently result in the death of the victim.

Prompt public notification has proven useful in locating kidnappers when the crime is reported quickly, especially when a vehicle description is available for dissemination.

When ransom is believed to be the motive or when the victim may have been transported outside of California, the FBI has concurrent jurisdiction and shall be notified.

From the outset, investigators shall consider the full resources of the Department in their attempts to locate and rescue kidnap victims. Such resources include, but are not limited to, the various specialized units and technical capabilities to locate and surveil persons and places and to monitor communications.

3.216. Incidents Involving Hostages

Criminals who take hostages during their crimes are desperate individuals who, if allowed to escape, shall pose a continuing threat to their hostage and to the public at large. Assurance that a hostage will be released unharmed is a meaningless promise. While the Department cannot guarantee the safety of

a hostage under any circumstances, any ability to protect the hostage is usually lost if the hostage is allowed to be removed from the presence of officers. Generally, therefore, hostages can be best protected by keeping them in the presence of officers and by preventing their removal by the suspect. Officers should use every verbal and tactical tool at their disposal to secure the arrest of the suspect without harming the hostage. However, officers should realize that exceptional situations could arise where considered judgment might dictate allowing removal of a hostage, such as where there is imminent and probable danger to a larger number of persons than the hostage alone.

No officer shall take it upon himself to surrender voluntarily for the release of a hostage, and under no circumstances shall a Department employee be exchanged for any hostage.

Initial tactical decisions shall be the responsibility of the ranking officer at the scene. The station commander shall be immediately notified and apprised of the circumstances. The station commander shall notify the appropriate deputy chief, and the station commander shall respond to the scene to assume command. The officer in charge at the scene shall request assistance from the Special Weapons and Tactics (SWAT) Team. It is the responsibility of the station commander to have the FBI notified on cases of concurrent jurisdiction.

The officer in charge of SWAT shall assist the station staff in any way possible. However, once the decision is made to turn the tactical situation over to SWAT, station personnel who remain involved in the tactical operation shall take direction from the officer in charge of SWAT until the conclusion of the tactical phase of the incident.

The station investigators shall be responsible for the crime scene investigation, once the scene has been secured and tactical operations are completed.

The safety of a hostage is the primary concern. To provide this safety, communications with the suspect(s) should generally be maintained at all times. The Department has several trained negotiators for this purpose. Under no circumstances shall any officer supply any weapon to the suspect(s); however other forms of ransom may be considered.

In the event transportation is provided, undercover units and aircrafts from the Sheriff's Aviation Division shall be utilized for surveillance.

If a hostage is taken across jurisdictional boundaries, those agencies involved shall be immediately apprised of the situation.

Emergency medical resources should be made immediately available, as appropriate.

The payment of ransom money for the release of officer hostages shall always be considered and any other form of ransom shall be considered and evaluated as the request is made.

3.218. Incidents involving Barricaded Suspects

A barricaded suspect poses an extreme danger, not only to officers who seek to arrest him, but to other persons as well. Good judgment demands that a tactical plan be developed rather than immediately rushing a barricaded suspect.

Officers should seal avenues of escape and call for assistance. Once the suspect is isolated, time is to the benefit of the officer, and the full resources of the Department are available to assist officers in removing the suspect from his location. To minimize the possibility of injury to officers and others, appropriated special equipment and trained personnel should be requested as needed. If possible, an effort should be made to contact

the suspect in an attempt to persuade him to voluntarily surrender before force is used.

NOTE: Also see section 1/560 of this manual.

3.219. Ramey Warrants

When a deputy, absent exigent circumstances, intends to enter a suspect's residence for the purpose of making an arrest based on probable cause, they shall first obtain a Ramey Warrant from a magistrate.

Ramey Warrants may also be obtained for the arrest of outstanding subjects prior to the court filing of a criminal case. In such cases, the Ramey Warrant shall be routed to the Records Division and entered into the CLETS system.

Ramey Warrants shall be purged by the Records Division after 90 days unless one of the following conditions exists:

- The warrant is for a serious offense requiring extensive investigation, in which case a second 90-day extension may be requested through the Records Division.
- The warrant is for a serious violent felony accompanied by an inter-office memo from the investigating officer to the records supervisor outlining the need for an open-ended warrant and requesting the warrant not be purged. The memo shall be initialed by the investigating officer's supervisor.

Should a case be rejected by the office of the District Attorney prior to the service of the warrant, it is the investigating officer's responsibility to contact the Records Division and have the warrant purged.

3.220. Extraditions

The Sheriff's Department is responsible for all procedures required to complete the extradition of persons arrested in other states pursuant to warrants issued by San Bernardino County courts.

The Sheriff's Records Division shall be specifically responsible for ensuring the Department's obligations are met in compliance with the following procedures:

- Provide a letter of authorization to Sheriff's personnel to carry a firearm on an extradition regardless of the mode of travel. Transporting personnel from other agencies must obtain this authorization from their department.
- Provide certified copies of arrest warrants and color photographs (when available) to transporting officers.
- Identify the originator of the warrant and coordinate with the command staff to select transporting personnel.
- Coordinate travel arrangements for Sheriff's Department personnel (shall also assist other transporting agencies if requested to do so).
- Ensure that the interstate travel mode utilized by the Sheriff's Department transporting personnel is approved by the Administrative Services Division.
- Ensure that Sheriff's Emergency Services/Aviation Division is utilized as the mode of transportation when available and practical.

3.220.10 Extraditions: Assignment of Transport Personnel

If the warrant originator is the Sheriff's Department:

- Division commanders shall be responsible for providing the required personnel to extradite persons arrested on warrants originating from their division.

If the warrant originator is another in-County law enforcement agency:

- The Sheriff's Record's Division shall contact the appropriate command staff of the in-County law enforcement agency identified as the originator of the warrant and invite them to provide transport personnel.

All extraditions completed by the Sheriff's Department shall require at least two safety personnel, one of which must hold the rank of Deputy Sheriff or above. Circumstances such as high security, violence potential, etc., may dictate the use of more than two deputies. At least one of the deputies shall be of the same sex as the prisoner. The accompanying safety member may be either a Deputy or a Reserve Deputy Level II or above.

3.220.15 Extraditions: Reporting Requirements

Within three working days after returning from the extradition, transporting personnel must deliver the most original document authorizing the extradition (e.g. signed Waiver of Extradition, Governor's Warrant, body receipt, or Agreement on Detainer) to the Records Division.

Within three working days after returning from the extradition, transporting personnel must deliver to the Administrative Services Division the receipts of all pertinent expenditures so that reimbursement claims may be completed in a timely manner.

3.222. Providing Assistance to Bail Bondsmen

Department members shall not physically assist bail bondsman or their agents in the apprehension of bail jumpers.

3.222.10 Providing Assistance to Bail Bondsmen

Dispatchers and other Department employees shall inform local watch commanders of all requests for assistance from bail bondsmen or their agents, immediately after such requests are received. Arrests of bail jumpers who have outstanding arrest warrants shall be attempted, at the discretion of the local watch commander, whenever the availability of manpower, other departmental resources and time, and the absence of higher priority tasks permit.

3.222.15 Bail Jumpers with Warrants

When making arrests of bail jumpers, Department members shall not solicit assistance from bail bondsmen or their agents. When Department members arrest bail jumpers on an outstanding arrest warrant, they shall not be released to the custody of bail bondsmen or their agents, but shall be booked by the arresting deputy on the outstanding warrant.

3.226. Determining Death

Except when a person is obviously dead, emergency medical aid shall be summoned, and it shall be the responsibility of the ambulance crew, paramedics, or other competent medical personnel to determine if death has occurred.

Members shall resolve any doubt of life or death in favor of an assumption of life and provide the appropriate medical assistance.

3.226.10 Death Investigation: Watch Commander Notification

A member's watch commander shall be immediately notified of all deaths occurring within the Department's jurisdiction and coming to the attention of the officer.

3.226.15 Suicides and Accidental Deaths

The scene of a suicide or accidental death shall be investigated with all of the concern and caution accorded a homicide. Full documentation of interviews, weapons, pills, death notes, and other articles shall be made. The investigation shall inquire into all aspects of the situation until the time the investigator has sufficient facts to enable them to render a knowledgeable opinion as to how the death occurred. The Homicide Detail of the Specialized Investigations Division may be notified and requested to investigate such deaths, at the discretion of the watch commander, when the circumstances do not conclusively support a suicide or accident. In all cases, the Homicide Detail should be allowed to conduct the entire death scene investigation and the scene should be secured and protected prior to the arrival of the Homicide Detail.

3.226.20 Homicides and Suspected Homicides

Members arriving at death scenes where a homicide has occurred shall, after attending to the victim per section 3.226 of

this manual, immediately isolate the vicinity where the crime was committed, or the body was found.

It shall be the member's responsibility to secure the scene until the Homicide Detail arrives and takes charge of the scene.

In cases, involving suspicious circumstances or when the manner of death is not obvious, members shall proceed as if the death were a homicide until determined otherwise.

In addition to the watch commander and Coroner's Division, the Homicide Detail of the Specialized Investigations Division shall be immediately notified.

3.226.25 Attempted Murder Cases: Victim Likely to Expire

In attempted murder cases where the victim is likely to expire as a result of the injuries sustained from the criminal act, the Homicide Detail of the Specialized Investigations Division shall be immediately notified by the watch commander, or their designee, and told of the circumstances surrounding the crime and the victim's known medical status. The watch commander, or designee, and the Homicide Detail supervisor will make the determination whether the Homicide Detail will respond and assume the investigation.

A Station/Division commander may also contact the commander of the Homicide Detail and request that the Homicide Detail respond and assume the investigation.

3.226.30 Photographing Death Scenes

Generally, death scenes shall be photographed prior to being disturbed, regardless of the cause of death or circumstances.

3.226.35 Notification of Coroner Division

The Coroner Division shall be immediately notified of all deaths occurring within the jurisdiction of the Department. Although the Coroner is not required to conduct an investigation in certain cases where a death has occurred of a patient under the recent care of a physician, the Coroner Division shall be notified and given the opportunity to evaluate the circumstances of each case.

3.226.40 Movement, Search, or Transport of Dead Bodies

The member in charge of a death scene shall prevent any person, other than a deputy coroner, from moving, searching, transporting, or otherwise disturbing the body.

NOTE: A deputy coroner may authorize the movement, search, or transportation of a dead body by telephone or radio. Members may take such actions only when so authorized.

3.226.45 Death Notifications

Whenever possible, notification to the next of kin of a death shall not be made by Department members, but shall be made by the Coroner's Office. Exceptions include circumstances wherein the relatives have already learned of the death by other means or when the relatives inquire of a Department member regarding the condition of the victim. While members of this Department shall take care not to usurp the duties and authority of the Coroner's Office, they shall not deceive relatives of a decedent in times of tragedy. When common decency requires that a member of this Department make notification of death, the next of kin shall be referred to the Coroner's Office following the notification.

3.226.50 Unidentified Dead Bodies

When the identify of a dead body is unknown, the reporting officer shall obtain a "John Doe" or "Jane Doe" number from the Coroner's Office and shall report the victim's name as "John Doe" or "Jane Doe" immediately followed by the number assigned by the Coroner's Office.

3.226.55 Decedent's Personal Property

Generally, the personal property of a deceased person shall be collected and retained by the deputy coroner. In such cases, officers shall include an inventory of such property, particularly valuables, such as jewelry and money, in their report of the incident. However, items of evidentiary value, including suicide notes, may be seized by the Department and retained as evidence. In such cases, the deputy coroner shall be made fully aware of any such items so seized and retained.

All poisons, drugs, and their containers suspected of being connected with a suicide should not be seized as evidence. Although of obvious evidentiary value, these items are most appropriately retained by the deputy coroner to facilitate toxicological examination to determine the cause of death.

All firearms suspected of being suicide weapons shall be booked as evidence to provide the opportunity to test-fire such firearms.

3.228. In-Custody Deaths

When a prisoner who is in the custody of this Department dies, regardless of the circumstances or apparent cause of death, the scene shall be secured, protected and the death shall be investigated by the Homicide Detail of the Specialized

Investigations Division. Notifications shall be made per the Department's Notification Matrix.

When the death occurs at a jail facility other than the West Valley Detention Center or Glen Helen Rehabilitation Center, the West Valley Detention Center shall be notified if the deceased inmate is a pre-sentenced prisoner and the Glen Helen Rehabilitation Center shall be notified if the deceased inmate is a sentenced inmate who has been transferred to court or work duty.

3.230. Requests for SAR or Underwater Recovery Units

Initially, requests for search and rescue or underwater recovery units shall be handled at the station level. In the event that additional units or equipment are deemed necessary, requests shall be made through the appropriate commander or his designee.

3.232. Use of Academy Trainees for Searches, Etc.

Division commanders requesting assistance from the Sheriff's Academy for searches, etc., shall make their requests to the commander of the Training Division.

Authorization to activate the Academy trainees shall be from the Office of the Sheriff or a Deputy Chief.

3.234. Special Weapons and Tactics (SWAT)

The commander of the Specialized Enforcement Division is responsible for the administration and coordination of the Department's Special Weapons and Tactics (SWAT) Teams.

A SWAT Team is primarily comprised of members assigned to the Specialized Enforcement Division. A complete team shall

respond to any incident where the SWAT Team's services are required.

The Department SWAT Team's responsibilities include:

- Providing support and protection for emergency units when under attack from sniper fire, assault fire, or when such fire is anticipated.
- Rescuing officers or citizens captured, isolated, or endangered by gunfire.
- Performing fire control missions by securing a position of advantage and keeping the designated area clear of hostiles.
- Providing controlled assault firepower in non-riot law enforcement situations, such as barricaded suspects.
- Providing anti-sniper and personal security for dignitaries.
- Supporting units of the Department in planned or anticipated high-risk arrests or raid situations.

The goal of SWAT is to resolve those law enforcement situations that present the greatest degree of danger with minimal injuries and loss of life. A SWAT Team is equipped with weapons and other equipment not found elsewhere in the law enforcement organization. Correspondingly, SWAT Team personnel receive training in a wide variety of tactics, from exceptionally passive to the most decisive.

The effective use of Department Crisis and Hostage Negotiators is valuable, and integral to the success of many tactical operations. A non-violent negotiated resolution is preferable and always pursued when appropriate. When the suspect demonstrates that negotiations are futile, however, it is the responsibility of the SWAT Team to choose and employ more assertive tactics that are likely to resolve the incident with the least chance of injury to innocent persons.

The supervisor in charge of the SWAT Team, or his designee, is responsible for the supervision of the SWAT Team personnel at the scene of an operation. Upon being committed to an operation, the SWAT Team shall be under the sole command of the ranking SWAT supervisor at the scene until completion or cancellation of the operation.

3.234.05 SED/SWAT Team Member Selection Process

The Department recognizes that in order to be most effective, the SWAT Team must be comprised of deputies trained and equipped 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. It is, therefore, necessary to have a selection process which ensures deputies chosen for the team are of the highest standards of training, physical conditioning and tactical skills.

The selection process will evaluate the following:

- Strength of mind and body.
- The ability to work effectively in a team environment under high stress and heightened danger.
- The ability to learn, understand and demonstrate a wide variety of tactical disciplines. This includes weapons skills, physical stamina, critical reasoning under stress, and the ability to complete demanding tasks.

The selection and assessment test will be held bi-annually. It is only open to those Department members with the rank of Sergeant, Detective/Corporal and Deputy who have submitted a written reassignment request form for transfer to the Specialized Enforcement Division. Deputy candidates must have a minimum of 2 1/2 years' patrol experience.

- Candidates must successfully complete the Specialized Enforcement Division Physical Fitness Test and then the

Specialized Enforcement Division Pistol Qualification Course utilizing their current duty side arm.

- Candidates who have successfully completed the above must participate in an oral exam administered by the Division Commander and supervisory staff. Candidates will be asked a battery of questions related to work experience, desire for the assignment and critical thinking as it relates to job specific topics and scenarios. Candidates may also provide work examples such as search warrants and pen/ping orders. These work examples will be reviewed by SED supervisory and command staff for content and may be used as a guideline to determine the candidates investigative experience level. Those candidates who lack examples may substitute case reports, Commander's recommendation or any other documentation that explains the candidate's experience.

Successful candidates will be placed on a transfer list maintained by the Specialized Operations Bureau Deputy Chief.

To remain on the transfer list, each candidate will be required to retest and successfully complete the physical and firearms test bi-annually. Candidates who are unsuccessful will be given a thorough explanation of any deficiencies and may re-test every six months.

Only candidates who successfully complete the process in its entirety will be eligible for transfer to the Specialized Enforcement Division.

3.234.10 Utilizing SWAT

Division and command officers in charge of a law enforcement operation are encouraged to give consideration to the utilization of the SWAT Team in any planned operation or

unusual occurrence in which the use of special weapons and tactics would reduce the possibility of injury or death to anyone involved.

Requests for SWAT Team support at planned events shall be arranged through the Deputy Chief, or the Specialized Enforcement Division commander.

When immediate SWAT Team support is required for a spontaneous incident, requests shall be made through the Specialized Enforcement Division commander or the Specialized Enforcement Division on-call supervisor, who shall notify the appropriate Executive Staff member.

A SWAT Team sergeant may place the SWAT Team on standby, awaiting the approval of a commanding officer's direction.

3.234.15 Utilizing SWAT: Command and Control

When assigned/deployed, the SWAT Team shall respond to the field command post, or designated location upon notification and report to the officer in charge.

- The SWAT commander, or officer in charge, shall act as a tactical consultant to the field commander and maintain liaison with the negotiation team.
- SWAT Team personnel shall take instructions only from SWAT Team supervisors. The SWAT Team shall deploy, on instructions from the SWAT commander, to positions of tactical advantage. The SWAT Team shall be prepared to take action in the event negotiations deteriorate to the point that offensive law enforcement action is necessary.
- On orders from the team commander, SWAT personnel shall effect controlled fire and/or assault, if deemed necessary. Except in self-defense, SWAT personnel shall be

the only officers to take any form of aggressive law enforcement action.

If the SWAT Team is committed to an action, control of all other law enforcement operations shall continue to be the responsibility of the officer in charge at the scene.

Even if deployed to a situation, it is not a SWAT mission until it is deemed and declared a SWAT operation by the SWAT commander.

3.234.20 SWAT Small Unmanned Aviation Systems (sUAS)

During tactical operations involving members of the Specialized Enforcement Division (SED), the SWAT Commander may authorize the use of small, unmanned aviation systems (sUAS) to support ground operations. The SWAT team's responsibilities when deploying sUAS include:

1. Establishing communication with the Aviation Unit prior to launching a sUAS to establish agreeable elevation ceilings, communication between the remote pilot and sheriff's flight crew and to attain applicable preflight permissions. If necessary, complete emergency Federal Aviation Administration (FAA) waivers, Notices to Airmen (NOTAMS), and/or request permission from applicable air traffic controllers prior to conducting operations in controlled airspace.
2. Ensure all remote pilots in command (PIC) hold current Part 107 Remote Pilot Ratings with the FAA.
3. Ensure all remote flights are conducted in adherence with all rules and guidelines set forth by the Federal Aviation Administration (FAA).
4. Provide real-time airborne observation to SWAT team members while maintaining strict adherence to people's rights to privacy and security. PICs shall ensure applicable search warrants have been issued

prior to the deployment of a sUAS into an area in which one would be required. sUAS PICs shall complete post-flight flight logs to document all operational flights.

This policy shall not apply when utilizing a sUAS during the service of a search warrant inside of a structure where FAA permissions are not necessary.

New: 10-19-21

3.236. Tactical Alert

When a Tactical Alert is ordered by any member of the Executive Staff, the ranking on-duty member at Sheriff's Communications shall be notified. Sheriff's Communications shall immediately notify the command staff of each station and division. When so notified and unless modified by a member of the Executive Staff, station and division commanders shall insure that the following steps are taken immediately by members of their commands:

- All out of town travel shall be re-evaluated and non-essential travel cancelled or postponed.
- Non-essential maintenance of automobiles, buses, aircraft and other essential equipment shall be postponed; vehicles and other equipment already undergoing such non-essential maintenance shall be returned to duty as soon as possible.
- Each patrol bureau shall identify personnel, vehicles and other resources necessary to activate one Mobile Field Force.
- Mobile Field Force personnel shall be notified and placed on-call.
- Emergency equipment and supplies, to include but not be limited to personal safety equipment, station and division equipment and Mobile Field Force equipment caches,

shall be inspected for completeness and functionality and made ready for service.
- Commanders shall consider placing other personnel on-call as necessary.

3.236.10 Tactical Mobilization

When a Tactical Mobilization is ordered by any member of the Executive Staff, the ranking on-duty member at Sheriff's Communications shall be notified. Sheriff's Communications shall immediately notify the command staff of each station and division. When so notified and unless modified by a member of the Executive Staff, station and division commanders shall insure that the following steps are taken immediately by members of their commands:

- Days off, training and vacations shall be cancelled.
- All out of town travel shall be re-evaluated and non-essential travel cancelled or postponed.
- Twelve-hour shifts shall be initiated.
- All safety personnel shall be placed on call.
- Professional staff employees may be placed on call depending on their duty assignment and/or potential for temporary assignment during an emergency.
- Non-essential maintenance of automobiles, buses, aircraft and other essential equipment shall be postponed; vehicles and other equipment already undergoing such non-essential maintenance shall be returned to duty as soon as possible.
- Each patrol bureau shall identify personnel, vehicles and other resources necessary to activate two Mobile Field Forces.
- Required Mobile Field Force personnel shall be notified and directed to report for duty.
- Emergency equipment and supplies, to include but not be limited to personal safety equipment, station and division equipment and Mobile Field Force equipment caches,

shall be inspected for completeness and functionality and made ready for service.

3.240. Hazardous Materials (HAZMAT) Incidents

The primary goal for handling hazardous materials is to neutralize and clean up the materials and to protect the citizens, environment, and property from harmful effects of such materials.

Governmental entities within the County of San Bernardino, both County and extra-County agencies, cooperate to protect the public, property, and environment from the effects of a spill, release, or illicit disposal of hazardous materials in accordance with the Contingency Plan as set forth in the "Hazardous Material Response Plan."

This plan addresses all hazardous materials with the exception of nuclear materials. Refer to the County Emergency Plan in the event of nuclear materials, attacks, or radiation incidents.

3.240.10 HAZMAT Incidents: Unincorporated Areas

When the hazardous materials incident occurs on any state highway, county road, or easement, the primary law enforcement and investigative responsibilities belong with the California Highway Patrol.

If the incident occurs in or on any other unincorporated land, the primary responsibility belongs with the local fire department authority; however, the Sheriff's Department shall conduct the investigation into the causes of the incident, and if, deemed necessary, seek a criminal complaint against the violator(s).

3.240.15 HAZMAT Incidents: Contract Cities

Whenever a hazardous materials incident occurs within an incorporated city where the law enforcement responsibilities lie with the Sheriff's Department, the incident shall be investigated by the station or division responsible.

3.240.20 HAZMAT Incidents: Deputy's Responsibilities

Upon an officer discovering a hazardous materials scene, he shall immediately notify the dispatcher and cause the watch commander to be advised thereof. He shall ensure that all necessary safety precautions are taken to prevent loss of life or further contamination.

3.240.25 HAZMAT Incidents: Dispatcher Responsibilities

The dispatcher receiving the radio broadcast from the initial investigating officer, shall immediately notify the watch commander.

3.240.30 HAZMAT Incidents: Supervisor's Responsibility

Upon the supervisor learning of the incident, he shall respond to the scene and make an evaluation. If the situation is of such magnitude that it seriously jeopardizes the health and safety of citizens, he shall immediately notify his station/division commander. Thereafter, he shall notify and brief the County Communications Center in San Bernardino of the incident. Additionally, he shall ensure that a complete list of names and addresses are kept on those persons contaminated with, or subjected to, any hazardous material.

NOTE: If the incident is of such magnitude that it shall involve additional agencies, the supervisor shall contact and brief the station or division commander.

3.240.35 Radioactive HAZMAT Incidents

Officers investigating an incident in which radioactive materials may be present shall:

- Keep all persons and conveyances from radioactive materials or liquid run-off.
- Immediately notify their superior officer, who shall cause notification to made to the San Bernardino County Communications Center, either by telephone direct or radio.
- County Communications shall notify the appropriate agency to handle radioactive materials.

NOTE: Radioactive materials in transit may be identified by the trifoliate design on the material containers. The Department of Transportation (DOT) label is diamond shaped with the trifoliate design on the top half. The DOT label may indicate the word "RADIOACTIVE" followed by bold, red, vertical bars, depending on the substance.

Law enforcement shall still maintain an investigative responsibility and shall cooperate with other investigative agencies when applicable.

3.240.40 Hazardous Materials at Crime Scenes

DEFINITION: "The term 'hazardous chemical' shall mean any chemical or mixture of chemicals, which is toxic, corrosive, explosive, or flammable that has the capacity of inducing great bodily injury or illness."

Generally, a criminalist shall respond to the scene if the chemicals are related to illicit drug manufacturing. The criminalist shall direct or implement safeguards appropriate to the handling of the chemicals. Chemical hazards unrelated to

illicit drug manufacturing shall be directed to the attention of County Environmental Health Services.

No attempt shall be made to neutralize, move, or transport any hazardous chemicals, except under the direction of a criminalist.

3.244. Medical Examinations for Sexual Assault Victims

Victims of sexual assault shall be transported to an appropriate contract hospital or a hospital chosen by the victim, for the medical care and the collection of related physical evidence as soon as possible after the crime. Instructions and guidelines contained in the Sheriff's Crime Laboratory Sex Kit shall be adhered to for the examination.

If it becomes necessary for a female victim to disrobe or partially disrobe to view and/or photograph injuries, a female officer or nurse shall be present. (Refer to section 4/280 regarding reimbursement of costs for examinations.)

3.246. Civil Disputes

A member of the Department shall not involve himself in the civil actions or disputes of other persons nor shall he presume to adjudicate any civil dispute or give legal advice in civil matters.

When an officer is called upon to act or advise in civil disputes, he shall respectfully inform the interested parties that the Sheriff's Department has no jurisdiction in civil disputes and shall, when requested, refer them to the proper authorities for assistance. When an eviction is made for non-payment of rent or for any other cause, or when civil disputes arise, he shall not give assistance to either party, or interfere between them,

except when carrying out a court order, unless it is necessary to prevent a breach of the peace or to quell a disturbance.

A member of the Department, however, shall act to prevent or suppress any breach of the peace or disturbance which may grow, or has grown, out of such a dispute.

An officer's specific task is to ensure that the peace is kept.

3.248. Repossessions

Repossession is an action in which a creditor attempts to regain possession of the property he had either sold or loaned money on.

The defendant or debtor in such action is usually behind in his payments or alleged to be in default on terms of his conditional sales contract. Often, the creditor or his agent (usually a repossession agency) will attempt to seize the property without having first instituted a civil action through the courts.

The California Commercial Code section 9503 allows a secured party the right to take possession after default. In taking possession, a secured party may proceed without judicial process if this can be done without breach of peace.

Officers should not honor requests by repossessors to accompany them in any attempts to recover property. The presence of a uniformed officer could imply to the buyer that he must comply with the repossession.

Officers shall not take any action when civil disputes arise, except to keep the peace. Officers shall cause a repossessor to

suspend his activities and seek judicial process when a breach of peace is imminent.

Generally, the repossessor shall have in his possession a copy of the conditional sales contract. The printed agreement usually contained in a conditional sales contract provides that the merchandise shall remain personal property and title shall not pass to the buyer until the time the balance has been fully paid in cash. If the buyer defaults in payment, the entire unpaid balance shall at once become due and payable, at the option of the seller, or seller may, without notice or demand, by process of law or otherwise, take possession of the said personal property. A consent contained in the contract that the seller or creditor has authority to enter any premises and repossess goods sold is ineffective to waive constitutional protections against unreasonable search and seizures if made under intimidation implicit in the presence of a uniformed officer of the law. A debtor may use reasonable force to maintain possession of the property. This will ordinarily not constitute a breach of the peace.

Similarly, once the repossessor has gained lawful possession of the property and has departed the premises, he may protest with reasonable force any attempts by the debtor to retake possession without being guilty of a breach of peace.

A repossession is deemed complete when the repossessor gains entry to the vehicle or when the vehicle becomes connected to a tow truck.

In those situations where the repossessor has not gained possession or cannot gain possession without a breach of the peace, he must proceed through a court action.

It is unlawful for an individual to report a vehicle stolen when he has knowledge that it has been repossessed. Officers should inquire as to who has knowledge that it has been repossessed.

Officers should inquire as to who has title and whether or not the buyer is delinquent in his payments prior to initiating a stolen report.

When the repossession is complete and there is other personal property not covered by a security agreement contained in or on the vehicle at the time the vehicle is received, the buyer has the right to retain such non-hazardous or non-dangerous property, provided it is not an integral part of or attached to the vehicle.

Repossessors have the right to enter an area secured by a fence as long as the fence and/or gate is not locked. A repossessor who cuts any lock securing a fenced area, in order to gain entry, is in violation of sections 594 and 602(k)(3) of the Penal Code and of the Business and Professions Code.

Officers should be aware that repossessions can escalate into a major disturbance that can involve many people and should not treat such calls lightly and pass them off as being civil problems. Officers should handle all such calls firmly and fairly while protecting the property rights of all persons.

3.248.10 Notification of Repossession

California Vehicle Code section 28, "Whenever possession is taken of any vehicle or on the behalf of any legal owner thereof, under the terms of a security agreement or lease agreement, the person taking possession shall immediately notify by the most expeditious means available to the city police department where such taking of possession occurred, if within an incorporated city, or the sheriff's department of the county where such taking of possession occurred if outside an

incorporated city, and shall within twenty-four (24) hours forward a written notice to such department."

Upon receipt of written notice of repossession, officers shall forward the information to Central Records, Teletype Section, for entry into Auto Status.

3.248.15 Licensing of Repossession Agencies/Companies

Repossession agencies and their employees must be licensed by the Department of Consumer Affairs, Bureau of Collection and Investigative Services. Any person performing the duties of a repossessor without a Bureau I. D. Card or a temporary registration shall be in violation of section 7502.1 of the Business and Professions Code, a misdemeanor, and is subject to citation by an officer.

A person licensed as a repossession agency, or any of his employees, shall be prohibited from using any false or misleading representation during the course of recovery of personal property. (Refer to section 7508.2 of the Business and Professions Code for definition of such acts.)

3.250. Scheduling Polygraph Examinations

Polygraph examinations are obtained by making an appointment with the Polygraph Unit, which is assigned to the Specialized Investigations Division. Generally, only felony cases are considered for polygraph testing. Misdemeanor examinations are administered on a case-by-case basis.

3.250.10 Polygraph Examinations: Physiological Considerations

Generally, the investigator shall ensure the subject of a polygraph examination is comfortable and has received

adequate food, water, and rest prior to the polygraph appointment. The subject should receive a break between a lengthy interview or interrogation and the polygraph examination. The investigator should also attempt to determine if the individual is taking any prescription medication or illegal drug, etc., and discuss these issues with the polygraph examiner.

Additionally, the following guidelines apply:

- Generally, a woman who is pregnant should not be given a polygraph examination.
- Persons with serious heart conditions shall not be subjected to a polygraph examination.
- Those individuals whose physician advises against the examination shall not be subjected to a polygraph examination.

3.250.15 Polygraph Examination: Juveniles

Generally, a polygraph examination shall not be given to a person under the age of eighteen (18) years without written permission from a parent or guardian. Juvenile wavier forms are available from the Polygraph Detail.

However, if a juvenile between the age of fourteen (14) and eighteen (18) years is a person of interest in, or has been arrested for, any of the crimes listed below, written permission

from a parent or guardian is not required, in accordance with the Welfare and Institutions Code.

- PC 187-Murder
- PC 261(2)(a)-Rape
- PC 262(1)-Spousal Rape
- PC 264.1-Forcible sex offenses in concert with another.
- PC 288(b)-Forcible lewd and lascivious acts on a child under the age of 14 years.
- PC 289(a)-Forcible sexual penetration.
- PC 286 or PC 288a-Sodomy or oral copulation by force, violence or duress.
- PC 288(a)-Lewd lascivious acts on a child under the age of 14 years.

3.250.20 Investigator's Preparation of Subject for Polygraph Examination

Prior to the examination, the investigator should withhold certain crime information from the person to be examined. The information should be known only to the investigator, the victim, and a person with a guilty knowledge.

No attempt should be made by an investigator to explain the polygraph procedure to the person; this is the responsibility of the polygraph examiner.

At least one (1) officer working on the case shall be present during the examination. If the person to be examined is under arrest, the investigator shall have custodial responsibility for him at all times.

3.250.25 Inconclusive Finding After Polygraph Investigation

If an indefinite finding is reported by the examiner, the examiner may request a re-examination. If an indefinite finding is reported

by the examiner, it is not to be interpreted as indicating either truthfulness or untruthfulness. This merely indicates that the person should have the same status as if no examination has been administered.

Due to the complexities involved in recording human reactions, it is possible for an examiner to make an improper interpretation. When such a finding is discovered, it should be brought to the attention of the examiner. By the same token, if the polygraph findings are independently verified, the examiner should be notified. Research of these cases provides information which can help in future chart interpretations and provide data for validating polygraph examinations.

3.250.30 Request by Other Agencies for Polygraph Examination

Polygraph tests are administered for outside agencies after prior approval from the Office of the Sheriff.

3.254. Informants

The Department receives information regarding criminal activities and suspects from persons in all walks of life. Many who give information have been victims or witnesses of crimes, or may have a strong desire to aid law enforcement. There are others motivated purely by selfish interests. However, the use of informants, regardless of their motivation, is a basic weapon in the fight against crime, and they are a judicially recognized source of information. An informant's motivation should be carefully evaluated in determining the extent upon which the information shall be relied.

The Gangs/Narcotics Division is the "clearinghouse" for the management of departmental informants; and is the repository for records associated with those informants. All inquiries related to the identification, use, and management of informants shall

be directed to the Gangs/Narcotics Division. The following general guidelines shall apply to all informants:

- Informants are assets of law enforcement and not the "property" of any specific deputy. An informant may be reassigned to the control of another deputy or investigator at any time, at the discretion of the Gangs/Narcotics Division commander, upon agreement with the commander of the division affected.
- Generally, contacts with informants should be strictly professional in nature. Social contacts are discouraged.
- Contacts with informants shall be such that the informant's knowledge of Department operations and personnel shall be limited to that which is necessary to accommodate their successful utilization.
- At least two deputies/investigators must be capable of contacting an informant. Whenever practical, two deputies/investigators shall be present at all contacts with informants.
- All informants shall be advised that they should avoid violating any law in the furtherance of gathering information or providing services to the Department. Conduct and activities of informants should be monitored by the investigating officer.
- Informants have no official status, implied or otherwise, as agents or employees of the San Bernardino County Sheriff's Department.
- The information or services provided by informants may be used in criminal proceedings and although the Department shall use all lawful means to protect the informant's identity, this cannot be guaranteed.

3.254.10 Types of Informants

Informants shall be classified as follows:

- CITIZEN INFORMANT: A person who solely furnishes information without compensation or any other reward.

- PAID INFORMANT: A person who, under the direction of a member of the Department, furnishes information or works as an operative, by committing any act, for monetary compensation or other reward (excluding leniency from prosecution).
- DEFENDANT/INFORMANT: A person who is subject to arrest or prosecution, or both, for a criminal offense; or, a defendant in a pending case who expects compensation for his assistance in the form of judicial or prosecutorial consideration.
- RESTRICTED USE INFORMANT: A person who is less than eighteen years of age, that may only be used with written consent of a parent or legal guardian, or a person on parole or probation (federal or state) that may only be used with specific permission from his parole or probation officer.
- ONE-TIME INFORMANTS: A person who may possess information that will assist with a critical investigation and is willing to exchange that information for financial compensation, but who otherwise might not meet the requirements, or who is unwilling to sign up as an informant. Such exchanges will be authorized by a Department member holding the rank of sergeant or above. "One-Time" informants shall not commit any overt act in the furtherance of an investigation, whether at the direction of a Department member or otherwise. They must only provide information.

An expenditure report must be completed on all informants that receive compensation.

3.254.15 Establishing and Using Informants

Prior to use, those individuals who work as Paid Informants, Defendant/Informants, or Restricted Use Informants must be formally established as outlined in this policy. In considering the use of any individual as an informant:

- An evaluation must be made by the member in charge that the potential informant shall not compromise further interest or activities of the Department or law enforcement in general.
- A determination must be made ensuring that the potential informant will accept the direction necessary to effectively utilize his services.

Prior to the activation of an informant, the member supervising the informant shall submit to his commanding officer an evaluation, which shall consist of an overview of the informant's potential and proposed utilization; the informant status, (i.e., paid, restricted use, etc.); the arrangement for payment or consideration; and the details of approval for use, if applicable (name of approving district attorney, which office, and conditions of approval).

Generally, informants shall be required to enter a plea of guilty to any pending charges prior to use. Any consideration should be during the prosecution phase. This information shall be forwarded to the Gangs/Narcotics Division for review and submission to the Deputy Chief of the Special Operations Bureau and the Assistant Sheriff of Criminal Operations for approval. Only the commander or a lieutenant of the Gangs/Narcotics Division shall present the request to the Deputy Chief or Assistant Sheriff. If approval is granted, the required file shall be started and the member supervising the informant shall be notified.

All Paid Informants, Defendant/Informants and Restricted Use Informants, shall be ineligible until they sign the establishment reports acknowledging that they have read and agreed to all conditions of use. The signature shall be witnessed by two safety members. Should an informant refuse to sign the agreement, the statement of refusal shall be entered onto the agreement by one of the witnessing members. In the event an informant

refuses to sign the agreement, the file shall be established and shall include a deactivation report for future record.

As a part of the established procedure, and prior to the approval to use, a complete debriefing shall be conducted. The nature and extent of the debriefing shall vary with the informant's background. However, the line of questioning shall be such that all knowledge of criminals and criminal activity, both drug and non-drug related, shall be covered. Every ninety days a status report shall be completed and the responsibility for this report shall rest with the commander of the division using the informant. In addition, a deactivation report shall be completed at the conclusion of the investigation or when the informant shall no longer be utilized.

3.254.20 Managing Informants

Informant management can be a complex function. It is therefore important that those members overseeing deputies or others working with informants ensure compliance with Department policies and guidelines. Factors that shall be routinely considered by the immediate supervisor in carrying out this responsibility shall include:

- Reviewing the debriefing information to ensure that the informant has potential worth to the Department.

- Reviewing the informant package to ensure that all requirements are met prior to submission to the Gangs/Narcotics Division.
- Routinely review the handling of every informant utilized by employees under his command to ensure that the informants' potential is realized.
- Reviewing monies paid to informants to ensure they are not excessive, and that the procedures followed comply with policy.
- Routinely review working files to ensure information warranting deactivation is, in fact, deactivated.
- Ensure that a ninety-day status report is completed by the member supervising a particular informant.

Members should keep their supervisors informed of their communications and activities involving informants. Each commander shall require that the identity of informants used by members of his command be disclosed to him. Absent exigent circumstances, an officer's partner should be present when interviewing an informant. When an interview must occur without a partner present, members intending to interview an informant of the opposite sex shall notify a supervisor beforehand.

3.254.25 Bargaining with Informants

Informants shall sometimes offer to exchange information for immunity or other valuable consideration concerning their own criminal case. No member shall make promises to an informant concerning such legal consideration. Members shall follow departmental procedures when such consideration appears appropriate.

3.254.30 Use of Informants in Drug Purchases/Buys

When an informant is to participate in an undercover purchase in which he may come in contact with either official County

funds, controlled substances, or anything else having potential value as evidence, he shall without exception be searched thoroughly both before and after the undercover encounter. The informant shall, where possible, be kept under constant observation between searches. The reason for this is to preclude questions as to validity or integrity of the evidence. The search of the informant shall be documented with the crime report.

3.254.35 Payments to Informants

Generally, payments made to any person, and charged against official County funds, shall be documented on a "money expenditure" report, which shall be maintained by the commander of the Gangs/Narcotics Division.

The amount of payment to an informant must be commensurate with the value of the service and/or information provided. It shall be based on the following factors:

- The level of the targeted individual, organization, or operation.
- The amount of the actual or potential seizure.
- The significance of the contribution made by the informant to the desired objective.

All payments to informants shall be witnessed by at least two (2) officers or investigators. All payments to informants shall be documented on a money expenditure report issued by the Gangs/Narcotics Division. The informant shall be required to sign his true name on the expenditure report and the original shall be forwarded to the Gangs/Narcotics Division.

3.254.40 Deactivation of Informants

An informant shall be deactivated when he no longer has a potential to furnish information or services which should lead to a significant prosecution or interdiction of narcotics or non-drug

related information. Deactivation may also occur in the following circumstances:

- When an informant is no longer willing to cooperate or when his cooperation has been determined to be unsatisfactory.
- When determined to be in the best interest of the Department.

An informant who has been deactivated, for whatever reason, shall remain deactivated until such time as the worth or potential can be re-established. In no event shall an informant be reactivated when there has been a showing of unsatisfactory use.

3.256. Undercover Operations

In order to obtain information and evidence regarding criminal activities, it is necessary that the Department utilize undercover operators. Such operations shall not engage in entrapment. The officers shall not commit any act or fail to perform any duty imposed by law which constitutes a crime, or otherwise compromise their own integrity or that of their division of the Department.

3.256.10 Undercover Operations: Notifying Other Agencies

The nature of undercover investigations and the proliferation of task forces and teams involved in cross-jurisdictional

surveillance emphasize the importance of an accepted protocol for inter-agency notifications.

Equally important is the need for recognized procedures in the event of field contact or confrontation between uniformed and plainclothes officers.

This section shall address these two issues, a protocol for the notification of planned events in another agency's jurisdiction and procedures to follow in situations involving field contact or confrontation between undercover officers and uniformed personnel.

DEFINITIONS:

- SERVICE AGENCY. The law enforcement agency initiating an investigation or planned event which enters another agency's jurisdiction.
- VENUE AGENCY. That law enforcement agency having primary responsibility for the delivery of law enforcement services in a geographical area.
- PLANNED EVENT. A law enforcement activity which can be/is planned in advance, such as the service of a search or arrest warrant, a money or narcotics show, a protracted surveillance, etc.

NOTIFICATIONS:

Prior to a planned event, the service agency shall notify the venue agency, in a timely manner, of the proposed event. Notification shall normally be to the venue agency's watch commander. Such notification should include:

- The time and location of the planned event and the names of the involved persons, if applicable.
- The nature of the planned event (i.e., search warrant, etc.).

- An assessment of the potential for problems.
- What assistance, if any, is or may be requested of the venue agency.

Once received, the venue agency is responsible for:

- Maintaining the confidentiality of the information.
- Any intra-departmental notifications which they deem appropriate.
- Providing reasonable assistance, if requested.

At the conclusion of the event, the service agency shall make an exit notification to advise of the event's termination. If possible, this notification should be to the same individuals or their reliefs. Should the event result in a noteworthy incident (i.e., a large seizure, arrest of a notable person), this information shall likewise be conveyed to the venue agency. Press notifications, if appropriate, should be handled by the service agency or jointly.

FIELD CONTACT/CONFRONTATIONS:

Because plainclothes/undercover officers are not readily identifiable as law enforcement members, contacts between them and uniformed personnel include the potential for confrontation. The primary responsibility for avoiding or defusing this risk lies with the non-uniformed officer(s).

Their actions and deportment when contacted by a uniformed officer are critically important. The following suggestions are intended to assist in avoiding or alleviating the tension possible in such contacts. The plainclothes officer should:

- Carry his firearm well concealed, rather than partially or completely exposed to view.
- When stopped, identify himself verbally and indicate where credentials and weapons are located.

- Follow the instructions of the uniformed officer explicitly.
- Avoid any sudden movement which could be interpreted as suspicious or threatening. Keep hands in sight and open.
- Comply with any requests of the uniformed officer without hesitation.
- Be prepared to provide the name and telephone number of a supervisor or other agency member that may be contacted for verification as requested by the uniformed officer.

The uniformed officer's conduct and deportment in such situations shall go far in preventing lingering feelings of animosity. A concern for one's safety shall be understood. However, unusual requests or unreasonable tactics tend to generate resistance and should be avoided. The uniformed officer should:

- Ensure that verbal instructions are clear and concise.
- Request location of credentials and examine them thoroughly.
- Contact the plainclothes officer's unit of assignment when there are doubts as to the authenticity of credentials.
- Request that a uniformed field supervisor respond, should circumstances dictate.

UNPLANNED EVENTS:

- Recognizing the changing nature and directions that investigations may take, service agencies may find it necessary to enter into a venue agency's jurisdiction without prior coordination. In such instances, the venue agency shall be notified as soon as possible, conforming to above procedures.

3.256.15 Use of Investigative Decoys

In order to obtain information and evidence regarding certain criminal activities, including offenses concerning the sale of alcoholic beverages to persons under the age of twenty-one (21), it is sometimes necessary that the Department utilize investigative decoys. All persons serving as investigative decoys for the Department shall be carefully screened and selected from volunteer applicants eighteen (18) years of age or older. No person shall be utilized by the Department as an investigative decoy until he has first read and voluntarily signed the Department-approved "Agreement to Serve as Investigative Decoy, Assuming Risk of Injury, Waiving Damages, and Releasing and Holding Harmless the San Bernardino County Sheriff's Department and the County of San Bernardino From All Liability and Claims." All investigative decoys shall serve at the will of the Sheriff.

Investigative decoys shall follow all prescribed requirements for their assignment as an investigative decoy and all instructions and orders of their supervising Sheriff's deputies, and shall not engage in entrapment. Investigative decoys shall not commit any act or fail to perform any duty imposed by law which constitutes a crime, or of the Department while either on- or off-duty during their term of service as an investigative decoy.

3.258. Obtaining Information from Utility Companies

The obtaining of investigative information routinely from any gas, electric, water, or telephone company shall be accomplished by personnel assigned to Criminal Intelligence.

After hours, and/or in an emergency and with the permission of a supervisor, a member may directly call a utility company.

When a utility company is contacted in this manner, Criminal Intelligence shall be advised the following work day so that they

can comply with agreements and procedures set forth with the various utility companies.

To obtain information from telephone companies regarding toll call record information, a search warrant or subpoena may be required. Criminal Intelligence shall be advised the following work day so that they can comply with agreements set forth with various utility companies.

3.260 Notification of Gangs/Narcotics Division

The Gangs/Narcotics Division shall serve as a support division to assist department personnel in the investigation of major gang, narcotic, and human trafficking investigations as needed. Department personnel initiating, or tasked with, such investigations shall notify LA Clear at its inception to prevent jeopardizing existing investigations and/or undercover operations. The Gangs/Narcotics Division may assist station personnel with such notifications when requested to do so.

3.260.10 Criteria for Gangs/Narcotics Division Notification

Gangs:
The Gang Unit is available to assist Department personnel with gang-related investigations or inquires as needed.

Department personnel are encouraged to communicate gang-related activity and intelligence to the Gang Unit as soon as practical.

The Homicide Detail shall notify the Gang Unit of all gang-related homicides.

Human Trafficking:
The Human Trafficking Unit shall be notified of all Human Trafficking arrests and initiated investigations as soon as

practical; and, is available to assist Department personnel with Human Trafficking investigations or inquiries as needed.

Narcotics:
The Narcotics Unit shall be notified in the following instances:

- Clandestine laboratories
- Cases involving drug trafficking organizations
- Conflicts with any other law enforcement agencies identified by LA Clear

San Bernardino County Auto Theft Task Force (SANCATT):
SANCATT is available to assist Department personnel with investigations or inquiries regarding auto thefts. Members are encouraged to communicate to SANCATT all information regarding auto-theft rings or illicit dismantling operations.

3.260.15 Procedure for Gangs/Narcotics Division Notification

These procedures shall be followed regarding notification for gang investigations:

- Generally, during normal working hours, the investigator or deputy responsible for gang investigation shall notify the Gangs/Narcotics Division, or the current on-call sergeant for gang investigations.
- Outside normal working hours, the on-call sergeant for gang investigations shall be contacted through Dispatch.

The on-call sergeant will evaluate the request and commit personnel or manpower according to immediate need and shall notify the commander of the Gangs/Narcotics Division when appropriate.

In the event of a gang-related homicide, the homicide team sergeant on scene shall contact the on-call gang sergeant directly to ensure a timely response.

The following procedures shall be followed regarding notification for narcotic investigations:

- Generally, during normal working hours, the investigator or deputy responsible for the narcotics investigation shall notify the Gangs/Narcotics Division, or the current on-call sergeant for narcotic investigations.
- Outside normal working hours, the on-call sergeant for narcotics investigations shall be contacted through Dispatch.

Once the notification is made, the on-call sergeant shall ensure that a check is made through the intelligence systems utilized by this Department.

The on-call sergeant will evaluate the request and commit personnel according to immediate need and shall notify the commander of the Gangs/Narcotics Division when appropriate.

The commander of the Gangs/Narcotics Division and the commander of the division initiating the investigation shall determine the extent of the involvement of the originating officer in the continuing investigation. The Gangs/Narcotics Division shall notify the member who initiated the information of the results of the investigation.

3.262. Clandestine Drug Laboratories

A clandestine laboratory is any combination of glassware, apparatus, chemicals, empty containers, waste, or other items which may have been used to manufacture a controlled substance or could be used to manufacture a controlled substance.

Due to the inherently dangerous nature of clandestine drug laboratories, only those members of the Department who have received clandestine laboratory training and possess laboratory

safety equipment may enter and investigate clandestine drug laboratories.

Any member of the Department who receives information about a clandestine drug laboratory shall immediately notify the Gangs/Narcotics Division. The investigation of clandestine laboratories is principally the responsibility of the Gangs/Narcotics Division.

When a member discovers a clandestine laboratory, he should evacuate the immediate location of all persons. Potential suspects should be detained outside of the location. The fire department may be requested to respond to provide fire protection and first aid. The member shall protect the scene until the Gangs/Narcotics Division arrives.

At no time shall any member, who is not assigned to the Gangs/Narcotics or Scientific Investigations Division, or under their direction, move, neutralize, or transport any item or hazardous chemical from the scene.

Contaminated items and chemicals seized shall not be stored in a station evidence locker. Only the Scientific Investigations Division may store chemicals and items that are determined to be evidence.

SUPERVISOR'S RESPONSIBILITY: When a supervisor receives notification that a member under his direction has discovered a clandestine drug laboratory, he shall insure the Gangs/Narcotics Division has been notified. If subjects are deceased at the clandestine laboratory, the supervisor shall also notify the Specialized Investigations Division, Homicide Detail, and the Coroner Division. If the clandestine laboratory has been involved in a fire or explosion, the Arson/Bomb Detail shall be notified.

3.264. Explosives, Bombs, and Ordnance at Crime Scenes

Field officers shall make the preliminary investigation of all calls involving actual or suspected explosives, homemade bombs, military ordnance, or other destructive device that may be involved or if the device has detonated or partially exploded, the Sheriff's Bomb Detail shall be immediately notified and officers shall be guided by their direction.

No attempt shall be made to neutralize, disarm, move, or transport an explosive, homemade bomb, military ordinance, or destructive device, except under the direction of an explosives specialist.

NOTE: In small quantities, fixed ammunition under .50 caliber size, blank cartridges, fireworks, railroad flares, and fuses are not considered to be dangerous explosives.

3.266. Found Property

A Found Property Affidavit shall be completed when a Found Property Report is taken. The affidavit shall comply with the California Civil Code. A copy of the affidavit shall be given to the station/division property officer for further action.

3.268.10 Found Juveniles

When a juvenile is reported to a deputy as found or surrenders himself, the deputy receiving the report and/or is assigned to the call shall take custody of the juvenile and attempt to locate the juvenile's residence. In the event that these efforts are unsuccessful, the juvenile shall be returned to the

station/division and Children and Family Services shall be notified.

A Juvenile Application for Petition shall be completed and a copy with an original signature shall be given to the Children and Family Services Officer along with the juvenile for placement

3.270. Missing Persons: Adults

All missing person reports and investigations shall be conducted in accordance and compliance with all applicable California Penal Code sections, P.O.S.T. "Guidelines for Missing Persons Investigations" and Department policy.

A missing person is defined as any adult person who is absent and reported missing to a law enforcement agency. It also includes any person who is missing voluntarily or involuntary or any circumstances not conforming to their ordinary habits or behavior and who may be in need of assistance.

Deputy Sheriff's, dispatchers or other designated personnel who receive the initial notification, by phone, in person, or by electronic media should determine if the call is a missing person case. It is the duty of all personnel to immediately assist anyone attempting to make a missing person report and accept the report regardless of jurisdiction.

When the missing person resides in another agencies' jurisdiction, that agency shall be notified without delay and a copy of the completed report must be sent to that agency and the agency having jurisdiction where the missing person was last seen.

In cases where another agency has taken the initial missing person report and the missing person either resides or was last

known to be in our jurisdiction, that report will be accepted and an investigation will be conducted by our agency.

Personnel assigned to the report of a missing person must evaluate all circumstances to determine if the subject is "at-risk." Considerations may include, but are not limited to:

- Missing in a remote area or determined to be "lost"
- Endangered due to being elderly
- Victim of a crime or foul play
- In need of medical attention
- No pattern of disappearing or being absent
- The victim of an abduction
- Mentally impaired

If the missing person is determined to be "at-risk", the watch commander shall be advised and the report shall be completed within four hours of the initial call for service.

In cases where the missing person is absent due to "high-risk" circumstances such as abduction, suspicious circumstances, missing over 30 days, or when there is reason to believe they are in danger or deceased, the immediate collection of a sample of the missing person's DNA and, if possible, fingerprints should be obtained. The DNA and fingerprint samples must be returned to the person providing the samples if the missing person is located and identified prior to the processing of the samples. The family or relatives of the missing person must be notified of their right to provide a voluntary DNA sample.

In "at-risk" and "high-risk" cases, the use of "A Child Is Missing" (ACIM) neighborhood notification program should be considered.

When a person is missing in a remote area and/or circumstances may indicate the need for a large scale,

organized search, the watch commander shall be immediately notified.

If foul play is suspected, the Specialized Investigations Division shall be notified immediately.

All reports of missing persons take priority over property crimes and must be taken without delay. Special attention and priority will be given to reports of missing persons with physical and mental limitations.

It is the responsibility of assigned department personnel to complete a report and conduct a thorough investigation in all missing person cases that includes the following:

- Face Page
- Narrative
- Disposition and routing
- DOJ Missing Person Report
- Signature release for photo, dental/skeletal and medical records
- Interview of the reporting party, involved persons and witnesses
- The completion of computer teletype data to Sheriff's Records within two hours for entry into DOJ's Missing Person System, NCIC and CLETS.
- The broadcast of a "Be On the Look Out" (B.O.L.O.) within the jurisdiction if there is evidence the person is at risk.

When a missing person is located by our agency, it is the responsibility of the deputy who located the individual to send (or cause to be sent) the required notification(s) to remove them from the Missing Person System.

A person's status as missing will remain until they are located alive or deceased. A declaration of death issued by court order

without the person being physically located and identified is not justification to remove them from the Missing Person System.

If an outside law enforcement agency made the initial missing person report, they shall be immediately notified by telephone and a copy of the located report shall be forwarded to that agency.

3.270.10 Missing Persons: Juveniles:

All missing juvenile reports and investigations shall be conducted in accordance and compliance with all applicable California Penal Code sections, P.O.S.T. "Guidelines for Missing Persons Investigations" and Department policy.

A missing juvenile is defined as any person under the age of 18 who is absent and reported missing to a law enforcement agency. It also includes any child who is missing voluntarily or involuntary or any circumstances not conforming to the juvenile's ordinary habits or behavior and who may be in need of assistance.

Deputy Sheriffs, dispatchers or other designated personnel who receive the initial notification by phone, in person, or by electronic media should determine if the call is a missing juvenile case. It is the duty of all personnel to immediately assist anyone attempting to make a missing juvenile report and accept the report regardless of jurisdiction.

When the juvenile resides in another agencies' jurisdiction, that agency shall be notified without delay and a copy of the completed report must be sent to that agency and the agency having jurisdiction where the juvenile was last seen.

In cases where another agency has taken the initial missing juvenile report and the juvenile either resides or was last known

to be in our jurisdiction, that report will be accepted and an investigation will be conducted by our agency.

Personnel assigned to the report of a missing juvenile must evaluate the investigation and all circumstances to determine if the juvenile is "at-risk." Considerations when determining "at-risk" may include, but are not limited to:

- Missing in a wilderness area or determined to be lost
- Victim of a crime or foul play
- In need of medical attention
- No pattern of running away or disappearing
- The victim of parental abduction
- Mentally impaired

If the missing person is under 16 years of age or determined to be "at-risk," the watch commander shall be advised and the report submitted within four hours of the initial call for service.

In cases where the missing person is absent due to "high-risk" circumstances, such as abduction, suspicious circumstances, missing over 30 days, or when there is reason to believe they are in danger or deceased, the immediate collection of a sample of the missing juvenile's DNA and, if possible, fingerprints should be obtained. The DNA and fingerprint samples must be returned to the person(s) providing them if the missing person is located and identified prior to the processing of the samples. The family of the missing juvenile must be notified of their right to provide a voluntary DNA sample.

In "at-risk" or "high-risk" cases, the use of "A Child Is Missing" (ACIM) neighborhood notification program should be considered.

When a juvenile is missing in a wilderness area and/or circumstances may indicate the need for a large scale

organized search, the watch commander shall be notified immediately.

If foul play is suspected, the Specialized Investigations Division shall be notified immediately.

All reports of missing juveniles take priority over property crimes and must be taken without delay. Special attention and priority will be given to reports of missing juveniles with physical and mental limitations.

It is the responsibility of assigned department personnel to complete a report and conduct a thorough investigation in all missing juvenile cases that includes the following:

- Face page
- Narrative
- Disposition and routing
- DOJ Missing Person Report
- Signature release for photo, dental/skeletal and medical records
- Interview of the reporting party, parents/guardians and witnesses
- The completion of computer teletype data to Sheriff's Records within two hours for entry into DOJ's Missing Person System, NCIC and CLETS
- Cause the broadcast of a "Be on the Look Out" (B.O.L.O.) within the jurisdiction if the missing juvenile is under the age of 16 or there is evidence the juvenile is at-risk

Personnel assigned to a report of a missing juvenile who is believed to be a victim of a "Child Abduction" shall determine if the facts and circumstances meet the requirements of an "Amber Alert Activation." The requirements of an "Amber Alert Activation" include ALL of the following:

- The missing child must be 17 years old or younger or have a proven mental or physical disability
- The agency believes the child has been abducted unwillingly from their environment without the permission of child's parent or legal guardian
- The agency believes the missing child is in danger of serious bodily harm or death
- Sufficient information is available to disseminate to the general public that could assist in the location and recovery of the victim and/or the apprehension of the suspect(s)

Immediate notification to the watch commander shall be made on all cases meeting the requirements of an Amber Alert Activation. The Department's "High Risk Abduction Response Plan – Amber Alert" is available at each station/command and can be found on Starlink.

In cases qualifying for an Amber Alert Activation, other high-risk abductions, circumstances indicating foul play or suspected homicide, the Specialized Investigations Division shall be notified immediately.

When a missing juvenile is located by our agency, it is the responsibility of the deputy who located the juvenile to send (or cause to be sent) the required notification(s) to remove that person from the missing person system.

A juvenile's status as missing will remain until they are located alive or deceased. A declaration of death issued by court order or the subject turning the age of 18 without the person being located is not cause to remove the juvenile from the Missing Person System.

If an outside law enforcement agency made the initial missing person report, they shall be immediately notified by telephone

and a copy of the located report shall be forwarded to that agency.

3.270.15 Missing Juveniles: Out of Home Placement and Court Orders

Reports of juveniles missing from court ordered or temporary protective placement under any circumstances shall be accepted. The presence of active arrest warrants, court ordered placement, protective temporary placement or any other type of custody or placement status are not a consideration when determining the acceptance or disposition of a missing juvenile report.

A report shall be taken without delay, the child entered into DOJ's Missing Person System and the investigation treated as a priority. No deviation from department policy regarding missing juvenile reports and investigations shall be made based upon the court or custody status of a juvenile.

A completed copy of the missing person report and investigation shall be forwarded to the appropriate probation department and/or court responsible for the custody of the missing juvenile.

3.270.20 Missing Persons: Searches

When a person of any age is missing in a remote area and/or circumstances indicate the need for a large scale, organized search, the watch commander shall be notified. If an organized

search is determined to be necessary, notifications must be made to:

- Division Commander
- The division's on-call investigator
- The division's on-call search and rescue coordinator
- Volunteer Forces on-call personnel

All search and rescue operations for missing persons require organized management and documentation with the Incident Command System (ICS). Search and rescue operations require the missing person investigation continue by sworn department personnel with information shared between the search operations and the investigation.

Search and Rescue operations that become large in scale or continue for multiple operation periods should consider the use of the Department's Incident Command System (ICS) Team. The Department's ICS Team may be activated with a request to the on-call Volunteer Forces personnel.

In these situations, the use of "A Child is Missing" (ACIM) neighborhood notification program should be considered. The ACIM program is eligible for all critically missing persons; however, may only be implemented upon approval by the Division Commander or his designee.

3.270.45 Investigations Involving Juveniles at Schools

If an investigation involves the questioning of a student under eighteen (18) years of age on school grounds or premises during school hours, assistance from school personnel shall be

requested. If an immediate investigation is necessary, the officer shall:

- Contact the school principal or vice-principal and explain the reason for desiring to arrest or question the student.

NOTE: An officer has the authority, if necessary, to question the student at the school, with or without the permission of the principal or vice-principal. Additionally, the officer may also remove the student from the school, if necessary, for the purposes of questioning or placing him under arrest.

3.270.55 Miranda Warning - Juvenile Offenders

Suspects under eighteen (18) years of age, described in sections 601 and 602 of Welfare and Institutions Code, upon being taken into custody, shall be advised of their Miranda Rights, regardless of whether they are to be interrogated or not.

Prior to any other custodial interrogation, and before the waiver of any Miranda rights, a youth 17 years of age or younger, shall consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived.

For access to an attorney for a juvenile custodial interview, the San Bernardino County **hotline numbers are (909) 387-0569 or (909) 501-6943**.

If a youth 17 years of age or younger refuses to consult with legal counsel, Department members shall not conduct a custodial interview of the youth.

If a youth 17 years of age or younger consults with legal counsel and prior to conducting an interview of any youth 17 years of age or younger, a safety member shall read the Miranda warning and the questions which follow verbatim as presented on the standard Sheriff's Department Miranda Warning Card. If the youth indicates an understanding of the Miranda Rights and waives those Miranda Rights, a safety member may conduct the interview.

If a youth is 14 years of age or younger and agrees to be interviewed after waiving their Miranda rights, the safety member shall complete a Gladys R form.

Revised: 2-10-21

3.270.60 Filing Juvenile Petitions

When investigating cases that involve a juvenile suspect, the safety member shall ensure that all necessary reports be completed prior to filing the petition.

In situations where the juvenile is being booked into Juvenile Hall, the Juvenile Application is filed with the Intake Probation Officer at Juvenile Hall.

3.270.65 Juveniles Left Unattended Due to Arrest of Adult

If the arrest of an adult causes a juvenile(s) to be left unattended and without proper care and supervision, the arresting safety member shall take the juvenile(s) into protective custody as per W&I Code sections 300 and 305.

The juvenile(s) shall be turned over to Child and Family Services for placement.

3.274. High Risk Abduction Response Plan - Amber Alert

The Department has implemented a High-Risk Abduction Response Plan that incorporates an Amber Alert procedure in compliance with state law. A copy of the current plan shall be available at each station/division.

Commanders shall ensure that responses to abductions by personnel under their command comply with all policies and procedures approved by the Department, as set forth in the Department's current High-Risk Abduction Response Plan.

3.278. Bomb Threats

An employee receiving information regarding a bomb threat at any building, public or private, other than a school, shall immediately cause a field unit to be dispatched to the scene.

If preliminary investigation reveals that dangerous explosives may be involved, the Sheriff's Bomb Detail shall be notified and officers shall be guided by their direction.

The decision to evacuate any building or office rests with the person in charge of the building or office.

3.278.10 Bomb Threats at Schools

An employee receiving information regarding a bomb threat at a school shall immediately cause a field unit to be dispatched to the scene. A school security officer or person in charge of the school shall be notified to respond to the scene, if not already there.

If a preliminary investigation reveals that dangerous explosives may be involved, the Sheriff's Bomb Detail shall be notified to respond to the scene.

The decision to evacuate a school or to search a school during school hours, rests with the school official in charge.

Notifications concerning bomb threats at schools shall be made by telephone whenever possible. Departmental personnel shall avoid transmitting the information by means likely to result in its becoming generally known.

3.280. Search Warrants

Search warrants that are obtained and intended for the search and/or recovery of records or electronic information and are served via email, mail or electronically transmitted, do not require a Threat Assessment Matrix Checklist or Operation Plan.

Additionally, search warrants for the recovery of evidence, information and/or property not under the control of the suspect and/or his associates at a location accessible to the public (e.g. bank, real estate office, sales center, hospital, mini-storage) do not require the Threat Assessment Matrix Checklist or Operation Plan. Search warrants served in a law enforcement controlled environment (e.g. Police/Sheriff's station, jail, vehicle impound lot or crime scene) are also exempt. All other search warrants require the Threat Assessment Matrix Checklist and Department Operation Plan.

A sergeant shall review all search warrants before submission for judicial approval.

If a Threat Assessment Matrix Checklist is required, members shall submit the Matrix Checklist to a sergeant for review, approval, signatures and, if required, command staff notification before submitting the search warrant for judicial approval.

If an Operation Plan is required, members shall submit the plan to a sergeant for review, approval and signatures before serving the search warrant.

Members shall not serve a search warrant requiring a Threat Assessment Matrix Checklist and Operation Plan without a supervisor present.

Members engaged in the service of search warrants requiring the Threat Assessment Matrix Checklist and Operation Plan shall wear department approved Body Armor as defined in policy 2.606 (Body Armor).

In addition to the required forms and deconfliction, members shall notify the on-duty watch commander and the dispatch center of the jurisdiction in which the operation is being conducted, and document the contact on the Department Operation Plan.

3.280.10 Search Warrant Threat Assessment Matrix Checklist

The Threat Assessment Matrix Checklist is a risk assessment tool. The matrix provides Department personnel with a structured method to assess and reduce risks associated with search warrants. The entire document shall be completed thoroughly, and all verifiable information shall be included.

A sergeant shall review the matrix for completeness and accuracy and sign the Threat Assessment Matrix Checklist form, prior to obtaining judicial approval.

The sergeant shall notify the station command staff, when certain criteria are met, as required by the Matrix. Command staff shall review the document, the circumstances of the case and obtain the necessary information to determine if additional resources or specialized units are required.

If exigent circumstances exist and a sergeant is unavailable, and all other attempts have been made to have a sergeant review the Threat Assessment Matrix Checklist, the assigned watch commander or acting sergeant may sign the Threat Assessment Matrix Checklist. The exigent circumstances and attempts to contact a sergeant shall be documented in the Operation Plan.

After an operation, the Threat Assessment Matrix Checklist becomes a historical document detailing the planning and professionalism of those involved. The completed Threat Assessment Matrix Checklist shall be attached to the associated crime report.

3.280.20 Search Warrant Operation Plan

The Search Warrant Operation Plan is a document detailing the considerations of tactical and non-tactical operations. The Operation Plan shall be completed on all applicable search warrants (as defined in section 3.280) and should be considered for arrest warrants and pre-planned events.

The Operation Plan should be used to detail tasks, objectives, guidelines, equipment needed, and other information pertinent to the mission. Although comprehensive, the document is not all-encompassing and additions can be made.

The document is broken into five sections: situation, mission, execution, service and support, and command and signal. The Operation Plan is both a plan and a set of orders. In the planning phase of any operation, it is imperative to organize and work out as many details as possible.

A supervisor shall review and sign the Operation Plan prior to the service of the search warrant.

If exigent circumstances exist and a sergeant is unavailable, and all other attempts have been made to have a sergeant review the operation plan, the assigned watch commander or acting sergeant may sign the Operation Plan. The exigent circumstances and attempts to contact a sergeant shall be documented in the Operation Plan.
After an operation, the Operation Plan becomes a historical document detailing the planning and professionalism of those involved. The completed Operation Plan shall be attached to the associated crime report.

3.280.30 Search Warrant Supervisor Responsibilities

The supervisor shall review the completed search warrant, before submission for judicial approval, for completeness, quality, accuracy, probable cause, proper formatting, night service

verification (if applicable), and after hours judicial contact (if applicable).

The supervisor shall review the Threat Assessment Matrix Checklist for completeness and accuracy and sign the Threat Assessment Matrix Checklist, prior to obtaining judicial approval.

The supervisor shall notify the station command staff, when certain criteria are met, as required by the Matrix. Command staff shall review the document, the circumstances of the case and obtain the necessary information to determine if additional resources or specialized units are required.

In circumstances not clearly defined, as to whether the Search Warrant Threat Assessment Matrix Checklist and Operation Plan are required, the supervisor shall conduct a comprehensive assessment of the circumstances, and determine if the documents are necessary.

Once the warrant is signed, the supervisor shall review the Operation Plan to ensure the information is accurate, complete, and verifiable.

The supervisor shall also ensure the tactics outlined in the Operation Plan are sound, legally permissible, and consistent with Department training.

The means of the search warrant execution shall be balanced with the necessary resources to manage the risk of the warrant service, and issues relating to the safety of the community, officers and occupants.

Supervisors who have completed this review and determined the plan meets all requirements shall sign the documents to indicate their approval.

A Department member at the rank of sergeant or higher shall be present during the service of all search warrants requiring the Threat Assessment Matrix Checklist and Operation Plan. If exigent circumstances exist and a sergeant is unavailable, and all other attempts have been made to have a sergeant present, the assigned watch commander or acting sergeant may supervise the search warrant service. The exigent circumstances and attempts to contact a sergeant shall be documented in the Operation Plan.

After an operation, the reviewing supervisor shall ensure that the completed Threat Assessment Matrix Checklist and Operation Plan are included in the associated crime report.

3.280.40 Search Warrant Deconfliction

Prior to the service of any search warrant, Department personne shall ensure LA Clear is contacted to minimize conflict with other agencies and/or investigations, and to ensure personnel have the most current information on the target location, possible occupants, phone numbers, license plates and other relevant data.

3.282. Hazardous Conditions

If an officer is dispatched to, or while on routine patrol observes, a hazardous condition which may endanger lives or property, or which may create a civil liability to the County, the officer shall isolate the scene and notify the dispatcher.

3.282.10 Broken Power/Transmission Lines

A power or transmission line, which is broken or creates a hazardous condition, shall be reported to the agency responsible for correcting the condition.

3.282.15 Broken Water Lines/Fixtures

Any public water distribution conduit or outlet, which is broken or creates a hazardous condition, shall be reported to the respective water agency.

3.282.20 Removing Debris from Roadways

Debris in the street, which constitutes a hazard, shall be removed by:

- The person(s) responsible for the debris (violations enforced under County Code and/or state law).
- State, County, or City Road Departments, whichever applies.
- The fire department for flammable or toxic liquid spills (refer to section 3/1009).
- The officer.

3.282.25 Emergency Street Repairs

Requests for emergency street repairs and service, and/or barricades, shall be made for the following hazards:

- Damaged streets and sidewalks.
- Damaged, missing, or obstructed traffic control devices.
- Broken guardrails.
- Oil spills, glass, or other debris constituting a hazard in the street.
- Landslides blocking or covering streets.
- Any other hazard on the street which may create a civil liability for the County.

Requests for emergency street repairs and/or services shall be made through dispatch. The employee making the request shall supply the following information:

- The type of hazard.
- The specific location of the hazard, including the nearest cross street.

3.282.30 Defective Traffic Control Signs and Signals

When officers observe or receive information that any official traffic control device is defective, damaged, or missing, he shall:

- Immediately notify his dispatcher and cause the appropriate repairing agency to be notified.
- When conflicting directions are displayed, take the appropriate action to eliminate the hazard of traffic accidents or incidents.

NOTE: This may require the officer to personally direct the flow of traffic.

When a traffic signal repairman is at the scene of a defective traffic signal, the decision as to whether the signal is to be turned off shall be made by the repairman.

3.280.60 Search Warrants for Electronic Communications

All requests for electronic communications to include Pen Register Trap and Trace, GPS location information, call detail records, extended subscriber records, and emergency requests for communication information will require a search warrant per Penal Code1546. The member shall have their supervisor review the search warrant prior to sending it to a judge per Department policy 3.280 and follow the below guidelines:

- At no time shall a Department member contact the communications carriers directly.

- Department members requiring electronic communication information from any communications carrier will contact the Gangs/Narcotics Electronic Surveillance Unit (ESU) for all required forms.

- After judicial review, all search warrants and supporting documents for any electronic information shall be forwarded to the ESU. Upon receiving the request, ESU will handle all communications with the carriers to obtain the requested information.

- Department members requesting information related to historical records, such as subscriber information, call detail records, or cell tower information shall email their request to irnetesu@sbcsd.org.

- Department members requesting live or on-going intercepts, such as Pen Registers, Pings, Title III intercepts, or exigent/emergency requests shall email their requests to intercepts@sbcsd.org

- Once ESU receives the requested information from the communication carrier, ESU will forward the requested information to the requesting Department member(s). ESU personnel will stay in contact with the requesting Department member to ensure all notification requirements have been met by the Department as outlined in Penal Code Sections 1546.2 and 1546.4.

Emergency Requests

If a Department member believes an emergency exists of possible imminent danger of death or serious physical injury to a subject(s) and/or the apprehension of an armed and dangerous subject(s) wanted for a violent felony requires immediate access to any electronic communications information, Department members shall contact dispatch and request the number to the on-call ESU supervisor. The ESU supervisor will process the emergency request and provide the

information to the requesting member. Department members shall complete a search warrant or emergency order and have a judicial review within 3 days and a copy of that warrant shall be sent to ESU via email.

This policy does not prevent a member assigned to Sheriff's Department Communications Division from contacting their supervisor for a life-threatening emergency to obtain an emergency "ping" on a subject's cellular phone. The Communications supervisor in those situations may contact the carrier directly to obtain the phone's location per PC 1546.1(c)(6) and 1546.1(c)(11). Within 24 hours the Communications supervisors shall contact ESU and advise them of the emergency order.

If the Communications supervisor obtains an emergency "ping", the supervisor shall:

- Contact the areas Station/Division supervisor and as soon as reasonable the supervisor shall have a member assigned to that Station/Division obtain a search warrant for the emergency "ping". The warrant will be forwarded to ESU once signed.

- If the emergency "ping" is found to be outside the Department's jurisdiction, the Communications supervisor shall send a copy of the call history to the ESU supervisor.

Revised 01-17-22

3.282.35 Hazardous Conditions on Private Property

When a dangerous, unprotected, or hazardous condition is located on private property, the officer shall attempt to locate the owner of the property and advise him of the hazardous

condition. The Department of Building and Safety shall be notified through the appropriate dispatch center.

3.284. Threats to Members and Other Public Officials

Threats, both expressed and implied, against employees and other public officials with whom the Department has a relationship, are a constant concern and require investigation, assessment, and documentation different from that routinely done for other members of the community. To insure an effective response, such threats must be promptly reported to a centralized unit where their potential for violence can best be assessed and unknown perpetrators have the best chance of being quickly identified.

When a threat appears to be real and imminent, appropriate resources from throughout the Department should be utilized to protect potential victims and mitigate the threat.

Besides both professional staff and sworn Department employees and their families who might be threatened as a result of the employee's official duties, domestic violence, or behavior, persons requiring such protection include elected County officials, appointed County department heads, judges, and elected officials and department heads of municipalities that contract with the Department for law enforcement services.

Department supervisors and managers shall promptly report threats and potential threats against Department employees and other public officials to the Criminal Intelligence Detail. The commander of the Criminal Intelligence Detail shall assist the commander of the effected station or division to promptly investigate and assess each threat and recommend appropriate action. To this end, the commander of the Criminal Intelligence Detail shall maintain records of documentation of such threats for the maximum period allowed by law so that

new incidents may be compared with records of previous threats in an effort to identify suspects from the records of those who have threatened before.

3.286. Robberies

Upon receiving a robbery call, the dispatcher shall ensure that units are dispatched to the call.

The dispatcher shall be immediately notified by the safety members assigned to a robbery call if they are engaged in duties, or circumstances exist, that will delay their arrival at the scene.

Units in the vicinity of a robbery call, other than the primary units, shall concentrate their efforts on searching the surrounding area for suspects and/or vehicles for which descriptions have been broadcast.

When an immediate follow-up investigation of a robbery is warranted and circumstances exist that prevent the assigned safety member from continuing the investigation, a supervisor shall notify a station/division detective so the investigation can continue.

Revised: 11-19-20

3.288. Arsons

The Specialized Enforcement Division Arson-Bomb Detail shall be notified when a station/division initiates an investigation involving any of the following:

- Fires where there is reason to suspect arson.
- Fires that have resulted in the loss of human life or great bodily harm.
- Fires that involve a San Bernardino County building or public school.
- Major fires that involve large commercial or industrial sites.
- Fires that are associated with the commission of another crime (i.e., attempt to cover up a murder, burglary, etc.).

The arson investigation shall be coordinated between members of the Arson-Bomb Detail and the investigating station/division.

When an arrestee is to be interviewed regarding an arson-related offense, the investigating member shall request the presence of an arson investigator, whenever practicable.

Revised: 11-19-20

3.290. Counterfeit Currency

Counterfeit currency consists of any currency which has been fraudulently produced, printed, manufactured, or forged, and which purports to be United States currency; or any United States currency which has been altered or raised so as to portray a value other than its true face value.

Although currency is most frequently counterfeited, the provisions outlined in this section apply to all forms of

counterfeiting including coins, negotiable postage stamps, bonds, food stamps, etc.

Employees investigating a counterfeiting violation shall notify the Forgery Detail of the Specialized Investigations Division, or when the office is closed, the concerned detective division, and be directed by them to continue with the investigating division or detail. This notification shall be completed when:

- An arrest for a counterfeiting violation is made. Booking approval shall be obtained from the concerned investigating division or detail, or the concerned watch commander. Prior to booking, the employee should notify the U. S. Secret Service.
- The suspect is in possession of counterfeit currency, raised currency (currency having the corners of large bills illegally affixed to raise the face value), an unusual number of corners cut from currency above two-dollar denomination, with the ends torn off. Employees shall complete the required crime reports and secure all appropriate evidence in accordance with established procedures.

3.302. Domestic Violence

Domestic violence is defined as intentionally causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself or another. The victim of domestic violence must be an adult or an emancipated minor who is the spouse, a former spouse, cohabitant or former cohabitant, or a person with

whom the suspect has had a child, or a dating or an engagement relationship.

Members of the Department shall treat all domestic violence as criminal conduct. Domestic violence incidents shall be treated the same as all other requests for law enforcement assistance in cases where there has been physical violence or the threat thereof. In accordance with state law and Department policy, an arrest shall be made in a domestic violence incident when there is reasonable cause to believe that a felony has occurred, regardless of the victim's desire for prosecution.

Dispute mediation shall not be used as a substitute for appropriate criminal proceedings in domestic violence cases where physical violence has occurred.

3.302.10 Domestic Violence: Key Words and Phrases

Penal Code sections 13519 and 13700 et seq. mandates how California law enforcement shall respond to and handle domestic violence calls.

The purpose and intent of this policy is to address domestic violence as a serious crime, to ensure that victims of domestic violence be given the maximum protection from abuse that our Department can possibly provide, and to mandate consistency throughout the Department in our efforts to properly investigate these domestic violence situations. It is the intent and the policy of the Department in response to domestic violence calls that we stress the proper enforcement of all laws to protect the victims of these crimes. Additionally, members of this Department shall communicate the attitude that violent behavior in the home is criminal conduct and shall not be tolerated. Arrests of domestic violence offenders are encouraged if there is probable cause to believe that an

offense has been committed (refer to Penal Code section 13701).

It is important to understand the meaning of certain key words or phrases in dealing with domestic violence calls:

- 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 himself or another.
- CIVIL RESTRAINING ORDER means any court order issued pursuant to Family Code section 6218 and Code of Civil Procedure sections 527.6 and 527.8. A violation of such an order is a violation of Penal Code section 273.6(a).
- DOMESTIC VIOLENCE is abuse committed against an adult or fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or has had a dating or engagement relationship.
- DUAL ARREST means an arrest of more than one party involved in an incident of domestic violence.
- FAMILY VIOLENCE as defined in Penal Code section 12028.5 has the same meaning as domestic violence and also includes any abuse perpetrated against a family or household member.
- OFFICER means any law enforcement officer as defined in Penal Code section 830.1, et seq.
- PROTECTIVE ORDER means any court order restraining a party from contacting and/or harassing another party, including a Civil Restraining Order and Criminal Stay-Away Order.

- STAY-AWAY ORDER means any court order requiring one party to stay away from another that is in effect during the pendency of a criminal case, or imposed as a term of a defendant's probation during the time before the trial. Such an order is issued pursuant to Penal Code section 136.2 or 1318(a)(2).
- VICTIM means a person who is a victim of domestic violence.

In all incidents of domestic violence, a report shall be written and shall be thus identified on the face of the report as a domestic violence incident. Refer to Sheriff's Department Crime Report face sheet (CR-1):

- Section "74" listed under Crime Stats on the CR-1 deals with domestic violence and enumerates categories for check-off under the following headings:
    - Injuries:

    9. None
    10. Minor
    11. Major
    12. Weapons (involved)

Sheriff's stations and contract cities shall submit reports of domestic violence related calls for assistance.

Mere mutual pushing and shoving does not necessarily constitute a domestic offense. Nonetheless, a domestic violence report shall be made.

3.302.15 Domestic Violence: General Criteria Determining Course of Action

The existence of the elements of a crime and/or the willingness of the victim to sign a private person arrest form shall be the sole factors that determine the proper method of handling the

incident. The following factors will not be criteria to influence the officer's course of action in domestic violence incidents:

- The relationship or marital status of the suspect and complainant, (i.e., not married, separated, pending divorce, etc.).
- Whether or not the suspect lives on the premises with the complainant.
- The lack of, or the existence of, a temporary restraining order.
- The potential financial consequence of arrest.
- The complainant's history of prior complaints.
- Verbal assurances that violence shall cease.
- The complainant's emotional state.
- The injuries were not visible.
- The locale of the incident (i.e., public or private).
- Speculation that the complainant may not follow through with the criminal justice process or that the arrest may not lead to a conviction.

3.302.20 Misdemeanor Domestic Violence Arrests

In compliance with California Penal Code section 1270.1, a deputy who makes an open-charge arrest for the following offenses:

- PC 136.1(c)
- PC 243(e)(1)
- PC 273.5
- PC 273.6, or
- PC 646.9

Shall book the arrestee into the county jail, and shall complete a declaration of probable cause. No citation shall be issued.

A deputy who makes a warrant arrest for any of the above charges shall book the arrestee into the county jail. No in-field or jail citation shall be issued.

3.302.25 Domestic Violence: Victims Right to Make Citizen's Arrest

When a crime has been committed outside the deputy's presence which does not meet the requirements to constitute a felony, or does not meet the requirements to constitute a battery as defined by California Penal Code section 243(e)(1), the deputy shall inform the complainant of his right to make a citizen arrest. Whenever possible, such discussion shall be held out of the presence of the suspect.

A deputy responding to a domestic violence incident shall provide the victim with a "Victims of Domestic Violence" information card, which shall comply with the provisions of California Penal Code sections 264.2 and 13701.

Deputies shall not dissuade complainants from making a private person (citizen) arrest.

3.302.30 Domestic Violence: Dual Arrests

Dual arrests shall be discouraged, but not prohibited (refer to Penal Code section 13701). The officer shall attempt to identify the primary aggressor and arrest that person. The primary aggressor is the person determined to be the most significant, rather than the first, aggressor. In identifying the primary aggressor, the officer shall consider the following:

- The intent of the law to protect victims of domestic violence from continuing abuse.
- The threats creating fear of physical injury.
- Whether either person involved acted in self-defense.
- These same considerations shall apply in situations where mutual Protective Orders have been issued.

3.302.35 Domestic Violence: Seizure of Firearms

Per Penal Code section 1208.5, an officer who is at the scene of a family violence incident involving a threat to human life or a physical assault may take temporary custody of any firearm or other deadly weapon that is in plain sight or discovered pursuant to a consensual search as necessary for the protection of the peace officer or other persons present.

"Family violence" in this context means domestic violence as defined in Penal Code section 13700, and also includes any

abuse perpetrated against a family or household member, per Penal Code section 12028.5(a)(2) and (3).

- This provision of law is permissive and allows officer discretion.
- No firearm seized pursuant to this section shall be held less than forty-eight (48) hours.
- The person from whom the firearm is taken shall be given a receipt describing the firearm and stating where and when the firearm can be recovered.
- If the seized firearm or other deadly weapon is not to be used as evidence in a criminal case or was not illegally possessed, it shall be made available to the owner or person who was in lawful possession of it no later than seventy-two (72) hours after the seizure unless the officer files a petition pursuant to Penal Code section 1208.5(c).
- If the officer has reasonable cause to believe that the return of the firearm or other deadly weapon is likely to result in endangering the victim or person reporting the assault or threat, and there is clear and convincing evidence to support this belief, the officer shall initiate a petition pursuant to Penal Code section 12028.5(e) in superior court to determine if the firearm or deadly weapon should be returned.
- A petition pursuant to Penal Code section 12028.5(e) must be filed within ten (10) days of the seizure, and the owner of the weapon must be advised in compliance with Penal Code section 12028.5(f).
- In evaluating whether clear and convincing evidence exists to support a petition, the officer should consider and record in the report the following:
    - Does the abuser have a history of arrests or citations involving domestic violence and/or dissuading a witness?
    - Has the abuser previously violated valid protective orders?

- Does the abuser have a history of other assaultive conduct (e.g., arrests/convictions for assault, battery, assault with a deadly weapon, etc.)?
- Are there statements from the victim and/or witness expressing fear of retaliation or further violence from the abuser?
- Does the abuser have a history of illegal use or possession of firearms and other weapons?

3.304 Gun Violence Restraining Orders (GVRO)

A Gun Violence Restraining Order (GVRO) is a civil restraining order which prohibits the named person from controlling, possessing, receiving, purchasing, or otherwise having custody of any firearm or ammunition, including magazines.

A safety member who has reasonable cause to believe a person poses an immediate and present danger to themselves or another by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm, ammunition, or magazine may petition the court for a Firearms Emergency Protective Order (EPO-002). The petition should describe the number, types, and location of any firearms and ammunition believed to be possessed or controlled by the person. The petition should also describe why less-restrictive alternatives would be ineffective or are inadequate for the circumstances.

Immediate family members, employers, coworkers, teachers, or school personnel can also obtain a GVRO by petitioning the court for a Temporary Firearms Restraining Order (GV-110) on an "ex-parte" basis. "Immediate family members" are defined as any spouse, whether by marriage or not, domestic partner, parent, child, any person related by consanguinity or affinity

within second degree, or any other person who regularly resides in the household, or who, within the prior six months, regularly resided in the household.

Prior to petitioning the court, any Department member seeking a Firearms Emergency Protective Order, or a Temporary Firearms Restraining Order on an "ex-parte" basis, shall contact and obtain watch commander approval. The watch commander shall review the facts and circumstances of the GVRO and review the GVRO flow chart and Search Warrant Threat Matrix, to determine if the order is necessary and what, if any, additional resources are needed.

If the GVRO is approved by the court, and the restrained party can be contacted, the GVRO should be served as soon as practicable. A GVRO will expire within 21 days from the date of issuance and must be served at least five days before the hearing date set by the court.

SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

Situations that warrant obtaining a GVRO represent the potential for a high level of risk. Due to the inherent risk a GVRO should not be served without a threat assessment.

When serving a GVRO the member shall:

- Ask the subject if they have any firearms, ammunition, or magazine in their possession or under their custody or control.
- Request that any firearms, ammunition, or magazine be immediately surrendered.
- Take into temporary custody any firearm or other deadly weapon discovered in plain sight pursuant to consent.

- Provide the restrained person with a copy of the order and inform them of any scheduled hearing regarding the order.
- Provide the restrained person with a property receipt for all items taken.
- Document all actions taken via a miscellaneous incident DR.
- Book any items surrendered as safe keeping in accordance with Department evidence procedures.
- As soon as possible, but no later than the end of shift, submit proof of service to the Records Division for prompt entry into the California Restraining and Protective Order System.
- File a copy of the proof of personal service form or emergency firearms protection order with the court as soon as practical.

ORALLY REQUESTED GUN VIOLENCE RESTRAINING ORDERS

If it is not practical to submit a written petition to the court, a member may orally request a GVRO. After contacting the on call judicial officer, the member shall memorialize the order on the corresponding EPO-002 form. The member shall sign the declaration under penalty of perjury.

An order obtained orally shall be served in the same manner as outlined above.

GVRO SEARCH WARRANTS:

If the person named in the GVRO refuses to surrender any firearms, ammunition, or magazines a search warrant must be obtained before any further action is taken. A GVRO by itself does not give law enforcement the legal authority to enter a residence and seize firearms. In the event of a refusal, the subject should be detained for violation of a court order and

the scene secured until a search warrant is obtained. After the search warrant is obtained, the residence should be searched to ensure all firearms, ammunition, or magazines are seized, or that none are present.

If a search warrant is obtained, the preparation and service of the warrant shall be in accordance with Department policy 3.280.

COURT SERVICES PROCEDURES:

If a GVRO is petitioned by someone other than a Department member and subsequently granted by the court, the Court Services Civil Division may be requested to serve the order. Upon receiving a request to serve a GVRO, a watch commander shall conduct a review of the facts and circumstances of the order and determine if they should accept or refuse the request. If the Civil Division decides to serve the order, the watch commander shall conduct a threat assessment by consulting the GVRO_flow chart and Search Warrant Threat Matrix, to determine what, if any, additional considerations are necessary.

The service of the order shall follow the parameters set forth within this policy under the "Service of Gun Violence Restraining Orders" section and in accordance with Court Services procedures. All requests from the public to serve a GVRO shall be referred to the Court Services Civil Division.

RELEASE OF FIREARMS, AMMUNITION, AND MAGAZINES:

Firearms, ammunition, and magazines taken into temporary custody or surrendered pursuant to a GVRO shall be returned to the restrained person upon expiration of the order. The release

shall follow the procedures set forth in Department policy section 4.560.

FORMS

The Judicial Council shall prescribe the form of the petitions and orders and any other documents necessary to implement gun violence restraining orders. Approved forms are:

- EPO-002 – Gun Violence Emergency Protective Order
- GV-100 – Petition for Gun Violence Restraining Order
- GV-109 – Notice of Court Hearing
- GV-110 – Temporary Gun Violence Restraining Order
- GV-120 – Response to Petition for Gun Violence Restraining Order
- GV-130 – Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order
- GV-200 – Proof of Personal Service
- GV-800 – Proof of Firearms, Ammunition, and Magazines Turned in, Sold, or Stored
- CLETS-001 – Confidential CLETS Information

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3.306. Court Orders for Custody and/or Visitation

When investigating minor, non-violent child custody and/or restraining order violations, the deputy may inform the complaining party(ies) of the option to file their allegations directly with the Family Law Court that issued the order.

If the complaining party(ies) selects the "Direct File" option, the deputy shall provide them with a Family Law Court Packet and Brochure that contains the necessary forms and instructions. If the complaining party(ies) requests further assistance with the

direct filing process, the deputy shall refer them to the Family Law Facilitation Center.

Generally, the minor non-violent custody/visitation and minor non-violent restraining order violations include, but are not limited to:

- Custody exchange timeliness disputes.
- Weekend, holiday, or vacation visitation disputes.
- Court-ordered telephonic visitation disputes.

NOTE: If the complaining party(ies) requests a report, or if it is determined that domestic or other violence is likely to occur, the "Direct File" option shall not be utilized and the deputy shall complete the appropriate crime reports.

3.306.10 Restraining Orders

In a domestic dispute incident where a person advises a deputy of the existence of a temporary restraining order pertaining to the dispute, the deputy shall attempt to ascertain if such an order is on file with the Department, entered into the DVROS database, or verify its validity by inspecting a document in the possession of the complainant.

The deputy shall make an arrest when there is reasonable cause to believe that the subject of a protective order had notice of the order and violated the order. The violation need not have occurred in the officer's presence, pursuant to Penal Code section 836(c)(1).

Pursuant to Penal Code section 836(c)(2), a person against whom a protective order has been issued shall be deemed to

have notice of the order if any one of the following circumstances exists:

- The victim presents proof of service to the officer.
- The officer confirms with the appropriate authorities and/or the Domestic Violence Restraining Order System (DVROS) that a true copy of the proof of service is on file.
- The person restrained by the court was present at the protective order hearing.
- The person restrained by the court was informed by a peace officer of the contents of the Protective Order.

3.306.15 Stipulated Court Orders

Stipulated Orders are issued when both parties agree to the terms in the order and has the same effect as restraining orders.

3.306.20 Temporary Restraining Orders

Temporary Harassment Restraining Orders may be issued without notice to the party to be restrained if the petition shows the harassment is continual. These orders issued prior to a hearing, are valid for fifteen (15) days and also must have the date of expiration on the face. This date of expiration is also the date of the hearing. This order may also be extended for good cause to allow for service on the party to be restrained.

3.306.25 Restraining Orders Issued by a Jurisdiction Outside San Bernardino County

When a deputy is assigned to handle a situation involving a restraining order issued from a foreign jurisdiction (outside of San Bernardino County), and the reporting party is in possession of the court order, the deputy shall honor the order in the same manner as if it were issued locally. In those instances where the reporting party is not in possession of the order, the deputy shall contact the law enforcement agency in which the reporting

party (petitioner or respondent) resided at the time the order was issued to determine if such an order exists.

Prior to a deputy taking any formal action on the restraining order issued by a foreign jurisdiction, that is not in the physical possession of the reporting party, the deputy shall request and receive teletype confirmation of the existence of such a restraining order from the law enforcement agency having actual possession.

3.306.30 Orders to Show Cause

Orders to Show Cause are issued prior to a hearing, with or without notice to the restrained party. Proof of service is required prior to the date of the hearing. The expiration date of this order is the "Date and Time" of the hearing on the face page, this is usually less than sixty (60) days. These orders are usually entitled "Temporary Restraining Orders."

NOTE: These orders may be extended to allow service on the restrained party.

3.306.35 Orders After Hearing

Orders after Hearing are frequently generated as a result of court hearings related to marriage dissolution, child custody, and domestic violence. An "Order After Hearing" is a court order: one that is subject to enforcement pursuant to the Penal Code.

Orders after Hearing may be temporary: expiring on the next court date or in a stated period of time (usually, 1 to 3 years); or they may be permanent.

3.308. Arrests for Violation of Court Order

A deputy should verify that a Protective Order exists by reviewing the documents presented by the victim, and contacting appropriate authorities and/or the Domestic Violence Restraining Order System (DVROS). Upon verifying the order, the deputy should also inquire as to proof of service by the same means. If the person restrained by the court is deemed to have notice (refer to section 3/1250), the deputy shall enforce the order. If the restrained person has not had notice, the deputy shall inform him of the existence of the order, the court of issuance, and the terms of the order. The deputy shall instruct the restrained person to go to the court to get a copy of the paperwork. If the restrained person refuses to comply with the order having been advised by the deputy, the deputy shall enforce the order with an appropriate arrest. Oral notification to the restrained person of the term of the order shall be sufficient notice for enforcement of Penal Code sections 136.2, 273.6. and 12021(g).

If the restrained person has left the scene of the incident, an investigation shall be conducted to determine if a crime has been committed. Penal Code sections 13701(c) and 13730 require that a retrievable report shall be made and the complainant shall be advised of the follow-up criminal procedure and case number of the report, and given the domestic violence information card.

In any case in which a person is arrested for a misdemeanor violation of a Protective Court Order involving domestic violence, the person shall be taken before a magistrate instead of being released on a citation unless the arresting deputy determines there is not a reasonable likelihood that the offense will continue or resume or that the safety of property would be imminently endangered by release of the person arrested.

3.310. Child Abuse Investigations

All cases of possible child physical abuse, child sexual molestation, or child mental abuse shall be prepared on a crime report.

Deputies shall respond to and fully investigate all reports of child maltreatment. Patrol deputies should not make suspect contact without the approval of the station watch commander or station detective sergeant.

It shall be the initial investigating officer's responsibility to determine whether or not a victim of suspected child abuse shall be taken into protective custody to ensure the future protection of the child (Refer to W&I sections 300 and 305).

All interviews with alleged victims and suspects shall be recorded, covertly, if possible. All other pertinent interviews should be recorded whenever possible. All recordings shall be downloaded onto a CD and submitted as evidence or entered into the department approved digital evidence management system.

Per PC 11174.3, schools cannot prohibit officers from interviewing children at school. When conducting interviews at schools, the following guidelines should be adhered to:

- Every effort should be made to reduce stress during the interview process and create a comfortable atmosphere in a location that does not suggest or appear "custodial."
- The interview should be conducted by preferably one, but no more than two deputies. Leading or suggestive questions should be avoided.
- Prior to beginning the interview, advise the child, on tape, that they are not in trouble and that they may leave or terminate the interview at any time and that they may have a member of the school staff present during the interview if they wish.

Cases which require the expertise of the Crimes Against Children Unit shall be evaluated by the concerned station's supervisor and contact shall be made by that supervisor to the supervisor of the Crimes Against Children Unit. The Crimes Against Children Unit supervisor shall:

- Provide verbal assistance, or
- Specify that the case should be sent to the Crimes Against Children Unit for the assumption of the investigation.
- Assign a Crimes Against Children Unit investigator to assist a local investigator on the case.

In the event that assistance is required at night or on weekends, the on-call Crimes Against Children Unit supervisor (or detective, if the supervisor is not available), shall be contacted by the station supervisor. The sergeant or detective shall evaluate the case to determine which of the above options is appropriate.

Investigative reports shall not be sent to the Crimes Against Children Unit for investigation until the above actions have occurred.

If it is known or expected that the Crimes Against Children Unit might assume responsibility for an investigation, no arrest(s) or suspect contact should be made without consultation with the Crimes Against Children Unit.

3.310.10 Child Abuse Investigations: Required Reports

All investigations of known or reasonably suspected child abuse shall be reported in compliance with California Penal Code sections 11166 – 11169 and documented in a crime or incident report. The investigator/case agent shall:

- Report every known or suspected instance of child abuse to the County Department of Social Services,

immediately or as soon as practicable, via the Child and Adult Abuse Hotline at 1-800-827-8724.

- Submit the Department of Justice Suspected Child Abuse Report (SCAR), form SS8572, to be included with the completed criminal report, and provide a copy to a station clerk for submission to the Department of Social Services within 36 hours of notification. Refer to Department Policy section 4.142.0 for additional information regarding the SCAR form SS8572.

The Department of Justice Child Abuse Summary Report, form SS8583, shall be submitted to DOJ for submission into the Child Abuse Central Index (CACI) for substantiated reports of child abuse or severe neglect only. Per Penal Code section 11169(b), it should not be submitted by police and Sheriff's departments. They shall only be submitted by a child welfare agency or a County Probation Department.

- Police and Sheriff's departments shall no longer send the notification letter to the suspected child abuser indicating that their name was submitted to the Department of Justice. This letter will be sent out by Children and Family Services or the County Probation Department once the investigation is complete.

3.310.15 Referrals from Department of Children and Family Services, Child and Adult Abuse Hotline

The Crimes Against Children shall create and maintain the CFS/APS Procedures Manual detailing current procedures for all personnel involved with the investigation of CFS/APS referrals. This manual shall be posted on Starlink.

The Commander of the Specialized Investigations Division, in consultation with the Bureau Deputy Chief, shall initiate a

review of the contents of the manual on an annual basis and cause it to be updated as necessary.

Members shall follow the policies and Procedures outlined in the manual to ensure standardization of practice, as well as compliance with existing law, in all areas relating to CFS/APS referrals.

3.310.20 Child Abuse Investigations: Detention Warrants

If an emergency exists, peace officers have the right and obligation to enter a home without consent or warrant and remove children who are likely to be injured, abused or molested by their caregivers (parents).

In all other cases, wherein conditions exist that are dangerous to a child but the circumstances are not exigent (child is not in imminent danger of serious bodily injury or sexual abuse in the amount of time it takes to receive judicial authority), deputies shall prepare a Detention Warrant and present it to the appropriate judge for authorization prior to taking enforcement action.

Detention Warrants will generally authorize deputies to:

- Enter a dwelling without consent.
- Remove and/or interview the child(ren).
- Seek a forensic medical examination.
- Place the child(ren) with the Department of Children and Family Services.
- Remove essential and necessary items belonging to the child(ren).

The deputy shall review the Detention Warrant with his/her watch commander before making contact with a judge. Particular attention shall be paid to after-hours Detention Warrants which will require contacting the on-call judge. It shall

be made clear that circumstances exist requiring an after-hours review and response.

The Detention Warrant may then be served upon the child(ren)'s caregiver; and, if authorized in the Detention Warrant, the child may be forensically examined, and items of personal need may be removed from the home. The Detention Warrant does not give the deputy the authority to search or seize items beyond the scope of the Detention Warrant.

Within 10-business days a Return to Detention Warrant shall be prepared and presented to a Dependency Court Judge, then filed only with a Dependency Court Clerk.

3.310.25. Baby Not Breathing Calls for Service / AOD Calls involving Children in Medical Distress

When medical aid is requested for a baby not breathing or for a child in any type of medical distress that is not an obvious accident or as a result of a pre-existing medical condition, a field unit shall respond to the location. A DR number shall be drawn by the field unit and a preliminary investigation will be completed. The investigation shall include a written report and recorded interviews with all persons present when the child went into distress. Photographs should be taken of the scene and potential evidence should be collected. If the incident occurred inside a residence or on private property, the investigating deputy should attempt to gain consent from a person with legal control of the premises to enter and take photographs and process the scene.

3.310.30. Child Abuse Central Name Index, Name Removal Requests

Any person whose name is placed on the CACI as a result of an investigation by this department may request that his/her name be removed from the CACI. The request is handled in the form

of an appeal process requiring a review of the facts and circumstances of the investigation by reviewing officials. Requests shall not qualify for consideration if there is an active case, ongoing investigation, or pending prosecution, which precipitated the entry to CACI.

All requests for removal shall be submitted in writing by the requesting person on the department's Child Abuse or Severe Neglect Indexing Appeal form. Stations receiving requests for removal shall route the request to the Supervisor of the Crimes Against Children Detail within five working days of receipt.

The Crimes Against Children Supervisor and the Specialized Investigations Division Lieutenant (or other command staff designee) will serve as independent reviewing officers. Anyone serving as a reviewing officer must not be directly connected with the case under review.

3.310.35. Child Abuse Central Name Index (CACI): Hearing Procedures

Within 10 working days of receiving a request for appeal, the Crimes Against Children (CAC) supervisor will schedule a hearing during normal business hours and provide notification of the time and place of the hearing to the requesting party. The hearing shall take place within 30 days of contacting the requesting party. The Hearing shall be attended by the CAC supervisor or his/her designee.

The hearing is an informal process where the person requesting removal from the CACI database will be permitted to present relevant evidence (e.g., Certified copy of an acquittal, factual finding of innocence, evidence to show that the case was

unfounded or unsubstantiated) to the reviewing officer as to why his/her name should be removed.

Formal rules of evidence will not apply and the CAC supervisor/reviewing officer may consider, in addition to the evidence submitted by the person requesting the hearing, any and all relevant information including, but not limited to the following:

- Case reports including any supplemental reports.
- Statements by investigators.
- Statements from representatives of the District Attorney's Office.
- Statements by representatives of a child protective agency who may be familiar with the case.

The CAC supervisor/reviewing officer and the Specialized Investigations Division lieutenant will review the facts of the case independently of one another. If they do not concur on removing the person's name, it shall be reviewed by the commander of the Specialized Investigations Division for final disposition.

After considering all information presented, a determination shall be made whether or not to remove the requesting party's name from the CACI. The determination shall be based on a finding that the allegations in the investigation are unfounded or unsubstantiated. Every effort shall be made to make the determination no later than 90 days from the date the person requesting removal from the CACI made the request.

If a determination is made to approve the name removal, the CAC supervisor shall submit a request to the DOJ within the same 90-day period to remove that person's name from the CACI. A copy of the request shall be forwarded to the requesting party to notify them of the removal.

If a determination is made to disapprove the request for removal, the CAC supervisor shall notify the requesting party of the findings, in writing, within the same 90-day period.

3.310.40. Child Abuse Investigations: Medical Records Disposition

Medical records, including reports from the Children's Assessment Center or any medical facility obtained in the course of child abuse investigations should be sent to the Records Division, not redacted, along with the criminal report.

Deputies need not submit medical records to the Scientific Investigations Division as evidence.

In the event of a request to the Records Division to release a report, if the request is granted, medical records will not be released since they are not the property of the Sheriff's Department. In the event of a trial, medical records will be obtained by subpoena to the medical facility that conducted the medical examination(s).

3.314. Sex Offender Registration

It is the responsibility of every station or division to register those sex offenders who are ordered by the court, or directed by statute, to their local law enforcement agency to register as a sex offender. Central Station and the cities of Loma Linda, and Grand Terrace shall refer registrants to Central Records.

Registrants may be accommodated by appointment, during normal business hours. Appointments shall be offered at least Tuesday through Thursday, additional days if staffing permits, excluding holidays. In the event that a registrant arrives to register unannounced, and if in the time it would take to return with an appointment the registrant would no longer be in compliance, every effort should be made to accommodate

the registrant on the day he arrived or on the earliest available registration date prior to the registrant falling out of compliance.

Each station shall designate a detective/corporal to oversee the station's sex offender registration program. The detective/corporal will be responsible for the overall containment of sex offenders and the enforcement of all sex offender registration laws in their jurisdiction.

3.314.10 Sex Offender Registration: Procedures

The following shall be the procedure to register a person as a sex offender:

- Determine from the subject to be registered, and/or other sources, if he falls under mandatory registration. This can be accomplished by completing a record check on local computer terminals, checking arrest records, or conviction records.
- Contact the Records Division to confirm a previously issued sex number. If the subject has no sex number a new registration number shall be issued.
- When registering a subject for the first time three CII-5 (fingerprint registration) cards shall be thoroughly completed with all the necessary information. All three cards shall require a clear and complete set of prints. If the subject has a fingerprint classification on the Central Name Index (CNI), only two CII-5 cards are required. No fee shall be charged for obtaining these prints, as they are required by law.
- The CII-3A (permanent and temporary) wallet card shall be completed with the sex file number being placed on the front of the card in the space marked "Contributor's Number." The registrant receives the temporary receipt. The registrant shall be advised that his permanent

registration card shall be sent to him upon proof that the photograph taken is identifiable.
- Two photos shall be taken of the registrant. A sex file number shall be associated with the photos.
- Send all competed forms and paperwork to Central Records.

3.314.15 Sex Offender Registration: Change of Address

When a subject is currently registered with the department and is moving to another location within the county, he is required to report the change of address to the local law enforcement agency. The procedure below shall be followed for completing the address change:

- Complete a CII-3a form (temporary and permanent registration receipt) and take a current photo. A change of address form letter shall be completed and shall accompany the permanent receipt.
- The temporary receipt shall be given to the subject at the time of registration. He shall be informed that his permanent registration receipt will be sent to him upon the confirmation that the photograph is identifiable.
- Send all completed forms and paperwork to Central Records.

3.314.20 Sex Offender Registration: DNA Samples, Requirements – Jail Facilities

The following shall be the procedure to obtain the required DNA sample and palm prints from convicted sex/violent felony offenders:

WEST VALLEY DETENTION CENTER. The court officer and duty officer shall identify those inmates to whom Penal Code section 296(a)(1)(a) applies and notify the medical staff. This shall be

accomplished by identifying persons who have been convicted and sentenced to county jail for an applicable offense.

The medical staff shall then obtain the specified samples with the aid of the I.D. Deputy in compliance with Penal Code section 296(a)(1)(a) and place written notification of compliance in the inmate's booking jacket.

The release officer shall ensure that Penal Code section 296(a)(1)(a) has been complied with before releasing affected inmates.

GLEN HELEN REHABILITATION CENTER. The duty officer shall identify those inmates to whom Penal Code section 296(a)(1)(a) applies and notify the medical staff. This shall be accomplished by identifying persons who have been convicted and sentenced to a county jail for an applicable offense.

The medical staff shall then obtain the specified samples in compliance with Penal Code section 296(a)(1)(a) and place written notification of compliance in the booking jacket.

OUT-OF-CUSTODY PROBATIONERS. Out-of-custody probationers shall be referred, with a written referral and directions, by the Probation Department, to appear at the West Valley Detention Center at which time the West Valley Detention Center medical staff shall obtain the samples.

IDENTIFICATION REQUIRED. The person from whom the required samples are taken shall be positively identified by a valid form or identification bearing the name, birth date, and photograph of the individual. Lacking a form of valid identification, the person shall be identified through fingerprint confirmation and/or by Cal-Photo.

3.314.25 Sex Offender Registration: DNA Samples Requirements – Station Clerks

California Penal Code section 296(a)(1)(a) requires individuals convicted of a felony offense, described in the California Penal Code section 290, to provide two blood samples, a saliva sample, a thumb print, and a palm print to the California Department of Justice.

Division commanders shall ensure compliance with the requirements of Penal Code section 296(a)(1)(a) for the collection of the samples from sex registrants residing within the geographical boundaries of their command. Samples shall be collected at the time of the sex offender's annual registration update.

Division personnel shall check all registrants' criminal history to determine if blood and saliva samples are on file with the Department of Justice. If a required sample is not on file, one must be collected. At initial registration, division personnel shall collect thumb and palm prints from registrants.

Division personnel shall complete a Department of Justice "Reimbursement for Collection of DNA Data Bank Specimens in Accordance with PC 295," BFS 200 form. The reimbursement payment section of the form shall be addressed to the department's Administrative Services Division.

The original copy (white) and the second copy (yellow) of the BFS 200 form shall be included with the sample kit and sent to the Department of Justice with the samples and prints. The third copy (pink) shall be maintained in the registrant's file. The fourth copy (orange) shall be given to the registrant. A photocopy of the BFS 200 form shall be provided to the nurse who took the DNA samples, and a photocopy shall be sent to the Records Division.

The commander of the West Valley Detention Center shall ensure that an inventory of the Department of Justice's specimen sample kits is maintained at the facility. Station personnel shall order the kits from the West Valley Detention Center's Medical Supply Clerk.

In the event that a sample is lost, found to be spoiled, or rendered unusable, a department approved letter titled "Unusable or Spoiled Samples" shall be sent to notify the sex offender that a replacement sample is required.

3.318. Narcotics Offender Registration

It is the responsibility of any station or division to register those persons who are convicted of certain narcotic violations and who are directed by statute to report to his local law enforcement agency for registration. Registrants reporting to Central Station and the cities of Loma Linda and Grand Terrace shall be referred to Central Records.

3.318.10 Narcotics Offender Registration: Procedures

To ensure compliance with the legal requirements as defined in Health and Safety Code section 11590, the following shall be the procedure to register a person as a controlled substance offender:

- Determine the subject to be registered. This can be accomplished by completing a record check on local computer terminals, checking arrest records, or conviction records.
- Contact the Sheriff's Records Division to confirm a previously issued narcotics file number. If the subject has no narcotic number, a new registration number shall be issued.
- When registering a subject for the first time, it shall require three (3) CII-5 (fingerprint registration) cards to be

thoroughly completed with all the necessary information. All three (3) cards shall require a clear and complete set of prints.
NOTE: If the subject has a fingerprint classification on the Central Name Index (CNI), only two (2) CII-5 cards are required. No fee shall be charged for obtaining these prints as they are required by law.

- The CII-3a (permanent and temporary) wallet card shall be completed with the narcotic file number being placed in the space marked "Local Number." Give the registrant the temporary receipt.
  NOTE: The registrant shall be advised that his permanent registration card shall be sent to him upon proof that the photograph taken is identifiable.
- A photo mugshot shall be taken of the registrant. The narcotic file number shall be placed on the photo; all other information shall remain the same.
- Send the completed fingerprint registration cards, the permanent registration receipt, and a copy of all court papers, and other available information pertaining to the registrant, to the Sheriff's Records Division in San Bernardino.

3.320. Megan's Law

The State of California has implemented its version of Megan's Law, which allows law enforcement agencies to provide the public with photographs and descriptive information about individuals who have been previously convicted of committing sex crimes and are required to register their residence addresses.

This notification is generally accomplished through the California Department of Justice's Megan's Law website.

In addition to the Megan's Law Database, the Department also uses Offender Watch and the California Sex and Arson Registry (CSAR) database to register and track registered sex offenders.

Unauthorized dissemination of any confidential information by a Department member is strictly prohibited and may subject the member to disciplinary action and/or criminal prosecution.

Revised: 11-20-20

3.320.10 Megan's Law: Classifications

The California Department of Justice classifies each registered sex offender's status as "Full Address," "Zip Code Only," or "No Post/Excluded." Only "Full Address" and "Zip Code Only" classifications of sex offenders will be displayed on the Megan's Law website.

- Full Address: A sex offender in this classification will have his full residence address displayed on the website. Generally, a "Full Address" classification indicates the offender has been convicted of lewd conduct with a child under the age of 14, a sex offense involving force or fear; a designated sex crime with a prior or subsequent conviction for a sex crime that required registration; and/or an offense resulting in commitment as a SVP as defined in Section 6600 WIC.
- Zip Code Only: A sex offender in this classification will only have his residential Zip Code or area (city, county) displayed on the website. Generally, a "Zip Code Only" classification indicates the offender was convicted of an offense subject to public disclosure, but the seriousness of the conviction does not rise to the level of that requiring a full address disclosure.
- No Post/Excluded: A sex offender who does not fall into either the "Full Address" or "ZIP Code Only" display

classification is, by statute, not disclosed or displayed on the website.

Investigators can obtain additional information reference the classification of an offender by assessing the Violent Crime Information Network (VCIN).

For additional definitions relating to disclosure of sex offenders, refer to California Penal Code section 290.45.

3.320.15 Megan's Law: Public Access to Information

In addition to accessing sex offender information via the state's Megan's Law website, members of the public may submit a written request for sex offender information by completing a form available from the California Department of Justice and submitting it to that agency directly. If a member of the public wishes to receive information through this method, they must call the Department of Justice Sex Offender Tracking System at (916) 227-3288.

3.320.20 Megan's Law: Public Notification; General Information

The Department may proactively notify members of the public about any sex offender when it is necessary to ensure public safety, based on the agency's assessment of the offender's risk to the community. This notification may occur even in the absence of a specific exigent circumstance, as long as the totality of circumstance reasonably suggests that there is an imminent threat or risk to an individual or group of individuals.

This policy also applies to any offender who is classified as "No Post/Excluded," provided that the law enforcement agency

believes the offender will pose a significant risk to the community.

Any proposed public notification of this type shall receive prior approval by the division commander in consultation with the commander of the Specialized Investigations Division, and shall include a statement that the purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders.

All posters, circulars and flyers identifying a sex offender must be approved and originally disseminated by the commander of the Public Affairs Division or his designee.

Prior to initial dissemination, the commander of the Public Affairs Division or his designee shall notify the Office of the Sheriff of all public notification in the form of a billboard, newspaper advertisement, poster, radio announcement, television spot, circular, or flyer identifying a sex offender.

Information that may be provided in the public notification, pursuant to PC290.45, may include, but is not limited to:

- Offender's Full Name and Known Aliases
- Gender
- Race
- Physical Description
- Photograph
- Date of Birth
- Verified Address
- Crimes that resulted in classification under this section. Description and license plate number of the offender's vehicles or vehicles the offender is known to drive.
- The type of victim targeted by the offender.
- Relevant parole or probation conditions, such as no contact with children permitted.
- Date of release from confinement.

Information identifying the offender's victims shall not be released.

No member of the Department shall post any information identifying an individual as a person required to register as a sex offender on any Departmental or Division website, unless there is a warrant outstanding for that person's arrest.

3.320.25 Megan's Law: Public Notification Procedures

When a deputy sheriff has a reasonable suspicion that a person might become a victim of a registered sex offender, that a group of individuals might become targeted as victims of a registered sex offender, or the community at large may be targeted, the public may be notified of this threat via the procedures described herein.

Information disclosed must be directed at and limited to the institutions, entities, or community members at risk.

All posters, circulars and flyers identifying a sex offender must be approved and originally disseminated by the commander of the Public Affairs Division or his designee.

Prior to initial dissemination, the commander of the Public Affairs Division or his designee shall notify the Office of the Sheriff of all public notification in the form of a billboard, newspaper advertisement, poster, radio announcement, television spot, circular, or flyer identifying a sex offender.

When a deputy disseminates information, he shall be responsible for insuring appropriate notation is made into the Offender's Supervised Release File.

Public and private educational institutions, day care establishments, and establishments and organizations that

primarily serve individuals likely to be victimized by the offender may be notified by the Department where that the sex offender lives, works, or otherwise frequents the area. There shall be uniform implementation of the Department's disclosure of information to these entities. For example, if a division chooses to notify one school of a serious sex offender in its area, all schools at risk in the division's jurisdiction should be notified of sex offenders, posing a risk to children.

Other Community Members Who Can Be Notified:

- The Department may notify other community members at risk. For example, the Department may choose to notify women who reside in the same block as a convicted rapist, or the Department may decide to notify parents of children living near a park which a sex offender is known to frequent.
- If the Department chooses to limit public disclosure to certain sex offenders, the Department shall keep a record of the reasons why it chose to disclose such information. The Supervised Release File shall be utilized for this purpose.
- Each public disclosure by the Department of a sex offender must be accompanied by a statement that the purpose for the release of the information is to allow members of the public to protect themselves and their children from sex offenders.

The method utilized to notify institutions, entities, or community members at risk should generally be the same in all cases. EXAMPLE: If a poster with the photograph of a child molester is disseminated to one child care institution, such a poster should generally be used in all similar situations.

3.320.30 Megan's Law: Reporting Public Notifications

Whenever the Department disseminates information about a sex offender to persons at risk, agencies at risk, or organizations at risk, it must complete and retain the Sheriff's Department Megan's Law Disclosure Form (MEG-1). When the information is disseminated and the Form MEG-1 is signed, the notification must be entered into the Offender's Supervised Release File and maintained for five years.

When there is a public inquiry for information about a sex offender which does not involve an "At Risk" situation, personnel should direct the requestor to the public Megan's Law website. When this type of referral occurs, completion of the Sheriff's Department Megan's Law Disclosure Form (MEG-1) is not required.

3.402. Citations

Citations may be issued for violations that are misdemeanor or infraction in nature. The mere issuance of a citation does not eliminate the requirement to generate appropriate crime reports or attach other associated forms, printouts, etc.

The citing employee shall submit the originals and appropriate copies of all completed infraction citations to the watch commander at the end of his watch.

The citing employee shall attach the originals and appropriate copies of all completed misdemeanor citations to the associated crime report and submit to the watch commander as required in Volume 3 of the Department Manual.

3.402.10 Citations: Errors and Amendments

When an error is made and noted, and the violator's copy is still available, the citing employee shall correct the error by drawing a single line through the error and legibly printing the

correct information as near as possible to the error. The employee shall then initial the correction.

When an error or omission is discovered on a traffic citation, other than in the notes or diagram and the violator's copy is no longer available, the issuing officer shall cause, as soon as possible.

- The amendment to be made, initialed, and dated on the original and all accompanying copies.
- A copy of the original citation, noting the amendment(s), and a notification letter to be mailed to the violator.
- The original citation, noting the amendment(s), and a copy of the notification letter to be sent to the concerned traffic court.
- A copy of the notification letter to be attached to the amended "Officer's Copy" of the citation.

3.402.15 Refusal to Sign Citation

When a violator refuses to sign a traffic citation, the citing officer shall refer the violator to the printed information on the face of the citation, directly above the space provided for his signature. He shall be informed that the signing of the citation does not constitute an admission of guilt, but that it is merely a signed promise to appear in answer to the charge.

When the violator has been so advised and continues to refuse to sign the citation, the citing officer should request that a supervisor be dispatched to the scene. The supervisor shall, wherever possible, resolve the matter at the scene.

After every reasonable effort has been made to obtain a violator's signature on a citation, and the violator has been arrested per authority of the Vehicle Code, the violator shall no longer be afforded the opportunity to sign the citation and

avoid being taken forthwith before a magistrate or avoid being booked, if no magistrate is available.

When a person who refuses to sign a citation is arrested, the violator shall be booked for the cited offense(s) per the authority of the Vehicle Code. A report shall be completed on the refusal to sign the citation and forwarded, with the citation, through normal channels to the District Attorney's Office for review.

3.402.20 Voiding Citations

Once the arresting officer has prepared the written notice to appear and has delivered a copy to the arrested person, the officer shall deliver the remaining original of the notice to appear to the court. If the arresting officer determines that in the interest of justice that the citation should be dismissed, the arresting agency shall prepare in writing, to the magistrate or judge, that the case be dismissed and recommend the reason for the dismissal.

No officer, person, or agency may alter, modify, nor nullify the face side of an original or copy of a citation before it is filed with the court of jurisdiction.

Citations may be voided only under the following conditions:

- An absentee citation that was issued in error.
- The citation was not completed due to an emergency.

When a recommendation has been submitted to the court recommending that a citation be dismissed, the officer or

agency initiating the request shall notify the violator as soon as practicable:

- By personal visit.
- By telephone.
- By notification letter.

A letter notifying a violator of a recommendation for dismissal shall be signed by the commanding officer or his designated representative.

The content of the letter shall include the warning to the violator that it is a recommendation only and that the violator is still legally responsible to appear in court as initially promised by their signature. By not appearing they are subject to the issuance of a warrant of arrest for failure to appear.

3.402.25 Warning Citations

Department members have the option of issuing a warning citation in lieu of a traditional notice to appear. When issuing a warning citation, the employee shall accurately fill out all the appropriate spaces on the citation except the area at the bottom of the citation normally containing the court location

and date/time of appearance. The word "warning" shall be written diagonally across that portion of the citation.

The employee shall have the offender sign the citation and give the offender the copy marked "DEFENDANT COPY." The citation shall be turned in to the watch commander at the end of shift.

The court copy of the citation shall be filed rather than sent to the court, and the driver/vehicle information on the citation shall be entered in the Tiburon system.

Warning citation shall not be issued under the following circumstances:

- Misdemeanors
- Multiple infractions
- Drug- or alcohol-related violations

3.410. Private Person's/Citizen's Arrest

A private person desiring to make an arrest for a state public offense not committed in the officer's presence shall be advised that he may make a physical arrest:

- If the offense was committed in the arresting person's presence; or
- When a felony has been committed and the arresting person has reasonable cause for believing the person arrested committed the felony.

An officer accepting a private person's arrest for a public offense shall conduct an investigation, prepare a crime report and submit the report to the District Attorney's Office for review.

Although not required, an officer should attempt to obtain the signature of the person effecting the private person's arrest, on the Department's private person's arrest form.

3.410.10 Criteria for Private Person's/Citizen's Arrest

A deputy may decline to receive a requested private person's arrest if any of the following exceptional circumstances apply:

- The requesting citizen only articulates a federal offense.
- The requesting citizen only articulates a non-felony public offense not committed in his presence.
- Receiving or effecting the requested private person's arrest would place the deputy in significant increased danger.
- Existing circumstances require the deputy's immediate attention to other higher priority law enforcement tasks where an imminent threat of danger to life or property is posed.
- Facilitating the arrest itself would constitute aiding another in the commission of a crime.
- As a result of the deputy's investigation, the deputy determines that circumstances do not establish probable cause to believe that a state public offense was committed by the accused.

In all other circumstances when a private person makes an arrest for a state public offense and requests that a deputy receive the arrestee, the deputy shall receive the arrestee pursuant to a private person's arrest if:

- The arrest was lawful.
- The deputy at the time of the arrest has reasonable cause to believe the arrest is lawful.

A deputy receiving a person into custody pursuant to a private person's arrest shall advise all persons involved that the deputy

is not making the arrest, but is merely receiving the arrested person.

In circumstances where the arrested person is eligible for a cite release, the deputy may initiate such a release in the field, at the station, or at the booking facility.

The arrested person shall not be cite-released at the arrest scene if:

- The deputy receiving the arrest determines there is a reasonable likelihood that the offense may continue or resume; or
- The safety of persons or property will be immediately endangered; or
- A breach of the peace is likely to occur; or
- There is evidence of a prior history of an ongoing or continuing law enforcement problem involving one or more of the involved parties; or
- A likely threat of violence exists; or
- The incident involves a dangerous weapon.

3.410.15 Private Person's/Citizen's Arrest-Aid to Citizen Making the Arrest

An officer shall, upon demand, go to the aid of an arresting private person whose lawful arrest for a state crime is being resisted, pursuant to the Penal Code.

3.410.20 Private Person's/Citizen's Arrest-No Crime Committed

If a private person has attempted to effect an arrest for conduct not amounting to a state public offense, the officer shall advise the arresting person that the arrest is invalid and that civil and criminal liability may arise from the arrest;

immediately release the arrested person; and prepare a report regarding the incident.

3.412. Arrests of Fugitives

When it becomes apparent that a subject is wanted in another state through an NCIC check, the officer shall cause a telephonic check be made to confirm the want. In addition to the telephone contact, the requesting agency shall request a teletype abstract be sent for the booking process. Deputies

shall not book any person for a fugitive want without a valid warrant abstract.

When a prisoner is booked for a fugitive warrant, the Sheriff's Specialized Investigations Division, Fugitive Unit, shall be notified as soon as practical.

Pending adjudication of California charges, an out-of-state warrant is placed as a "Hold" only.

PENAL CODE SECTIONS FOR BOOKING:

- PC-1551.1 is the correct charge when a warrant or abstract is possessed or upon reasonable information that such a warrant exists.
- NCIC hits must be confirmed by telephone or teletype.

BOOKING INFORMATION:

- The charge is always PC-1551.1 fugitive (state of jurisdiction).
- The court of jurisdiction on all PC-1551.1s is Central Municipal Court.
- There is not a warrant or case number until assigned by Central Municipal Court. Do not use the number on the warrant.
- When a fugitive is arrested on a governor s warrant, book for PC-1549.2.

BAIL INFORMATION:

- All PC-1551.1 bookings are always "No Bail."

ARRAIGNMENT TIMES:

Fugitive charges must be filed within the same time periods as any "on-sight" arrest. For this reason, it is imperative that all

persons booked for PC 1551.1 be transported to the West Valley Detention Center as soon as possible.

- Documents that authorize the arrest must accompany the fugitive to the West Valley Detention Center.
- Documents that authorize the arrest must accompany the fugitive to the County Jail.

GENERAL INFORMATION:

- Teletype shall be sent to Central Records, Attn: Warrant Supervisor and the Fugitive Detail shall be contacted and advised of the arrest and the time when the subject will arrive at West Valley Detention Center.
- All reports regarding fugitive arrests are to be directed to the Fugitive Detail.
- All questions concerning fugitives after 1700 hours or weekends shall be directed to the on-call supervisor, Specialized Investigations Division or the on-duty supervisor, Records Division, Warrant Detail.

3.414. Open Charge Arrests for Other California Law Enforcement Agencies

When a person is arrested for another agency within the state, and this Department does not have a pending arrest pertaining to the person, the booking shall be completed as follows:

- Enter the criminal charge, followed by the word "FOR," and the name and complete designation of the wanting agency.

The jail watch commander shall cause a teletype to be sent to the concerned agency, requesting the "Hold" for notification of

arrestee's custody status, and the date by which the arrestee is to be picked up.

3.416. Arrest for Public Intoxication

Officers who arrest an individual for Penal Code section 647(f), "Drunk in Public," shall:

- Determine if the person is conscious and coherent.
- Determine if the person arrested is in need of medical attention (e.g., insulin shock, coma, concussion, under medication, or any illness or injury, the symptoms of which resemble those of intoxication). If so, transport that person to a hospital for an examination prior to booking.
- Obtain a copy of the Hospital Referral/Treatment report and/or the medical treatment record from the examining doctor and include it with the booking application.
  NOTE: Either report should reflect the examining doctor's decision of "okay for booking."

If the decision reflects that the person should not be booked, the officer shall immediately notify his watch commander of the decision.

- Or transport the person to a designated facility for the purposes of detoxification, pursuant to the Penal Code.

3.416.10 Arrest for Public Intoxication: Release

An adult who is booked only for Penal Code section 647(f) shall normally be released under Penal Code section 849(b) after a

period of detoxification (minimum of five [5] hours) unless one (1) or more of the following reasons exist for non-release:

- The arrestee has been arrested in excess of five (5) times within the last two (2) years for violation of Penal Code section 647(f).
- The arresting officers should check their local and countywide data bases, as available, for records of prior arrests.
- An arrestee not eligible for release under Penal Code section 849(b) may be released under section 853.6(a).
- The arrestee has an additional want or warrant.
- The arrestee requests that he be taken before a magistrate.
- The safety of the arrestee, or others, may be jeopardized by the release.
- There are other specific articulated facts justifying continued detention and/or prosecution.
  NOTE: Circumstances arising after booking which necessitate continued detention of an arrestee shall be noted on the booking jacket per Penal Code section 853(i).

The decision to release per Penal Code section 849 (b)(2) shall be made by the supervisor of the arresting officer and noted as such on the Stipulation of Probable Cause Form. This form shall be prepared by the arresting officer and presented at the time of booking to the booking officer.

3.418. Responsibility for Care of Arrestees

Until the arrestee is delivered to the custody personnel as a booked person, his care and custody shall be the responsibility of the arresting or transporting officer. If the arresting officer

does not deliver the arrestee to the jailer, such care and custody shall be the responsibility of the transporting officer.

After being booked, the care and custody of the arrestee shall be the responsibility of the jailer, pending transfer of his custody to another proper authority.

3.422. Field Citation Releases

In making the determination to field release or to book, the arresting officer shall carefully consider those factors set forth in Penal Code section 853.6(j).

- The person arrested was so intoxicated that he could have been a danger to himself or to others.
- The person arrested required medical examination or medical care or was otherwise unable to care for his own safety.
- The person was arrested for one (1) or more of the offenses listed in the Vehicle Code.
- There were one (1) or more outstanding arrest warrants for the person.
- The person could not provide satisfactory evidence of personal identification.
- The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offenses would be jeopardized by immediate release of the person arrested.
- There was reasonable likelihood that the offense or offenses would continue or resume, or that the safety of

persons or property would be imminently endangered by release of the person arrested.
- The person arrested demanded to be taken before a magistrate or refused to sign the notice to appear.
- Any other reason, which shall be specifically stated on the form by the arresting officer.

In compliance with the provisions of the above-stated law, it shall be the policy of the Department that in any case in which a person is arrested for an offense declared to be a misdemeanor, the officer shall prepare a written notice to appear in court, containing the name and address of such person, the offense charged, and the time and place where and when such person shall appear in court.

3.422.10 Field Citation Releases: DUI/Public Intoxication

In order to increase patrol time and ensure public safety, a division commander may establish a "cite and release" directive for individuals found to be impaired by alcohol only and arrested for such misdemeanor violations. Any one of the

following conditions shall exist prior to establishing the procedure:

- There is an extended travel time to the nearest booking facility from the location of arrest and/or geographical location of the arresting officer's duty station.
- Personnel resources to cover patrol needs while the suspect is transported to a booking location are limited.
- There are circumstances that prevent a timely booking of the arrestee (i.e., arrestee requires medical treatment and/or hospitalization).

There must also be a responsible adult present, not under the influence, who is able and willing to accept responsibility for the arrestee, if released.

The following guidelines shall be used when considering a suspect for release using this policy:

- Suspects arrested for one of these offenses must be transported to the arresting officer's duty station, or other appropriate facility, for chemical tests and processing first. If the arresting officer determines the suspect is eligible for release, using this program, the release shall be made from that location.
- Prior arrests for a similar offense may disqualify the arrestee from this program.
- Any arrestee exhibiting violent/dangerous behavior shall be disqualified from this program.
- Before releasing the suspect, the arresting officer shall ensure he has obtained correct identification from the suspect including, whenever possible, some form of photo identification.
- Prior to releasing the arrestee, the arresting officer shall roll a full set of fingerprints.

- The arresting officer shall complete a citation for the arrestee to sign. If he refuses to sign, the arrestee shall be booked.
- The arresting officer shall ensure the person accepting responsibility for the arrestee is an adult and able to assume responsibility for the arrestee and subsequent behavior of the arrestee. This requirement may be waived if the arrestee is expected to remain in a hospital for five hours or more.
- The arresting officer shall verify by photo identification the person taking control of the arrestee before the arrestee is released to him.
- The arresting officer shall fill out and explain the admonition form to the arrestee and individual accepting control of the arrestee to ensure each understands the requirements of his actions.
- If the person accepting control of the arrestee refuses to sign the admonition form, the suspect shall be booked.

3.424. Arrestees Using Personal Medication

When an un-booked person is in Department custody, and the circumstances indicate that it is necessary to permit the person to take his own medication, he shall be permitted to administer the medication to himself. Circumstances in which a person shall be permitted to administer the medication himself, include, but are not limited to, the following:

- A sudden chest pain in individuals who carry Nitroglycerin.
- A diabetic on insulin treatment.
- A history of convulsive seizures (epilepsy) and under medication.

Safety members shall be guided, when determining whether or not to permit the subject to take his personal medication, by statements of the subject, friends, or family, and by material in the possession of the subject indicating that he has a medical

problem. Such material may include papers, medication, and "Medical Alert" bracelet or necklace worn by, or in the possession of, the subject.

If there is any doubt as to the condition of the subject or the type of personal medication involved, members shall obtain the advice of the subject's doctor, a contract hospital doctor, or other competent medical authority prior to permitting the subject to administer the medication to himself.

In all cases, when a safety member allows an un-booked prisoner to administer his own mediation to himself, the member shall record the date, time, type of medication, and amount administered on the Arrest/Booking Application. Safety members shall seek a pre-booking medical evaluation without unnecessary delay and advise the evaluating personnel of the medication administered.

When arrestees are so examined prior to booking, the transporting safety member shall either cause a Hospital Referral to be completed or obtain a copy of the medical facility's treatment record, indicating the diagnosis by the facility's staff, and the treatment rendered or prescribed. The member shall make note of the examination and the name of the facility where the examination was conducted on the Arrest/Booking Application. The member shall further deliver the completed Hospital referral, or copy of the facility's treatment record with the Arrest/Booking Application, to the jail when the arrestee is presented for booking.

3.426. Pre-Booking Medical Examinations

A safety member shall cause an arrestee to be examined at an approved medical facility prior to booking at any Sheriff's facility, when the arrestee suffers from, or claims to suffer from any disorder that will require immediate medical attention while

in custody. Examples of medical conditions that require a pre-booking check include, but are not limited to:

- Apparent trauma or illness which appears to require immediate emergency medical care.
- Active tuberculosis or other communicable diseases.
- Pregnancy with complications.
- Under the influence of PCP (Phencyclidine Hydrochloride).
- Any intoxicated person who cannot maintain consciousness, maintain balance, or understand verbal instructions.
- Other medical conditions likely to jeopardize the arrestee's health while in custody, or the health of other jail inmates.

When determination is made that an un-booked prisoner is in need of a medical examination and/or treatment, prior to being accepted for booking, it shall be the responsibility of the transporting agency, station, or division to obtain the necessary medical attention of the prisoner prior to booking.

3.428. Arrestees Requiring Medical Supervision

When a pre-booking medical examination results in a finding by the examining physician that a prisoner is in need of close observation, segregation, or treatment by medical personnel, but hospitalization is not required, the prisoner shall be housed at the West Valley Detention Center.

3.430. Suspects Requiring Extended Hospitalization or Care

When medical expenses can reasonably be avoided by delaying an arrest or by releasing a person already arrested,

without jeopardizing law enforcement goals and objectives, such a delay or release should be considered.

When considering such options, employees shall weigh factors, including but not necessarily limited to, the following:

- The seriousness of the offense.
- The requirements for an efficient investigation and successful prosecution.
- The possibility of flight by the defendant.

In all such circumstances, the deputy's supervisor shall be consulted prior to the decision being made.

Generally, deputies should avoid the unnecessary booking or continued custody of persons who require hospitalization or who are in significant danger of an imminent medical crisis.

3.430.10 Arrestees Requiring Extended Hospitalization

When an arrestee is hospitalized or in need of hospitalization, and there is a strong likelihood he will remain in custody, the arresting division or agency shall notify the West Valley Detention Center shift supervisor without unnecessary delay.

The transporting division or agency shall be responsible for the security of an arrestee until he is admitted by Arrowhead Regional Medical Center (ARMC). After the arrestee has been admitted, the Detention and Corrections Bureau shall assume

responsibility for the security of the arrestee, pending an absentee booking.

The Detention and Corrections Bureau shall not assume responsibility for arrestees admitted to medical facilities other than ARMC.

The transporting deputy/officer is responsible for delivering the completed arrest and booking paperwork to the West Valley Detention Center Duty Officer immediately following the admission of the arrestee into ARMC. The transporting deputy/officer shall request an "absentee booking" for the arrestee, and he shall provide all information and assistance necessary to complete the booking.

In cases where an arrestee has already been booked (i.e. at a Type I jail facility) but subsequently requires hospitalization, the transporting safety member shall ensure that the inmate's booking jacket is delivered to the West Valley Detention Center Duty Officer immediately following the admission of the inmate by ARMC.

3.432. Miranda Warning

When a situation arises that a subject be read his Miranda Rights, the officer shall read the "warning" verbatim per the standard Sheriff's Miranda Card, which the officer shall possess.

Officers shall be familiar with the application of the "warning" and keep aware of the current application of the law. Officers shall further comply with the waiver found on the reverse side of the same card.

3.434. Field Search of Arrestees and Detainees

When an officer arrests or detains any person as a suspect of a criminal offense, the officer shall conduct a cursory search for

weapons as soon as practical, but no later than when the suspect is placed in a vehicle for transportation away from the scene of the arrest or detention.

Generally, the cursory search for weapons shall consist of patting the suspect's body and clothing and squeezing of the clothing, especially seams, pockets, and unexplained masses. Officers shall be cautious of the potential presence of sharp objects, such as razor blades and hypodermic needles, when conducting such a search.

Detected objects which may be weapons or containers concealing weapons shall be removed and examined more closely.

Other objects which are detected and reasonably identifiable as contraband, the possession of which constitutes a criminal offense, may be removed and seized. In this regard, a mere suspicion that an object is contraband is not sufficient justification to remove the object at that time. It should be noted that, except for suspected weapons, it is generally preferable to remove such objects during the booking search rather than in the field.

An officer of the same sex, if present, should be utilized to conduct such a search, however, officers of the opposite sex may conduct such searches when an officer of the same sex is not present. While every reasonable effort shall be made to protect the dignity of the arrestee or detainee, the safety of officers shall not be compromised because no officer of the same sex is present.

3.436. Handcuffing Arrestees and Detainees

The primary purpose in handcuffing an arrestee is to maintain control of the arrestee and to minimize the possibility of

escalating the situation to a point that would necessitate more drastic means of restraint.

Generally, all arrestees shall be handcuffed; however, there may be circumstances that can best be perceived by the involved officer. Therefore, any decision to not handcuff an arrestee must be based on available facts in each particular case.

Arrestees should be handcuffed with the hands behind them, palms to the outside. Handcuffs shall always be double locked.

Plastic cuffs may be used when mass arrests are made and/or when regular cuffs are not available.

3.436.10 The Use of Leg and Upper Arm Restraints

When an officer deems it necessary to restrain the legs and/or upper arms of a violent or potentially violent person during the course of detention, arrest, and/or transportation, only the Department-issued restraint device shall be used, and only in the manner approved for such temporary immobilization of the legs and upper arms.

A Department-approved leg/upper arm restraint device shall be issued to all stations for each assigned patrol vehicle as a basic equipment inventory item. Officers are authorized to use the Department-approved leg/upper arm restraint device upon the satisfactory completion of Department-prescribed training, as administered and documented by the Use of Force training staff. Except for the restraint device approved by the Department, any other device or instrument used for the purpose of restraining the legs and/or upper arms is not authorized.

This policy does not prohibit the approved use of the Department-authorized all steel constructed legcuffs, when

such use is necessary, as based on a consideration for the safety of the person in custody, the officer, and the public.

3.438. Transporting Violent Persons: Sheriff's Vehicles

Deputies may transport violent or potentially violent persons in a Sheriff's vehicle only when the person being transported is properly restrained by means which will be safe to both the deputy and the person. For a deputy to accomplish this type of restraint, he may elect to use leg restraints which are humane and safe. This does not preclude the deputy from handcuffing the person from behind and double locking the cuffs for safety.

The primary goal for using leg restraints is to minimize injury to the person during transportation and to reduce the possibility of injury to the officer or damage to the vehicle.

3.438.10 Transporting Violent Persons: Ambulances

Deputies may use an ambulance service to transport a violent or potentially violent person only when:

- The person is injured or physically ill and is in need of immediate medical attention and care.
- The person is restrained in the recumbent position prior to the deputy's arrival and any release of the restraints may cause some further confrontation resulting in injury to officers, ambulance personnel, paramedics, the public, or the person being restrained.

When an ambulance is used to transport a violent person, one deputy shall accompany the ambulance to the hospital to ensure the safety of ambulance personnel.

3.438.15 Accompanying Suspects/Victims in Ambulances

When an injured arrestee is transported from a field location to a hospital via an ambulance, it may be considered necessary for a deputy to accompany the arrestee in the ambulance. Factors to be considered in making such a decision include, but are not limited to, the following:

- The seriousness of the offense.
- The severity of the arrestee's injuries.
- The suspect's potential ability to flee or assault surrounding personnel.
- The need to preserve/collect physical evidence from the person of the arrestee.
- Whether the suspect may utter a "dying declaration."

When the potential exists for flight, violent behavior, or destruction of evidence by the arrestee, a deputy should ride in the ambulance in a position where control of the arrestee can be maintained. Otherwise, a deputy may follow the ambulance in his patrol vehicle.

In cases where a critically-injured victim is being transported by ambulance, it may be considered necessary for a deputy to accompany the victim in the ambulance - in order to provide security, obtain statements, preserve physical evidence, etc.

However, no deputy shall abandon an active/unprocessed crime scene or leave such a scene unprotected while accompanying a suspect or victim to the hospital.

When no deputy can be spared from the crime scene, arrangements may be made to have another patrol unit to meet the ambulance at the hospital.

In their attempts to gather and preserve evidence, deputies shall refrain from interfering with the emergency medical care of injured persons being rendered by qualified personnel.

When a deputy abandons his vehicle in the field to accompany an injured arrestee or victim in an ambulance, he shall take all reasonable precautions to ensure that his vehicle is safeguarded and that it is recovered by either himself or another Department member as soon as possible.

3.442. Notifying Parole and Requesting Hold

When a parolee is to be booked for any charge, the arrestee's parole officer, or if unavailable, the parole agency, shall be notified by the arresting officer. Any information which would tend to justify the placing of a parole hold on the arrestee shall be relayed to the parole officer at the time of notification. When a request for a parole hold is initially denied by the parole agency, additional requests may be made based on additional information.

3.444. Checking Arrestees for Additional Warrants/Wants

When a suspect is arrested, it shall be the responsibility of the arresting officer, prior to booking, to determine if the suspect has any other outstanding warrants or wants.

- If it is found that the suspect is the subject of an investigation by this Department or any other agency, the arresting officer shall cause the officer or agency concerned to be notified regarding the arrest of the individual.
- During the course of arrest and booking of a suspect, if any information or evidence is obtained concerning additional criminal activity, the arresting officer shall cause to notify the proper investigators, or agency, if the crime does not fall within the scope of the arresting officer's jurisdiction or duties.

3.446. Securing Weapons Prior to Entering a Jail Facility

Officers entering any area of a jail where arrestees are booked or detained shall deposit their weapons in a weapons locker, or other location of safety, prior to, or immediately upon, entering a jail facility.

NOTE: Weapons shall include, but are not limited to, all firearms, knives, Mace, and batons.

3.448. Booking on Open Charges

When a person is arrested without a warrant for the commission of more than one offense he shall be booked on the charge carrying the greatest penalty, or on the charge for which the evidence is most conclusive. A person arrested for an offense punishable as a felony shall be booked on the felony charge regardless of whether the case could be prosecuted as a misdemeanor under authority of the Penal Code.

When a misdemeanor warrant is issued for a felony crime (e.g., 459 PC - Misdemeanor), the booking charge shall be as specified on the warrant.

When the booking is for violation of a California law or a county or municipal ordinance, the section number and subsection, if any, shall be listed first and then the particular code, followed by a parenthesized abbreviation of the crime (Forg-Chks).

When a person is arrested on a local charge or warrant and a fugitive charge, he shall be booked on the local charge or warrant. The fugitive charge shall be placed as a hold.

3.450. Transport of Contagious Arrestees: After Booking

When it is determined after booking, that an arrestee has a contagious disease and is to be transferred to another facility,

the arresting officer, when practicable, shall transport the arrestee. (This precludes unnecessary exposure to additional officers.)

When other transportation is provided, the jail supervisor shall promptly notify the arresting officer(s) so that he may document the contact and take appropriate hygienic measures.

3.450.10 AIR PURIFYING RESPIRATOR (APR)

The Department recognizes safety and some professional staff members may be required to use an air-purifying respirator (APR) in the performance of their duties. This policy on the use, training, storage, and record keeping is intended to comply with California Occupational Safety and Health Regulations (CAL/OSHA) guidelines for APR's, POST guidelines, and Penal Code section 12403 requirements for use and training.

All members who are issued an APR shall be medically qualified prior to participating in the required program. Members shall complete an annual respirator fit test in compliance with CAL/OSHA. Training shall be given to the member at the time of the fit test, and records shall be maintained in the member's personnel file.

All Department members issued an APR shall adhere to the Respiratory Protection Program as set forth in the California Code of Regulations (CCR), Title 8, Section 5144. The San Bernardino County's Respiratory Protection Program can be located on Starlink.

Added 10-28-21

3.452. Inventory of Arrestee's Personal Property

Souvenir coins or currency should so be listed on the property inventory record and should be placed into a coin envelope and sealed in a property bag, with other personal property. Place jewelry in a coin envelope.

Money in excess of $500.00 should be verified by the arresting officer, and he should initial the amount on the cash verification form.

3.452.10 Arrestee's Unacceptable Property

The jail facilities shall only accept property which can be stored in the plastic property bags available to arresting officers in the intake areas. Bulk property shall not be accepted at any Sheriff's jail facility and shall be turned over to the arresting officer. Property not accepted shall be taken by the arresting officer to their station/division or department and placed into safe keeping or dispositioned according to their department's policy and procedures.

Firearms, ammunition, explosives, knives, marijuana, or alcoholic beverages shall not be stored. Such items shall be turned over to the arresting officer.

All accepted property shall be thoroughly searched, then sealed. The booking officer shall enter this property in the property section for the booking record.

The arresting officer shall be present during the search of the inmate. Any contraband or controlled substance should be given to the arresting officer.

Whenever an inmate is combative, or so intoxicated that he is unable to observe the inventory and recording of property, the

inmate shall be placed in the appropriate cell. His property shall still be inventoried and countersigned by the arresting officer.

Any complaints of missing money or property should be immediately and thoroughly investigated. If not located or accounted for, the explanation shall be detailed in a report.

This policy does not generally apply to state prisoners and county jail inmates transferred from state prison or other counties and booked into the Sheriff's jail system.

3.452.15 Items Considered Contraband by Jail

The jail shall not accept the following items which might be in the possession of an incoming prisoner:

- Alcoholic beverages.
- Perishable foodstuffs.
- Animals.
- Weapons and/or ammunition.
- Items of personal property constituting a threat to security.

Arresting officers shall be advised if any of the property in the possession of the inmate is not acceptable. The arresting officer may handle such property in whatever manner his departmental regulations allow or require.

The jail is responsible only for property it receives and receipts for. Any inmate who claims that all the property in his possession at the time of his arrest has not been returned to him should be referred to the arresting officer or agency.

3.454. Booking Searches

Every arrestee has the right to be protected from unreasonable searches, as set forth by the Fourth Amendment of the United States Constitution, and it is vital that the Department preserve

this right. However, the Department has the responsibility of protecting its members from injury inflicted by prisoners; as well as promoting the safety of all prisoners confined within Department jails. This responsibility also includes the protection of prisoners from assaults and injuries caused by other prisoners, and minimizing the opportunity for suicide.

Because of this, weapons, items that may be used by prisoners as weapons, narcotics and other drugs and medications, contraband, and money and valuable items must be prevented from entering the jail facility.

Every person arrested or detained and entering a jail facility maintained by the Department shall be required to submit to a cursory search upon entry into such facility. Such a search may initially be accomplished by the arresting or transporting officer; however, prior to processing the arrestee into the facility (fingerprints, photo, or temporary housing pending imminent release), such cursory search shall be repeated by a safety member of the Department.

As used in this policy section, a "cursory search" means a search of an arrestee, by a Department employee of the same sex as the arrestee, conducted for the purpose of discovering any object or substance in the possession of the arrestee that the arrestee could use to harm himself or others, damage the jail facility, or attempt escape; and to discover any undeclared property, money or valuables.

Such cursory searches require that the arrestee remove footwear, headwear, and outer garments, such as coats, sweaters, over-pants, coveralls, etc. Generally, arrestees shall not be required to remove clothing items such as shirts and blouses, trousers and slacks, skirts, or shorts; as long as these clothing items are not so heavy and thick as to be capable of concealing objects or property as described above.

In conducting a cursory search, the searching employee shall use the hands and fingers to examine the arrestee's body and clothing for any non-clothing items not voluntarily declared or surrendered previously. Patting of the arrestee's body and clothing and squeezing of the clothing, especially seams, pockets, and unexplained masses, shall be utilized to accomplish the cursory search. Detected objects shall be removed by the searching officers. Employees shall be cautious of the potential presence of sharp objects, such as razor blades and hypodermic needles, while searching arrestees.

When the arrestee's scalp is not reasonably visible, the hair shall be searched by running fingers through the hair in such a manner as to dislodge any object secreted in the hair.

Footwear, headwear, and previously removed bulky clothing shall be examined prior to concluding the search. Accessories, such as purses, shall be searched.

3.458. Strip Searches

As used in this manual, "strip search" is defined as a thorough search of an arrestee, by a departmental employee of the same sex as the arrestee, accomplished in a location restricted from the view of other persons not necessarily participating in the search, and accomplished by requiring the arrestee to completely disrobe and submit to a visual examination of the arrestee's body and a careful detailed physical examination of all clothing items prior to allowing the arrestee to redress. The visual examination of the arrestee's body shall consist of requiring the arrestee to open the mouth, raise the arms, display the bottoms of the feet, and raise the breasts or testicles, when applicable, to guarantee that no item is secreted in these places. Additionally, the arrestee shall be required to bend forward at the waist and simultaneously spread the buttocks to allow the searching officer to view the openings of the anus and vagina to insure that no protruding objects are

present. When the scalp is not reasonably visible, the arrestee shall be required to run fingers through the hair in such a manner as to dislodge any object secreted in the hair.

3.458.10 Criteria for Conducting a Strip Search

All persons arrested and taken into custody may be subjected to pat-down searches, metal detector searches, and thorough clothing searches to retrieve concealed weapons and contraband substances prior to being placed in a cell.

No person arrested and held in custody on a misdemeanor or infraction, except those involving weapons, controlled substances, or violence shall be subjected to strip search or visual body cavity search prior to placement in the general jail population. Except where an officer has reasonable suspicion based on specific and articulate facts to believe such person is concealing a weapon or contraband and a strip search will result in the discovery of the weapon or contraband. All strip searches conducted under the above exception must have the written authorization of the watch commander prior to the search. A Visual Strip Search Authorization Form shall be completed and placed in the inmate's booking jacket. This form shall be made available, upon request, to the searched or his authorized representative.

Further, the watch commander must base his authorization on this written documentation outlining the facts and circumstances upon which the suspicion determination was made granting the search.

No person arrested and held in custody on a misdemeanor or infraction not involving weapons, controlled substances, or

violence shall be confined in the general jail population unless all of the following are true:

- The person is not cited.
- The person is not to be released on his own recognizance.
- The person is not able to post bail within three (3) hours.

In cases where a document emergency exists and there is no reasonable alternative, a person may be placed into the general population after written documentation citing specific facts and circumstances, and approval of the watch commander has been made.

Generally, except when necessary to restrain a combative or uncooperative arrestee, to protect himself, to prevent the loss or destruction of discovered evidence, or to insure the thorough search of head and hair, officers shall not touch the arrestee during the strip search.

NOTE: When a strip search is required by the provisions of this manual and an arrestee refuses to cooperate with such a search, and it becomes necessary to restrain the arrestee to accomplish the search, officers responsible for such a search shall advise his supervisor of the circumstances and seek the supervisor's guidance prior to proceeding with the search.

Nothing in this section is intended to prevent officers or employees of either sex from coming to the immediate aid of an employee who is conducting a strip search when the arrestee assaults the searching employee or otherwise becomes unexpectedly combative.

When a foreign object is observed, and the arrestee refuses to remove and surrender it, the arrestee shall be kept under continuous observation until an authorized body cavity search can be conducted. During such time, the arrestee shall be separated from any source of disposal, especially a toilet.

3.460. Body Cavity Searches

As used in this manual, "body cavity search" means a physical examination of the rectum and, in the case of females, the vagina, for foreign objects secreted therein. Such searches shall be conducted only by physicians, nurses, or nurse practitioners licensed as such by the state of California and shall be conducted in locations selected or approved by the medical personnel consistent with accepted medical standards and the protection of the arrestee's privacy and dignity. Generally, no person shall be allowed to observe the examination, except the examiner and an officer, of the same sex as the arrestee, to ensure the safety of the examiner. When reasonably available, an examiner of the same sex as the arrestee should be utilized. The method of the examination shall be determined by the examiner and shall not violate commonly accepted medical techniques.

3.460.10 Criteria for Conducting a Body Cavity Search

Body cavity searches shall not be conducted indiscriminately or arbitrarily of arrestees. A body cavity search is not a routine nor automatic part of the processing an arrestee into a Department jail.

Because a body cavity search is the most severe intrusion of a person's privacy, such a search shall only be conducted when there exists a specific and describable circumstance indicating that the arrestee may have concealed within the rectum or vagina an object or substance with which the arrestee could harm himself or others, damage the jail facility, or attempt escape.

When such circumstances exist, the arrestee shall be confronted and requested to voluntarily remove and surrender any secreted object or material. When so confronted, the

nature of the object or material and its size or quantity shall be factors in determining whether or not a body cavity search shall be conducted to ensure that all secreted objects or material have been recovered.

No person arrested on a misdemeanor or infraction shall be subjected to a physical body cavity search prior to placement into the jail general population, except by a search warrant specifically authorizing the body cavity search. A physical body cavity search shall be conducted under sanitary conditions and only by a registered nurse or physician licensed to practice in this state. All persons conducting or otherwise present during the physical body cavity search shall be of the same sex as the person being searched except for the physician or licensed medical personnel.

A Physical Body Cavity Search Form shall be completed and placed in the inmate's booking jacket. This form shall be made available, upon request, to the person searched or his authorized representative.

NOTE: When circumstances exist indicating the possible presence of a secreted object or material in an arrestee's rectum or vagina, it shall be assumed that the object or material falls into one of the categories described in the second paragraph of this section, by virtue of the fact that the object is so secreted.

3.462. Arrestee's Clothing Taken as Evidence

When a deputy desires to seize an arrestee's clothing as evidence, the arrestee shall be required to disrobe and surrender the articles of clothing demanded by the deputy,

regardless of the anticipated length of time the arrestee shall be kept in custody or how the arrestee is housed.

In such cases, the arrestee shall be furnished with the means to cover or dress himself when his own clothing is seized.

This section is not intended to interfere with procedures utilized by any Department jail facility whereby an arrestee is issued standard jail clothing after being required to surrender his own clothing and to shower.

3.464. Record of Location of Arrestee's Vehicle

When an arrestee's vehicle is not impounded, stored, or otherwise disposed of, officers shall indicate on the Arrest/Booking Application the exact location where the vehicle was left parked.

When an arrestee's vehicle is impounded or stored, the station log shall reflect the vehicle location, in addition to relevant arrestee information.

3.466. Arrestee Claims to Have Been Previously Booked on Same Warrant

If an arrestee alleges to have been previously booked by authority of a warrant obtained through the Records Division or any automated warrant system, the arresting officer shall

ascertain the validity of the warrant in question. To resolve the status of the warrant, the arresting officer shall:

- Request the Records Division to check any prior booking jackets for a related booking document.
- Contact the court of issuance when possible, and inquire as to the status of the warrant.
- Ask the arrestee for any receipts or documentation indicating the warrant was resolved.

3.468. Telephone Access Provided to Arrestees

The following guidelines apply to all telephone calls completed by in-custody adults and juveniles.

- Adults shall be allowed to make telephone calls immediately after booking; juveniles, immediately upon being taken to place of confinement.
- A prisoner's refusal to cooperate in the booking process shall not affect his right to complete calls. In any event, an adult arrestee's request to make telephone calls shall be granted within three (3) hours following arrest, except where physically impossible. A juvenile, upon being taken to a place of confinement, shall immediately be allowed his right to complete his telephone calls, except when physically impossible, but in no event longer than one (1) hour.
- Calls made to a prisoner's attorney, religious advisor, or licensed physician shall not be monitored, eavesdropped upon, or recorded. (Refer to 636 PC.)
- Generally, calls completed on County telephones shall be limited to local calls only, unless the calls are made collect. Collect calls shall be placed by the

arresting officer or jailer, and he shall ensure that the call has been accepted.

All calls made shall be documented on the booking form with the name or title of the person called and the telephone number.

3.468.10 Sign Advising Right to Telephone Access

At any Sheriff's station or other place where an arrestee is detained, a sign containing the following information in bold, block type shall be posted in a conspicuous place:

- That the arrestee has the right to free telephone calls within the local dialing area, or at his own expense if outside that local area to three of the following:
- An attorney of his choice, or if he has no funds, the public defender whose telephone number shall be posted.
- A bail bondsman.
- A relative or other person.

It shall be the responsibility of the commander of each Sheriff's facility to see that the above-described sign is posted.

3.470. Jail Citation Releases

After a misdemeanant has been booked into a Sheriff's jail facility, the arresting agency should normally prepare a written promise to appear for the release of their prisoner; however, should they fail to do so, jail personnel shall make an immediate investigation into the background of the arrested person to determine whether he should be released from custody on a promise to appear in court.

In making the determination to release or to retain custody of the misdemeanant prisoner, jail personnel shall carefully

consider those facts set forth in Penal Code section 853.6(i) to determine if they still apply to the arrestee.

3.472. Accepting Bail: Arrestee Booked at Another Department Facility

When a request is made to deposit bail for the release of a prisoner in custody at a different location, the employee accepting bail shall:

- Telephone the station or facility where the prisoner is in custody to verify that the person is in custody on a bailable offense and to determine the amount of bail.
- Request a bail information teletype be sent.
- Upon receipt of the bail information teletype, accept and process the bail.
- Send an order to release prisoner teletype to the station or facility having custody.

3.472.10 Accepting Bail: Surety Bond Offered

An employee offered a surety bond by an arrestee's agent shall check the validity of the bond. The bond shall not be accepted when:

- The bond does not conform to the correct arrestee bail information.
- The bond is for more than one warrant or one open charge.
- Alterations or erasures are made on the bond.
- Bail is in excess of the bond limit.
- The bond has expired.
- The bond is not executed by an insurer certified to transact surety insurance in this state.
- The bond has not been notarized.

When the validity of the bond is in doubt, the employee shall advise the watch commander prior to taking any further action.

After verification, the bond shall be processed in the same manner as cash bail.

3.472.15 Accepting Bail: Partial Cash Bail Offered

An employee offered partial cash bail by an arrestee's agent shall:

- Determine the amount of bail required.
- Determine whether the arrestee has sufficient money in his property to complete the balance of the bail and whether he desires his money to be used for this purpose.

Sufficient Funds. If the arrestee has sufficient funds and desires that they be used for bail, secure their release to the arrestee's

agent by having the arrestee complete the property release portion of the booking form.

Insufficient Funds. If the arrestee has insufficient funds, or if he is unwilling to use his funds for bail, the employee shall decline to accept the partial payment offered by the arrestee's agent.

3.472.20 Accepting Bail: Cash Bail Formset

The Cash Bail/Fine Formset shall be completed when cash or a postal money order, in the exact amount, is posted to pay a fine or bail. Cash, a U. S. postal money order, Western Union, a commercial bank cashier's check, or a savings and loan or a credit union cashier's check made out to the San Bernardino County Trial Courts shall be accepted.

A surety bond can be accepted in lieu of cash for bail purposes.

Formset receipts shall be completed in their entirety by the member accepting bail, except for the "check" portion of the form. The "check" portion shall be completed by the Bureau of Administration.

The Sheriff's Bureau of Administration is responsible for the issuance and control of blank formsets. Formset receipts are numbered sequentially for control and audit purposes and each must be accounted for.

The cash or postal money order shall be placed in a cash bail envelope and stapled to the top left corner ("snap-out" strip) of the formset. The receipt number should be written on the cash

bail envelope. Each bail shall be completed on a separate formset with a separate corresponding cash bail envelope.

- The original (white) receipt shall be given to the person posting the bail or fine.
- The yellow copy shall be retained in the station file.
- One (1) photocopy of the completed formset shall be made and placed in the inmate's booking jacket.
- The remaining portions of the completed formset, with the cash bail envelope attached, shall be deposited in the station's cash bail box for transportation to the Bureau of Administration.

The cash and completed formset shall not be left unattended at any time. The member who completes the formset receipt and accepts the cash bail shall be responsible for its safe deposit in the cash bail box.

3.472.25 Accepting Bail: Voided Cash Bail Formset

Voided formsets shall be handled as follows:

- The word "Void" shall be printed in large letters on the receipt portion. The employee who has voided the formset shall sign his name, employee number, date, and time under the word "Void." He shall type or print his name under his signature.
- The word "Void" shall be printed in large letters on the check portion of the formset.
- The yellow copy shall be retained in the station.
- The remaining completed formset shall be deposited in the cash bail box for the Bureau of Administration.

If a mistake is made on a formset, it can be voided; however, it must be accounted for. Therefore, the formset shall never be destroyed.

3.472.30 Accepting Bail: Accuracy on Cash Bail Formsets

The employee who makes out a formset receipt must be absolutely sure of its accuracy before it is deposited in the cash bail box. The only key for cash bail boxes is at the Bureau of Administration, and therefore, the only person authorized to open the box is the fiscal clerk at the Bureau of Administration.

Should the Bureau of Administration make any changes on a completed formset received by them, they shall advise the concerned station personnel to make the changes on the station s yellow copy.

Due to the control placed on formsets, an employee accepting cash bail should first ensure that the inmate is not going to be released on a citation (promise to appear). In the event that cash bail has been accepted and deposited in the cash bail box, and a promise to appear has been initiated, there is no method for returning the cash bail. Therefore, the promise to appear shall be voided, and the inmate shall be released on bail.

3.478. Alternatives to Detention, or Arrest/Booking

Once a violator has been identified, it is the function of the Department to initiate the criminal process; however, there are circumstances when a crime may occur and the Department shall not make a physical arrest. There may be a report written and an application for a complaint made; or in some cases, when the offense is of a minor nature, a verbal warning or other direction may be given. The decision not to make an arrest shall be guided by Department policy and the factual situation involved, not by the personal feelings of the officer. An arrest does not dictate a booking, and a booking does not dictate continued detention. When circumstances so indicate, an

arrestee should be released without being booked and, if booked, should be released from further detention.

3.480. Transporting Ill/Injured Persons by Department Vehicle

Officers may provide emergency transportation service to obtain medical treatment for an ill or injured person when necessary for the preservation of life or limb. In all cases, the officer shall drive his vehicle or navigate his vessel or aircraft

with due regard for the safety of all persons using the highway, waterway, or airways.

The following are cases that indicate the necessity for obtaining immediate medical treatment:

- Stoppage or impairment of breathing.
- Severe bleeding.
- Poisoning.
- Actual childbirth or pregnancy involving complications, such as severe bleeding.
- When it is apparent that emergency treatment is imperative for the preservation of life or limb.

NOTE: In cases where a medical doctor, paramedic is present, officers shall be guided by his diagnosis and advice.

RESTRICTIONS: Transportation may be provided only when:

- Immediate hospitalization is required.
- An ambulance or paramedic will not arrive at the scene in a reasonable amount of time.
- It appears that movement shall not seriously endanger that person.
- No friends or relatives are able to provide such services.
- The Sheriff's vehicle, boat, or non-EMS aircraft is the only means of immediate transportation.

NOTE: Officers should consider providing immediate emergency first aid and CPR, as necessary. If transportation of the victim is necessary, the officer should consider that a second officer or medical technician should generally be present in the unit to provide emergency treatment during transportation.

In cases where the officer determines that the person must be transported in the Sheriff's unit, the officer should determine if it would be feasible to meet a medical unit (ambulance-

paramedics) at any location prior to his arrival at the hospital. If medical assistance can be rendered prior to arrival, then a meet with the paramedics or ambulance should generally be made.

BLOOD OR MEDICAL SUPPLIES: Emergency transportation of blood or medical supplies may be provided when necessary for the preservation of life.

3.482. Parental Notification of Juvenile Arrest/Detention

If a juvenile is arrested, the arresting officer shall notify the juvenile's parents or legal guardian without delay as prescribed in the Welfare and Institutions Code.

If an arrested juvenile is detained after booking, the juvenile's parents or legal guardian shall be notified and given the address where the juvenile is detained.

3.484. Temporary Detention of Minors

A minor may be held in temporary custody for the purpose of investigating a criminal case, while facilitating release of the minor to a parent or guardian, or while arranging transfer of the minor to an appropriate juvenile or mental facility.

Sections 200 through 223 of the California Welfare and Institutions Code and Title 15 of the California Code of Regulations establish the standards for law enforcement facilities that contain lockups for adults that may be used for

the temporary detention of minors (persons under 18 years of age).

All minors being temporarily detained shall be provided the following:

- Reasonable access to toilets and drinking water.
- Privacy during visits with family, guardian, and/or attorney.
- A snack, if the minor so requests and has not eaten within the last four hours.
- Blankets and clothing as necessary to assure comfort.
- His personal clothing unless the clothing is inadequate, presents a health or safety problem, or is required to be used as evidence of an offense.

No member shall administer, perform, or inflict any discipline, punishment, or corrective action on any minor while in temporary custody.

Generally, minors shall not be held in any restraint system other than handcuffs. Each deputy has the discretion whether or not to handcuff a minor. If a minor is to be handcuffed, consideration shall be given to the age of the minor, the need for officer safety, and the potential of the minor to harm himself or others.

There are two types of temporary detention: secure and non-secure.

3.484.10 Temporary Detention of Minors: Secure Detention

Secure detention occurs when a minor is held in a locked room, cell, or other enclosure; or is handcuffed to an item of furniture, equipment, or to any fixed object.

A minor may be placed in secure detention only under the following circumstances:

- The minor must be fourteen (14) years of age or older.
- The minor must be in custody under Welfare and Institutions Code section 602.
- The minor must present a serious risk of harm to self or others.
- A supervisor must approve the placement prior to its imposition.

In determining whether a minor poses a serious risk of harm to self or others, deputies shall take into account:

- The minor's age, maturity and history of delinquency.
- The severity of the offense.
- The minor's behavior, including the degree to which the minor appears cooperative or uncooperative.
- The availability of staff to provide adequate supervision or protection for the minor.
- The age, type and number of other individuals who are detained in the facility.

Additional restrictions on the imposition of secure detention include the following:

- A secure detention shall not exceed six (6) hours.
- Minors shall have constant auditory access to staff.
- Minors of the opposite gender shall not be placed in the same locked room, unless they are under direct visual supervision by an employee.

3.484.15 Temporary Detention of Minors: Secure Detention; Additional Requirements

Before securing the minor, the deputy shall advise him of the reason for secure detention. The deputy shall then complete a "Secure Detention Log" entry, documenting the advisement, the reason for the detention, the length of the detention, and the disposition of the minor at the end of the detention. The minor shall be checked no less frequently than once every thirty minutes.

If a minor is secured to a stationary object, a member shall be present at all times to assure the minor's safety.

- Minors shall not be secured to a stationary object for more than 30 minutes unless the watch commander approves.
- Continued restraint in this manner requires additional watch commander approval every 30 minutes.
- The reasons for this continued method of restraint, and the watch commander's approval, shall be documented on the secure detention log.
- Minors secured to stationary objects shall be moved to a locked room as soon as one becomes available.

A minor and an adult prisoner may be held temporarily in the same area only:

- To facilitate the photographing, fingerprinting, and/or blood alcohol testing of the minor.
- To accomplish the movement or re-housing of prisoners to accommodate the secure detention.
- To allow inmate workers to accomplish cleaning, feeding, and/or re-supplying tasks.

If an adult prisoner, including an inmate worker, is present with the minor, the deputy shall maintain a constant presence to

assure there is no communication or interaction between the adult and juvenile.

3.484.20 Temporary Detention of Minors: Non-Secure Detention

Non-secure detention occurs when a minor is held under continuous, in-person supervision by a Department member; is not held in a locked room, cell, or other enclosure; and is not handcuffed to an item of furniture, equipment, or to any fixed object.

A minor shall be placed in non-secure detention under the following circumstances:

- If the minor is under the age of fourteen (14).
- If the minor is age fourteen (14) to seventeen (17), but does not present a security or safety risk.

In a non-secure detention, the minor's freedom of movement is controlled by the personal interaction between a Department member and the minor. The minor is under continuous in-person supervision. (Audio, video or other electronic devices shall not substitute for in-person supervision.)

Minors in non-secure detention may be handcuffed, but not to an item of furniture, equipment, or to any fixed object.

When any minor is placed in non-secure detention, the deputy shall complete a "Non-Secure Detention Log" entry, documenting the reason for the detention, the length of the detention, and the disposition of the minor at the end of the detention.

Non-secure detention shall not exceed six (6) hours.

3.484.25 Temporary Detention of Minors: Medical/Mental Health Assistance

Any minor who is taken into temporary custody who is in need of medical attention shall be taken to the nearest hospital for evaluation and assistance.

Minors who are unable to care for themselves due to their intoxication, or who are known or believed to have ingested drugs, shall be taken to a medical facility for clearance prior to transportation to juvenile hall, or to a station for secure or non-secure detention.

Medical evaluations are not necessary for minors under the influence when the minor is able to care for himself, and when circumstances indicate this ability will not diminish.

When an intoxicated minor is temporarily detained, the minor shall be checked and observations documented no less frequently than once every fifteen minutes.

Any minor who is taken into temporary custody and exhibits signs of abnormal mental health, or any minor whose suicide risk potential is uncertain to a deputy, shall be taken to the nearest approved mental health facility for evaluation. At no time shall the minor be placed in secure detention or be left unsupervised.

3.484.30 Temporary Detention of Minors: Illness, Injury or Suicide Attempt

Whenever a minor in temporary custody suffers serious illness or injury, or attempts suicide, the minor shall be taken to the nearest hospital or approved mental facility for evaluation and

assistance. At no time shall the minor be placed in secure detention or be left unsupervised.

Whenever a minor in temporary custody suffers serious illness or injury, or attempts suicide, the facility commander or his designee shall ensure notifications are made to the court (if applicable), and the minor's parent, guardian, or person/agency having legal responsibility in the place of a parent. The required notifications shall be made as soon as practicable, and shall be accomplished so as to not alert others in the community who might facilitate an escape or threaten the safety of the minor, the transporting staff, or both.

A "serious illness or injury" is defined as any medical condition that requires emergency transportation to a hospital, or treatment for a chronic but potentially life-threatening condition.

A "suicide attempt" is defined as any action, however slight, that indicates a person's intent to harm himself in a manner that could result in death.

3.484.35 Temporary Detention of Minors: Death of Minor; Required Notifications

In the event a minor dies while under temporary detention, the Sheriff's Homicide Detail shall be notified immediately. The Sheriff's Homicide Detail, in cooperation/consultation with the Coroner Division, shall ensure notifications are made to the court (if applicable), and the minor's parent, guardian, or person/agency having legal responsibility in the place of a parent. The required notifications shall be made as soon as practicable.

Whenever a minor dies while under temporary detention in any Sheriff's facility, regardless of the circumstances or apparent cause of death (and in addition to the requirements set forth in

section 3/1037), a copy of the death investigation shall be sent to the Corrections Standards Authority and Attorney General no later than ten (10) calendar days after the death.

An oral board shall be convened to review the death of the minor. The board shall conduct a thorough assessment of the conditions surrounding the minor's death. This review should only be performed after all related reports, to include autopsy, have been received. This oral board shall be comprised of the following members:

- The Detention and Corrections Bureau Compliance Officer (Chairman).
- The division commander or his designee.
- The Detention and Corrections Bureau Chief Medical Officer.
- The Detention and Corrections Bureau Health Services Administrator.
- A Deputy County Counsel.

Copies of all reports documenting the death of a minor while temporarily detained shall be kept in a file maintained by the Detention and Corrections Bureau Compliance Officer.

3.488. Juvenile Report Routing

TRAFFIC CITATIONS- All citations issued to juveniles for traffic infractions/violations, excepting driving under the influence, will be cited into the adult traffic court of the appropriate jurisdiction.

Additionally, all offenses listed under California Welfare and Institutions Code section 256 may be cited as infractions into the appropriate traffic court within 30 days from the date of violation. The juvenile's report shall consist of Promise/Notice to Appear and a Continuation of Notice to Appear. A very brief and concise summary shall be written in the "Violations" section

of the Continuation of Notice to Appear. A CR-1, CR-4, Juvenile Petition or Department of Justice form need not be completed.

Photographs or photographic copies of any evidence may be attached to the citation(s) and submitted to the court. The disposition of the evidence shall be in accordance with Department policy.

INFORMAL JUVENILE MATTERS- Misdemeanor citations for offenses listed under Welfare and Instituitions Code section 256 shall be completed within seven (7) days and both the parent/guardian and the juvenile will be cited to appear at the San Bernardino County Probation Department at 150 West 5th Street, San Bernardino, California, 92415. This address shall be used regardless of jurisdiction and the appearance date shall be no sooner than 14 days or later than 60 days from the date of offense. These reports shall include the two citations, a Juvenile Application for Petition and the appropriate narrative.

IN CUSTODY JUVENILE REPORTS- When a juvenile is booked into Juvenile Hall on an open charge, an original copy of the Application for Petition must be presented to intake at the time of booking. If the juvenile is booked on a misedemeanor, the report shall be completed and submitted to Juvenile Probation at Juvenile Hall Intake within 24 hours of the arrest. If the juvenile is booked on a felony charge, the report shall be completed and submitted to Juvenile Probation at Juvenile Hall Intake within 48 hours of the arrest.

All such cases shall include CR-1, CR-2, CR-4, Application for Petition, Department of Justice Form, and any other necessary forms and narratives.

OUT-OF-CUSTODY FELONIES AND MISDEMEANORS- All out-of-custody juvenile cases that are not traffic violations/infractions shall be referred to Juvenile Probation.

Out-of-custody felony and misdemeanor cases shall be completed within seven (7) calendar days and forewarded to the station-assigned probation officer. All such cases shall include CR-1, CR-2, CR-4, Application for Petition, Department of Justice Form, and any other necessary forms and narratives. Additionally the juvenile shall be cited into the appropriate court no sooner than 14 days or later than 60 days from the date of offense.

Pursuant to W&I 660.5, all parents/guardians of juveniles cited for felony and misdemeanors shall be cited into the same court with the same time and date. The citation issued to the parent/guardian shall list the juvenile's name, date of birth, relationship to the juvenile, the juvenile's citation number, and the words "Pursuant to W&I 660.5" written in the "Violation-Description" section.

The cited parents or guardians should be identified on the citation by either a driver's license number or a recognized governmental identification. Parents must be notified at least 24 hours prior to the appearance time. Deputies must make a reasonable effort to locate the juvenile's parent or guardian. Deputies shall document efforts in contacting the parent or guardian in the body of the report.

If a juvenile or a juvenile's parent/guardian refuses to sign the Notice to Appear, the signature line should indicate "advised of court date, refused to sign." If the juvenile or juvenile's parent/guardian does not appear on the date noted, a warrant for arrest shall immediately be issued.

3.492. Booking a Juvenile at Juvenile Hall

When circumstances exist for the arrest of a juvenile, and the crime necessitates that the juvenile be placed in Juvenile Hall, the watch commander shall be notified.

Prior to placement of the juvenile in the hall, approval shall be obtained from the Juvenile Hall Intake Officer.

After placement has been approved, the original of the Application for Petition shall accompany the juvenile to the hall.

Stations that have the Quickdraw Program may utilize this program if applicable.

3.492.10 Arrest of Juvenile: Medical Examination

If a juvenile is arrested and is under the influence of narcotics, drugs, or alcohol, the arresting officer shall have the juvenile examined by an approved hospital physician prior to placing him in the hall.

3.492.15 Fingerprinting Juveniles

When circumstances exist for the arrest of a juvenile and the juvenile is taken into custody and transported to Juvenile Hall, released to the parents, or released with a citation, the juvenile shall be fingerprinted, including palm print. If the juvenile is released from custody with a citation at the crime scene, the box "booking required" shall be marked on the citation to insure that fingerprints shall be taken when he appears in court.

3.492.20 Telephone Access Provided to Juvenile Arrestees

When a juvenile is taken into a place of confinement, and except where physically impossible, no later than one (1) hour after he has been taken into custody, the minor shall be advised and has the right to make three (3) telephone calls

from the place he is being held, one (1) call completed to his parent or guardian, a responsible adult, or his employer, or an attorney. The calls shall be at public expense, if the calls are completed to telephone numbers within the calling area and in the presence of a public officer or employee.

3.502. Traffic Enforcement

The enforcement of traffic laws is not a primary responsibility of Department divisions having jurisdiction solely in unincorporated areas of the county. In these jurisdictions, where the primary responsibility for traffic enforcement lies with another law enforcement agency, deputies shall only enforce traffic laws when deemed appropriate for the protection and safety of the public.

For example, to facilitate the safe and expeditious movement of vehicular and pedestrian traffic during a critical incident, or to assist another law enforcement agency during a time of critical need, county jurisdictions may temporarily enforce traffic laws and direct traffic as a primary assignment.

Although not required by law, it is the policy of this Department that all deputies operating marked patrol units render assistance to disabled motorists when possible. Deputies who are responding to emergency situations are not required to render assistance. However, deputies who are responding to non-emergency calls shall stop, determine the nature of the problem and, if necessary, render assistance to the motorist.

3.504. Traffic Enforcement in Contract Cities

Within contract cities, to facilitate the safe and expeditious movement of vehicular and pedestrian traffic, the Department must enforce traffic laws, investigate traffic accidents, and direct traffic. To enforce compliance with traffic laws and to develop driver awareness of the causes of traffic accidents, the

Department appropriately warns, cites, or arrests traffic law violators.

Traffic accidents are investigated to protect the rights of the involved parties, to care for the injured, to determine the causes of accidents so that methods of prevention may be developed, and, when a traffic law violation is discovered, to gather necessary evidence to prosecute the violator. The Department maintains inter-sectional control where necessary to direct vehicular and pedestrian traffic and to provide information to the public in assisting them to arrive at their destination safely and expeditiously.

Those divisions providing contract cities with law enforcement services are additionally responsible for traffic enforcement activities, included but not limited to, the following:

- Observe and inspect drivers, vehicles, and roadways.
- Supervise traffic movement.
- Check and patrol areas of high hazard.
- Coordinate activities with the appropriate city traffic engineer, and other designated city officials, and develop ways and means of improving traffic conditions within the city.
- Prepare periodic traffic reports and studies for presentation to the city council.
- Arrest or cite traffic violators.
- Issue warnings.
- Prepare traffic accident reports.
- Maintain liaison with other contract cities concerning their traffic programs and by means of personal communications, written reports, or surveys and recommendations.

The Department conducts statistical and visual surveys to determine by location, time and day of the week which violations are causing accidents. Based upon the information

thus obtained, the Department deploys its personnel to those specific areas to observe violations and to take enforcement action. In addition, when the Department receives complaints of a specific traffic problem in a particular area, it specifically assigns personnel to investigate and take the necessary enforcement action.

Investigation of traffic accidents is necessary, not only to determine traffic law violations, but also to obtain engineering data, to protect the rights of the individuals involved, and to assist in traffic education.

3.506. Traffic Collision Investigation Response and Investigation

An employee assigned to a traffic accident call shall be responsible for completing the investigation and all necessary

reports unless advised by the dispatcher or watch commander that the call has been reassigned or canceled.

This should not preclude the deputy from requesting assistance from more qualified investigators.

An employee investigating a traffic accident shall ensure that a supervisor is dispatched to the scene when an accident involves:

- On-duty Departmental personnel.
- Any Department-owned vehicle.

The duties of an employee arriving at the scene of a traffic collision shall include:

- If necessary, summon an ambulance.
- If necessary, render first aid.
- Protect involved vehicles, property, and persons.
- Determine the agency of jurisdiction and request their notification/response if appropriate.

3.508. Juveniles Involved in Traffic Collisions

Juveniles involved in reportable traffic accidents shall be handled in the same manner as adults, except when:

The juvenile is injured and transported to a hospital for treatment, the officer shall cause the parents of the involved juvenile to be notified and asked to respond.

When juveniles are involved in traffic accidents, the officer's report shall reflect:

- The full name and address of the natural mother and father, even if divorced or deceased.
- The name and address of the stepparents, legal guardian, juvenile's spouse, or the person with whom the juvenile is presently living.

3.510. School Buses Involved in Traffic Collisions

When an officer responds to a traffic accident involving a school bus, and children are aboard, the investigating agency shall be the CHP. For buses which are unoccupied or the sole occupant is the driver, the officer assigned the call shall investigate and complete the appropriate report(s).

3.512. Traffic Collisions Involving Dangerous Substances

(Refer to section 3/1009 of this manual.) When a traffic accident occurs and involves radioactive materials, explosives, flammable substances, hazardous chemicals, or other dangerous materials, the officer at the scene shall:

- Keep all persons at a safe distance.
- Immediately cause the watch commander to be notified.
- Request assistance from the fire department.

3.514. Traffic Collisions Involving Animals, Bicycles and Trains

The following are subject to traffic accident reporting requirements in the same manner as motor vehicles.

- Trains and animals, either ridden or driven, when on a traffic way.
- Bicycles, when on a roadway or a paved shoulder.

NOTE: A traffic accident report is not required in cases involving only the element of a rider falling from a bicycle or animal.

3.516. Damaged to Unattended Property

Officers shall make every effort to locate and/or leave written notification to any owner or any unattended property involved in, or damaged by, a traffic accident.

NOTE: If a traffic accident report is taken, the report shall reflect the description of the damage and the confirmation of notification to the property owner.

3.518. Hit-and-Run Traffic Collisions

An officer shall conduct an investigation and complete an appropriate traffic accident report when a traffic accident results in property damage or personal injury, and the elements of hit-and-run are indicated.

NOTE: An officer at the scene of a hit-and-run traffic accident shall, without delay, obtain and broadcast any available description of a hit-and-run driver and/or vehicle description and direction of travel, if known.

3.520. Fatal Traffic Collisions

Fatal traffic collisions shall be investigated by the Department's Major Accident Investigation Team (MAIT).

Officers dispatched to a traffic accident which resulted in a death shall:

- Immediately cause the watch commander to be notified.
- Allow no one to move the body except in exigent circumstances.
- Allow no one to search the body except the coroner handling the case.
- Cause photographs to be taken of the victim and related scene.

A watch commander shall respond to the scene of all fatal traffic collisions and contact the station's or region's on-call MAIT supervisor.

3.522. Photographs at Traffic Collisions

An officer investigating a traffic accident shall cause photographs to be taken depicting the damage, or lack of damage, and other pertinent details when:

- Photographs would be of some evidentiary value.
- Photographs would be of value in the traffic education program.
- County-owned property is involved.
- A fatality or near fatality occurs.

3.524. Issuing a Citation as a Result of a Traffic Collision

An officer may issue a traffic citation to any person involved in a traffic accident when:

- He has witnessed the accident.
- He has witnessed all the essential elements of the violation.
- He has reasonable cause to believe that any person involved in a traffic accident has violated a provision of the California Vehicle Code not declared to be a felony or a violation of a local ordinance and was a factor in the occurrence of the traffic accident, provided he has successfully completed a course or courses of instruction, approved by the Commission on Peace Officer Standards of Training, in the investigation of traffic accidents.

3.526. Criteria for Generating a Traffic Collision Report

Listed below are some criteria for considering the need for a traffic report:

- The accident involves death, injury, hit and run, driving under the influence, trains, animals, bicycles, any felony (assault with a deadly weapon using a vehicle and contact was made), or any other complex circumstances which need to be recorded in the form of a report.

3.526.10 "Property Damage Only" (PDO) Traffic Collisions

Officers at the scene of a "Property Damage Only" traffic accident shall:

- Assist in cleaning the scene.

- Verify that a correct exchange of information has taken place.
- Inform the involved parties regarding the requirement for submission of the state form SR-1 to the Department of Motor Vehicles.
- *Advise involved parties that a traffic accident report is not required; however, should either of the involved parties request a report be taken, officers shall complete an accident report.*

3.528. DUI Investigations: Sobriety Examination

A sobriety examination shall be given when an under-the-influence driver is able and willing to perform them and, when practicable, shall be conducted at the scene of the incident.

A sobriety examination shall be completed when a deputy:

- Arrests a person whom he witnessed commit the elements of driving while under-the-influence.
- Arrests a driver suspected of being intoxicated who was lawfully arrested or detained by another peace officer or a private person.
- Is investigating a suspect for driving under-the-influence.
- Is investigating a traffic accident and an involved driver displays any objective symptoms of being under-the-influence, regardless of whether the driver is arrested.

When a suspected under-the-influence driver refuses to submit to a field sobriety test, the investigating officer shall read the "Implied Consent Admonishment" to the driver.

3.528.10 DUI Investigations: Arrests

An arrest for driving under the influence shall be made when:

- A deputy witnesses a person commit the elements of driving while under the influence.
- The under-the-influence driver was lawfully detained by an officer of this or another law enforcement agency.
- The under-the-influence driver was lawfully arrested or detained by a private person who witnessed the driving elements of the offense.

Per the California Vehicle Code an arrest shall be made when a traffic collision has occurred on a highway or on private property, AND

- The arresting deputy has reasonable cause to believe that a person involved in the traffic collision was driving a vehicle while under the influence of intoxicating liquor or the combined influence of intoxicating liquor and any drug.
- The arrest is effected as a continuous uninterrupted portion of the investigation.

When a person who has been arrested for operating a motor vehicle while under the influence of intoxicating liquor and/or or drugs refuses to submit to, or fails to complete, a chemical test, the arresting deputy shall cause the Department of Motor Vehicles to be notified of the refusal.

3.528.15 DUI Investigation: Chemical Tests

When a person has been arrested for driving a motor vehicle while intoxicated, and that person submits to a chemical test pursuant to California Vehicle Code section 13352, the officer shall inform the person of the permitted tests for alcohol (e.g.,

blood or breath). When the person makes his selection of the test, it shall be administered by one of the following:

- BLOOD. Personnel as listed under California Vehicle Code Section 23158a.
- BREATH. Any officer who is trained and certified in the use of the breath-testing equipment.
- URINE. Any officer of the same sex as that of the person being tested. This test is for drugs only.

When the arrested person requests a breath or urine test, the arresting officer should conduct the test; the administering officer's name shall be included in the arresting officer's report.

3.528.20 DUI Investigations: Traffic Collisions

When an investigation of a traffic collision may be related to driving under-the-influence (DUI), two separate investigations (one for the collision, and one for the driving under-the-influence) should be completed using the same criminal report (DR) number.

When available, two separate Department members should conduct each investigation; one member completes the collision investigation, while the other completes the DUI.

3.530. Reporting Incompetent Drivers

When an officer has reason to believe that a licensed driver is not a competent driver, he shall forward a Request for Re-examination of Driver Form to the Department of Motor Vehicles (DMV). This form shall be completed, describing the

reason for the requested re-examination. Each officer completing the form shall:

- Record all observations which substantiate the officer's opinion that the driver needs to be re-examined for his driving ability.
- List in the "Summary" portion any statements made by the driver regarding his own physical condition or defects.

3.532. Delineation of Freeway Responsibility

The California Highway Patrol is responsible for traffic supervision on all freeways within the County of San Bernardino. This responsibility includes all portions of the highway within a freeway right-of-way, in addition to other improvements, as indicated below:

OFF RAMP. The CHP's responsibility shall terminate at the prolongation of the nearest curb or edge of the roadway of the first intersecting city street (contract cities).

ON RAMP. The CHP's responsibility shall commence at the prolongation of the nearest curb or edge of the roadway of the last intersecting city street (contract cities).

NOTE: Officers of this Department may cite traffic violators on freeways within the County.

3.534. Receiving the Driver's License

A driver's license shall not be accepted from a person when it is contained in a billfold or card case. The violator shall be requested to remove and exhibit his license only.

3.536. Information Not to be Given to Traffic Violators

Officers shall not:

- Quote amounts of bail.
- Suggest that the case may be handled by mail.
- Attempt to quote or outline the policies of the court in regard to adjustment of certain types of violations.
- Suggest or recommend any automobile club or similar organization.

3.538. Traffic Violator Enters Another Jurisdiction

Whenever a traffic violation takes place within the County of San Bernardino, or in contract cities of the County, and the violator, before being apprehended, enters another jurisdiction, a traffic citation shall be issued or a physical arrest made in accordance with the circumstances of the violation committed within the County boundaries. When, after entering the other jurisdiction, the violator commits an offense of greater severity than that committed within the County boundaries, the officer shall:

- When the offense is a citable violation, file an application for complaint with the prosecutor having jurisdiction of the location of occurrence.
- Issue a citation for the violation committed within the boundaries of San Bernardino County.

3.542. Vessel Collision Investigation

The duties of the first deputy arriving at the scene of a vessel collision shall include:

- If necessary, summon an ambulance.
- If necessary, render first aid.
- Protect involved vessels, property, and persons.
- Cause another vessel enforcement agency to be notified when the location is within that agency's responsibility.

An employee who has been assigned a vessel collision call shall be responsible for completing the investigation and all necessary reports, unless advised by the dispatcher or watch commander that the call has been reassigned or canceled.

This should not preclude the employee from requesting assistance from more qualified investigators.

An employee investigating a vessel accident shall ensure that a supervisor is dispatched to the scene when an accident involves:

- On-duty Department personnel, OR
- Any Department-owned vessel.

3.544. Hit-and-Run Vessel Collisions

An officer shall conduct an investigation and complete an appropriate vessel accident report when a vessel accident results in property damage or personal injury, and the elements of hit-and-run are indicated.

NOTE: An officer at the scene of a hit-and-run accident shall, without delay, obtain and broadcast any available description of a hit-and-run driver and/or vessel description.

3.546. Fatal Vessel Collisions

An officer assigned to investigate a vessel accident which resulted in a death shall:

- Immediately cause the watch commander to be notified.
- Allow no one to move the body except in exigent circumstances.
- Allow no one to search the body except the coroner handling the case.
- Cause photographs to be taken of the victim and related scene.

NOTE: Officers assigned to investigate fatal vessel accidents shall not notify the deceased person's next of kin unless directed by the coroner handling the case.

3.548. Photographs at the Scene of a Vessel Collision

An officer investigating a vessel accident shall cause photographs to be taken depicting the damage, or lack of damage, and other pertinent details when:

- Photographs would be of some evidentiary value.
- Photographs would be of value in the vessel education program.
- County-owned property is involved.
- A fatality or near fatality occurs.

3.550. Issuing a Citation as a Result of a Vessel Collision

An officer may issue a vessel citation to any person when:

- He has witnessed all the essential elements of the violation.
- He has reasonable cause to believe that any person involved in a vessel accident has violated a provision of the California Boating laws not declared to be a felony or a violation of a local ordinance, and was a factor in the occurrence of the vessel accident.

3.552. Criteria for Generating a Vessel Collision Report

Accident reports (DWP Form VAR-1 and VAR-2 if applicable) should be directed to the Department of Boating and Waterways, Sacramento, California, and one (1) report directed to the station report file. A vessel accident report (A-1, REV 4-80) shall be completed by the vessel operator and should be directed to the Department of Boating and Waterways, Sacramento, California. If an occurrence involving these vessels or their equipment results in one or more of the following:

- A person dies.
- A person is injured and requires medical treatment beyond first aid.
- Damage to the vessel or the combined damage, if more than one (1) vessel is involved, and any other personal property totals more than $200, or there is a total loss of the vessel.
- A person disappears from the vessel under circumstances that indicate death or injury.

3.554. Vessel Enters Another Jurisdiction After Incident

Whenever a vessel violation takes place within the County of San Bernardino, and the violator before being apprehended, enters another jurisdiction, a vessel violation shall be issued or a physical arrest in accordance with the circumstances of the

violation committed within the County boundaries. When after entering the other jurisdiction, the violator commits an offense of greater severity than that committed within the County boundaries the officer shall:

- When the offense committed requires a physical arrest, effect the arrest.
- When the offense is a citable violation, file an application for complaint with the prosecutor having jurisdiction of the location occurrence.
- Issue a citation for the violation committed within the boundaries of San Bernardino County.
- Issue a citation for the violation in Arizona if the bodies of water form a common boundary between this state and the state of Arizona. Per the Penal Code, the violations must be established in common between the states of Arizona and California.

3.556. Loss, Recovery, or Storage of Vehicles/License Plates

A CHP 180 Form (OPI 065) shall be completed to report the following when stolen, recovered, stored, impounded, or embezzled:

- Motor vehicles (registered for on- or off-road).
- Motorcycles, motor-driven cycles, mopeds, minibikes, go-carts, and motor scooters.
- Off-highway vehicles, including specially constructed equipment, dune buggies, and racing vehicles.
- Motorized golf carts, snowmobiles.
- Trailers (all types).
- Separate vehicle transmissions.
- Campers.
- Aircraft (all types).
- License plates.
- Motorized boats.
- Farm equipment.

3.558. Verification of Vehicle Ownership

Officers shall obtain correct ownership information by:

- The owner's certification.
- The vehicle registration.
- Auto insurance policies.

Verification by the Department of Motor Vehicles using the California Law Enforcement Telecommunications System (CLETS).

NOTE: Queries using the CLETS System may be made by:

- The license plate number.
- Off-road sticker.
- Vehicle Identification Number (VIN).

3.560. Stolen Vehicle Investigations

When a person wishes to report a vehicle stolen, the interviewing deputy shall conduct a preliminary investigation to determine whether circumstances warrant a report. All information on the CHP 180 form must be filled out and verified for accuracy. The deputy shall ensure that the vehicle was not repossessed, loaned to a friend, misplaced by the owner, or embezzled.

After thoroughly completing the CHP 180 form, the officer shall ensure that the stolen vehicle information be placed on the CLETS System.

NOTE: Care must be taken in printing the information on the CHP 180 form. The letter "O" and "zero" are common printing errors, and caution should be taken to ensure correct reporting.

3.560.10 Attempted Vehicle Theft Investigations

When an unsuccessful vehicle theft has apparently occurred by evidence that indicates that the ignition was "punched," "hot-wired," or otherwise bypassed, or some other indication and the vehicle was not moved from the location of occurrence, an officer shall complete a report.

NOTE: This report shall be completed on a crime report, not CHP 180 form.

3.560.15 Vehicles Stolen During Commission of Another Crime

Whenever a vehicle is taken during the commission of another crime, a CHP 180 Form shall be completed in addition to the appropriate crime report. If multiple vehicles are stolen in the same incident, only one (1) DR number shall be assigned. A

separate CHP 180 Form shall be completed for each vehicle and filed under the single DR number.

3.560.20 Unreported Stolen Vehicle Used in Another Crime

When it is determined that a stolen vehicle has been used in a crime, but has not previously been reported as stolen, a CHP 180 Form shall be completed, in addition to the appropriate crime report. This may require another agency or station/division contacting the legal owner of the vehicle to complete the stolen vehicle report.

3.562. Embezzled Vehicles

When a Department member determines, through investigation, that the embezzlement of a vehicle has occurred, he shall follow the procedure by properly completing the appropriate reports:

- A crime report, listing the vehicle as the property embezzled.
- A CHP 180 Form, marking the appropriate box indicating "Embezzled," including the signature of the reporting party.
- Enter the vehicle in the CLETS System if it is a rented or leased vehicle which has not been returned within 72 hours after the owner has made a reasonable number of attempts to contact the renter/lessee in the manner stated in the written agreement, following the expiration of the lease or rental agreement.

In the event of an embezzlement of a vehicle that has not been rented or leased, do not enter the vehicle in the CLETS System until the reports are reviewed by the District Attorney, prosecution of the crime is indicated, and an arrest warrant is issued.

- Submit the completed crime report and CHP 180 Form to the District Attorney for review.

It shall be the responsibility of the member taking the criminal report to cause the vehicle to be placed on the CLETS computer as "embezzled."

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3.564. Storing/Impounding Vehicles

An officer may be confronted with a decision to either store or impound a vehicle.

The following sections of this manual are guidelines which have been established to assist the officer in making his decision.

NOTE: These guidelines are set forth only to "assist" the officer and should not preclude him from contacting the watch commander for further guidance.

3.564.10 Criteria for Storing Vehicles

When the driver of a vehicle is arrested for any Vehicle Code section relating to driving under the influence of alcohol and/or drugs or for mental illness, the arresting officer shall do one (1) of the following:

- Store the arrestee's vehicle for safekeeping.
- Leave the vehicle legally parked.
- Have a passenger, who is not intoxicated, take the vehicle after considering:
  - The extent of intoxication of the arrestee and his ability to make a rational decision to permit the

vehicle to stay at the scene or allow the passenger to take his vehicle.
  - The condition of the area the vehicle is to be left at (i.e., hazardous traffic flow, high crime rate area, etc.).

Otherwise the following listed criteria may be considered in storing a vehicle:

- Where the vehicle is abandoned.
- When the vehicle is a traffic hazard.
- When the officer recovers a stolen vehicle, and the originating report was taken at this station/division and the owner is unavailable at the time of the recovery.
- When an arrest is made, and the driver refuses to leave the vehicle at the scene.
- When the vehicle is abandoned and stripped of all identifiable numbers or markings.

3.564.15 Storing Vehicles: Deputy's Responsibility

When an officer elects to store a vehicle, he shall:

- Complete two (2) CHP 180 Forms (one original and one carbon copy), including an inventory of any personal property contained within the vehicle.
- Obtain the signature, date, and time of the arrival of the tow truck driver (retain the original and give the carbon copy to the tow truck driver).
- Obtain a DR number for the case (if one has not previously been assigned).
- Ensure that the report is completed and processed.

3.564.20 Notice of Stored Vehicle

A "Notice of Stored Vehicle" Form shall be completed and mailed within forty-eight (48) hours (excluding weekends and holidays) to the legal and registered owners.

The California Vehicle Code, "Notice of Stored Vehicle" mandates that all law enforcement agencies storing vehicles shall set up a post-storage hearing to determine the validity of the storage to be invalid, the Sheriff's Department shall be responsible for the towing and storage charges.

Each station/division commander shall select an officer, with an alternate, to set as the post-storage hearing officer pursuant to the provisions of the California Vehicle Code and this manual. The post-storage hearing officer cannot set as same for any contested storage when he was the officer who ordered said storage.

The registered owner's request for a hearing must be received within ten (10) days from the date of the "Notice of Stored Vehicle Report." Said hearing shall then be scheduled within forty-eight (48) hours of the request for a hearing, and the registered owner shall be notified immediately via the U. S. Mail of the date and time of the hearing. If the registered owner fails to attend the scheduled hearing, said failure to do so shall satisfy the post-storage validity hearing requirements of this section.

If a hearing results in favor of the registered owner, the registered owner is to be instructed to contact the Clerk of the Board of Supervisors to file a claim against the County. The hearing officer shall then submit a memo to the Sheriff's Administrative Services Division (via the station commander), along with copies of the "Notice of Stored Vehicles" and the CHP 180 Form, explaining the circumstances which caused the hearing officer to rule in favor of the registered owner, $28.50 for the initial towing fee, or the first three (3) miles, and $2.00 for every mile thereafter. The County shall pay for the actual storing

of the vehicle up to $4 per day, and no more. This should be explained to the registered owner at the time of the hearing, if it is determined that storage of the vehicle was invalid.

If the hearing results in favor of the County, the paperwork described above is merely filed in the DR file for future reference in case the registered owner makes a false claim against the County.

3.564.25 Storage of Vehicles by Private Party

A private person may notify the Department that he intends to cause the removal of a vehicle from private property pursuant to the California Vehicle Code. The person should be advised of the requirements of the Vehicle Code listed below:

- Private property must be posted with sign(s) prohibiting public parking.
- Obtain the registered and legal ownership information from the registration, Department of Motor Vehicles, or other sources.
- Make written notice to the registered owner as to why it was moved and where it was taken.
- Give a copy of the written notice to the towing service.
- Make sure the odometer reading, at the time of removal, is noted on the written notice.
- The storing person shall need to comply with the California Vehicle Code regarding the sending of "Notice of Storage" to the Department of Justice.
- The owner of the removed vehicle may recover damages to the vehicle resulting from the intentional or negligent act in the removal of the vehicle.

3.566. Criteria for Impounding Vehicles

The following listed criteria may be considered in impounding a vehicle:

- When the vehicle must be held for investigation (i.e., collection of evidence, searching, etc.).
- When the vehicle is involved in civil proceedings where fees and penalties are due.
- When the vehicle has altered or missing identification.
- When the vehicle is suspected of being involved in a hit and run traffic collision.
- When the vehicle is recovered stolen or involved in a crime where the teletype broadcast specifies "Hold" and shall be impounded.

3.566.10 Impounding Vehicles: Deputy's Responsibilities

When an officer elects to impound a vehicle, he shall:

- Complete two (2) CHP 180 forms (one original and one carbon copy), including an inventory of any personal property contained within the vehicle.
- Obtain the signature, date, and time of the arrival of the tow truck driver. Retain the original and give the carbon copy to the tow truck driver.
- Obtain a DR number for the case (if one has not previously been assigned).
- Ensure that the report is immediately completed and processed for a follow-up investigation.
- Whenever a vehicle is impounded for the purpose of a criminal investigation (i.e., collection of evidence, searches, etc.) and no complaint and/or search warrant was previously obtained, the officer shall notify the District Attorney's Office at the time a complaint is sought.
- Prior to contacting the District Attorney's Office, the officer shall prepare a memo of acknowledgment of the impounded vehicle. The officer should obtain an immediate disposition to either retain or to release the

impounded vehicle. This procedure is to establish the financial obligation on the impounded vehicle.

- After the disposition is established, the officer shall indicate in his report the decisions made, with whom he spoke, and the date and time. Also included with the officer's report shall be a copy of the CHP 180 form.

3.566.15 Criteria for 30-Day Impound of Vehicles

Officers are authorized to impound vehicles under California Vehicle Code section 14602.6(a); however, officers shall not impound a vehicle for thirty (30) days pursuant to the California Vehicle Code section 14602.6(a) when:

- The vehicle is a rental.
- The driver is not the owner of the vehicle.
- The deputy believes the thirty (30) day impound would not be appropriate or necessary to deter the actions of the driver.

When such circumstances occur, the vehicle shall be towed/stored pursuant to California Vehicle Code section 22651(p) and not held for thirty (30) days.

All thirty (30) day impounds shall be approved by the watch commander prior to the end of the shift.

When a vehicle is impounded for thirty (30) days per California Vehicle Code section 14602.6(a), the following procedures shall be used:

- Deputies shall impound rather than store the vehicle. The impound authority is California Vehicle Code section 14602.6(a).
- A CLETS entry shall be made on the impound status.
- A printout of the driver's license record (CLETS printout) shall be attached to the CHP 180 form by the deputy.
- A printout of the registered owner record (CLETS printout) shall be attached to the CHP 180 form by the deputy.
- Notice of the impound shall be sent within two (2) working days by certified mail, return receipt requested, to the legal owner at the address obtained from the Department of Motor Vehicles records as required under California Vehicle Code section 14602.6(a).
- Any storage/impound hearing conducted may include mitigation of the thirty (30) day impound based on unforeseen circumstances or if the impound would punish someone other than the original violator.
- Vehicles impounded shall be released to the registered owner or his agent prior to the end of the thirty (30) day period as required under California Vehicle Code section 14602.6(d).
- Vehicles impounded shall be released to the legal owner or his agent prior to the end of the thirty (30) day period as required under California Vehicle Code section 14602.6(f).

3.567. D.U.I. Checkpoint Vehicle Impound

Assembly Bill 353 established CVC2814.2 which went into effect on January 1, 2012, and restricted the ability of law

enforcement officers to seize vehicles at D.U.I. checkpoints when the only offense is CVC12500.

At a D.U.I. checkpoint, when deputies encounter a driver who is in violation of CVC12500 and no other violations, the following procedures shall be followed:

- The driver will be issued a citation for CVC12500.
- If the registered owner of the vehicle is present and he or she is a licensed driver, the vehicle shall be released to the registered owner and their name and driver's license number shall be noted on the officer's copy of the citation.
- If the registered owner is not a licensed driver, he or she may identify a licensed driver and the vehicle shall be released to the designated driver and their information shall be noted on the officer's copy of the citation.
- If the registered owner is not present, a reasonable effort shall be made to identify and contact the registered owner and afford them the opportunity to claim the vehicle.

Generally, a reasonable effort should include the following:

- Checking published telephone numbers and calling the registered owner.
- Checking law enforcement data bases for a telephone number for the registered owner.

If the registered owner of the vehicle cannot be located or the vehicle cannot be claimed by the conclusion of the checkpoint, the vehicle shall be towed and stored in accordance with the provisions of CVC 22651(p).

Such vehicles shall no longer be impounded pursuant to CVC 14602.6.

The vehicle can only be released at the direction of the driver if he or she is also the registered owner.

3.568. Courtesy Stolen Vehicle Report

When a person wishes to report a vehicle stolen, and the location of occurrence is outside the County jurisdiction, a CHP 180 Form shall be completed, as per 3/450 of this manual.

3.570. Recovering Stolen Vehicles

When a deputy recovers a stolen vehicle he shall complete a CHP 180 Form and send a locate teletype message to Sheriff Records Division that must contain the following:

- DR Number
- Vehicle description, including the license plate number, State, VIN number, number of plates, year, make, model, and color
- Location of the vehicle (released/storage location)
- Condition of the vehicle
- Suspect(s) in custody

When requesting a recovery DR deputies shall use the following guidelines:

- Any County Station stolen to County Station recovery the original stolen DR shall be used
- Contract City stolen and same Contract City recovery the original stolen DR shall be used
- Any other jurisdiction (including County to Contract City) use your jurisdiction DR

When deputy recovers a stolen vehicle they shall attempt to call the reporting party and notify them of the recovery. The notification, or attempt, shall be documented in the CAD Call

History. Written notification shall also be sent as described in California Vehicle Code section 10500.

3.570.10 Recovering Lost/Stolen License Plates

When an officer is presented with, or discovers while on patrol, any license plate, he shall make a query to the CLETS System for registration information and/or stolen or wanted plates. If the plate is found to be stolen, the officer shall complete a CHP 180 Form and ensure a teletype of the recovery be sent to the originating agency. If the plate is found not to be stolen or wanted, the officer shall cause the plate to be returned to the owner or the Department of Motor Vehicles, whichever is convenient.

3.570.15 Recovering Stolen Vehicles Reported by Other Agencies or Divisions

Vehicles stolen from other areas, but recovered locally, or vehicles stolen from other agencies or jurisdictions, generally, shall not be field released without approval of the agency holding the stolen. A field release of this type must be followed up with a teletype indicating the approval from the agency holding the stolen.

3.570.20 Stolen Vehicles Recovered by Other Agencies or Divisions

Upon notification of the recovery of a vehicle stolen locally and recovered by an outside agency or division, the originating agency shall notify the reporting party. A "Notice of Stored Vehicle" form shall be completed and mailed within forty-eight (48) hours (excluding weekends and holidays) to the reporting party.

3.570.25 Release of Vehicles Stolen Reported within Division

When an officer recovers a stolen vehicle, which was previously reported stolen to his immediate station, the officer shall determine if the vehicle shall be needed for further investigation, fingerprinting, or the collection of other physical evidence.

When it has been determined that the vehicle is no longer needed for any type of investigation, it shall be ascertained if it is possible for the owner or his agent to respond to the recovered vehicle location to pick up the vehicle. The owner or his agent shall be asked what his reasonable period of response time would be and to have proof of ownership to secure a field release.

NOTE: "Reasonable period of response time" is intended to provide the citizen an opportunity to forthwith respond to the location; time-wise, it varies due to geographic considerations. The intent is to aid the citizen and may cause field units an occasional period of waiting.

When a field release is not applicable, the station dispatcher shall cause a tow truck to be dispatched and so advise the field officer to store the vehicle.

3.570.30 Field Release of Recovered Stolen Vehicle

When a field release is to be made, the field officer shall be responsible for the following:

- Prepare an original CHP 180 form, "Recovered Vehicle Report," and mark it plainly "Release to Owner in As Is Condition."
- Assign the DR number used on the original stolen report, if the original DR was issued by this Department.
- Obtain the signature of the owner or his agent in the release section of the CHP 180 form.
- Notify the station/division as soon as possible, so that the Daily Log and computer system can be updated.

3.574. Vehicle Appraisal/Valuation

Pursuant to the Vehicle Code, all safety officers of the Department are designated "appraisers" and have the authority to make appraisals of the value of vehicles for the purposes of Chapter 10 of the Vehicle Code.

- In all instances when an officer removes a vehicle pursuant to Chapter 10 of the Vehicle Code by estimating the value as one hundred dollars ($100) or less, over one hundred dollars ($100) but less than three hundred dollars ($300), the officer shall then enter that estimate and the appropriate time and date of appraisal, the appraising officer's signature and his identification number on the CHP 180 Form.
- A copy of the completed CHP 180 Form, with the appraisal, given to the tow/storage company shall constitute compliance with the Vehicle Code.

3.604. Use of Reasonable Force: Defined

Any safety member who has reasonable cause to believe that the person to be arrested has committed a public offense may

use objectively reasonable force to effect the arrest, to prevent escape or to overcome resistance.

The "reasonableness" of the force used shall be evaluated from the perspective of a reasonable safety member in the same situation, based on the totality of the circumstances known to or perceived by the safety member at the time, rather than with the benefit of hindsight. The totality of the circumstances shall account for occasions when safety members may be forced to make quick judgments about using force, and the amount of force that is necessary, in circumstances that are tense, uncertain and rapidly evolving.

A safety member who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested. A safety member shall not be deemed an aggressor or lose his right to self-defense by the use of objectively reasonable force to effect the arrest or to prevent escape or to overcome resistance.

3.606. Factors Determining Reasonable Force

When determining whether or not to apply any level of force and evaluating whether a deputy has used reasonable force, a

number of factors shall be taken into consideration. These factors include, but are not limited to:

- The seriousness of the suspected offense or reason for contact with the individual.
- The behavior of the individual being confronted (as reasonably perceived by the deputy at the time).
- The age, size, relative strength, skill level, and number of subjects vs. deputies.
- The level of injury and/or exhaustion of the deputy.
- The level of drug/alcohol influence exhibited by the subjects involved (mental capacity).
- The proximity or availability of weapons.
- The availability of options (what resources are reasonably available to the deputy under the circumstances).
- The training and experience of the deputy.
- The potential for injury to citizens, deputy and suspects.
- The risk of escape.
- The existence of other exigencies.

A deputy is frequently required to make split-second decisions and the amount of time available to evaluate and respond to changing circumstances may impact the decision-making process.

While various degrees of force exist, each deputy is expected to use only the amount of force reasonable under the circumstances to successfully complete the arrest, to prevent escape, or to overcome resistance.

3.606.10 De-Escalation

Gaining voluntary compliance enhances officer and public safety, helps officers to defuse a situation, mitigates unintended consequences, and establishes law enforcement legitimacy and community trust.

Safety members shall use de-escalation techniques, crisis intervention tactics and other alternatives to force, as per their training, when feasible. Alternatives to force are not required by a member when the member reasonably believes that immediate action must be taken to prevent injury to themselves, another member or the public.

It is necessary for members to utilize crisis intervention tactics when applicable to a situation. If a member, based on their training and experience, determines a subject might be experiencing a crisis, the member shall consider crisis intervention tactics as an available means of de-escalation.

De-escalation techniques may include:

1. Creating distance and a buffer zone between the officer and the subject;
2. Establishing an effective line of communication with the subject, considering factors such as mental illness, possible intoxication, and potential medical or physical conditions; and
3. Considering other available resources, including specialized units, psychiatric emergency response team clinicians, and negotiators.

New: 8-24-20

3.606.20 Use of Carotid Neck Restraint and Lateral Vascular Neck Restraint (LVNR)

Pursuant to Government Code 7286.5, the San Bernardino County Sheriff's Department policy does not authorize the use of a Carotid Neck Restraint or the Lateral Vascular Neck Restraint (LVNR) as an approved use of force option.

New: 1-4-21

3.608. The Use of Lethal Force

The use of lethal force is justified in the following circumstances:

- A safety member may use lethal force to protect himself or others from what he reasonably believes to be an immediate threat of death or serious bodily injury.
- A safety member may use lethal force to accomplish the arrest or prevent the escape of a suspected felon, when the member has probable cause to believe that the suspect poses a significant threat of death or serious bodily injury to the deputy or others.

Safety members shall not use lethal force to protect themselves from assaults that are perceived by the member to not likely have serious results.

A safety member shall not fire at a person who is called upon to halt on mere suspicion and who simply runs away to avoid arrest. Nor should a deputy fire at a "fleeing felon" if the member has any doubt whether the person to be fired at is in fact the person against whom the use of lethal force is permitted under this policy.

The use of lethal force cannot be justified solely by stating that it was initiated due to an order or authorization given by another department member. Safety members must be able to articulate a justified and appropriate use of lethal force, based on information available to them at the time it is used. There may be times when an authorization to use lethal force has been communicated, and yet circumstances have changed to the point that lethal force is no longer reasonable. Using an occupied vehicle to barricade a roadway, or ramming a vehicle is generally not recommended, but there may be certain limited situations where these techniques are necessary and appropriate.

Firearms should not be discharged from or at a moving vehicle except in exigent circumstances. In these situations, a safety

member must have articulable reason(s) for this use of lethal force, which include, but are not limited to the following:

- A person in the vehicle is threatening the safety member or another person with lethal force by means other than the vehicle; or

- The vehicle is operated in a manner which is likely to result in great bodily injury or death to a safety member or another person, and other reasonable means of defense have been exhausted, or are not available or practical. This may include, if time and circumstances allow, moving out of the path of the vehicle.

3.610. Reporting the Use of Force

A supervisor's use of force investigation shall be completed if circumstances involved in an incident fall under the guidelines set forth in this policy section. In such instances the investigating supervisor shall complete the BlueTeam Use of Force Report.

The term "use of force" is defined as any physical effort used to control, restrain, or overcome resistance by another.

The following requirements apply to any use of force incidents involving the application of open hand strikes, fists, feet, canines, impact weapons, Taser, or chemical agents or as directed by a supervisor:

1. All members involved make an oral report to their supervisor as soon as practicable after the incident.
2. At the direction of the incident supervisor, the initiating member shall complete a related crime report containing a detailed description of the facts involved including, but not limited to:
    1. The threat perceived by the member.

2. The force used by other members to the extent known.

3. Other members involved complete criminal reports containing a detailed description of the facts involved.
4. The involved members shall interview any witnesses, and those interviews will be contained in the criminal report.
5. The involved members shall conduct the subject interview, under Miranda, and the interview will be contained in the criminal report (if Miranda is invoked, no interview will be completed).
6. All interviews with civilian subjects shall be recorded.
7. When practicable, the supervisor should be present to oversee civilian subject interviews.
8. When a use of force results in serious bodily injury to either a subject or a safety member, as described by 12525.2 of the Government Code (AB71), a supervisor or their designee with a rank of detective/corporal or above shall conduct any interview of the subject.
9. Serious bodily injury includes:

1. Any injury that involves substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a body part or internal organ. This includes, but is not limited to, loss of consciousness, wounds requiring extensive suturing, bone fractures or concussions. Routine medical clearance would not be included.
2. The supervisor shall complete the BlueTeam Use of Force Report and shall include any show of force that occurred during the incident.
3. For a use of force occurring in a Department detention facility see Detention and Corrections Bureau Policy 14/130.00.
4. For a show of force only, as described in Department policy 3.610.30, document the incident per Department policy 3.610.40.

5. For all Lethal Force Encounters (LFE), as defined in Department policy 3.640, Department policies 3.640.10 thru 3.640.90 shall be followed.

The mere application of an approved control hold, approved controlled takedown technique, or handcuffing, does not automatically constitute a use of force requiring the above-described reporting process.

The supervisor shall be advised of the circumstances surrounding the incident when the force results in one or more of the following:

1. Visible or verifiable physical injury.
2. The application of force results in the subject making contact with the ground or other fixed object(s).
3. The subject has a complaint of persistent pain.
4. The subject threatens litigation from the force used.

The supervisor shall determine if a Use of Force Report will be completed. In all cases the incident shall be documented in a crime report.

The station/division commander shall review the completed BlueTeam Use of Force Reporting Form on IA PRO and any accompanying documentation within ten (10) business days of the incident to determine if further action or investigation is warranted. If no further action or investigation is necessary, the station/division commander shall approve the BlueTeam Use of Force Report using IA PRO. Upon approval by the station/division commander the BlueTeam and IA PRO report will be automatically saved to the Department's IA PRO electronic file.

Updated: 1-4-21

3.610.10 Reporting the Use of Force: Supervisors Responsibility

When, pursuant to Department policy, a supervisor's Use of Force Report is required, the on-duty supervisor shall complete the Use of Force Report utilizing Blue Team.

The on-duty supervisor shall respond to the scene of all reported use of force incidents. If the on-duty supervisor can't respond to the scene (i.e. due to extenuating circumstances), the supervisor shall immediately notify their command staff.

Supervisor's responsibilities at the scene are as follows:

1. Ensure all pertinent civilian witnesses and subjects are identified.
2. Ensure each civilian witness and subject is interviewed in detail, if willing and that interview is recorded.
3. Supervise the documentation and collection of evidence at the incident scene i.e. photographs of the scene, photographs of injuries to subjects and/or involved members, surveillance videos and/or any other evidence at the scene deemed necessary for documentation.
4. The supervisor shall be present during all interviews with the involved subject and any other interviews of witnesses or other involved parties deemed to be pertinent to the use of force investigation.
5. If the use of force results in great bodily injury to the suspect(s), as described by AB71 and Department policy 3.610, a recorded interview of the suspect(s) shall be conducted by a supervisor or their designee with the rank of detective or higher.
6. If the use of force results in great bodily injury to a Department member, as described by AB71 and Department policy 3.610, the interview of the injured

member shall also be conducted by a supervisor or their designee with the rank of detective or higher.

Generally, the supervisor's Use of Force Report shall include the following:

1. Crime reports from all involved sworn members, containing sufficient detail to allow the supervisor and command staff enough information to make a determination as to whether the force used was necessary, reasonable and appropriate.
2. Recorded interviews with subjects and witnesses.
3. All belt recordings or video recordings of the incident.
4. Photographs depicting all injuries or lack of injuries to the suspect(s) and/or involved members.
5. Any other documentation or evidence deemed relevant to the incident and/or criminal act being investigated.

The on-duty supervisor responding to the use of force incident shall review all in custody reports that involve a use of force before the end of their shift, unless otherwise directed by their command staff. Any corrections to or additional information deemed necessary in a member's report by the supervisor, shall be completed before the end of the member's and supervisor's shift.

For all reports involving a use of force incident, the responding supervisor shall review all written reports by involved members, belt recordings, recordings of all witness and subject interviews, videos, photographs and any other evidence deemed pertinent for the detailed documentation of the incident.

If, in the opinion of the investigating supervisor, the use of force by a member appears likely to involve misconduct, the supervisor shall immediately advise their command staff. Generally, any policy or procedural violations or concerns associated with, but not directly related to, the use of force,

shall be documented separately and not included as part of the supervisor's Use of Force Report.

The supervisor's Use of Force Report is intended to document the basic information of the incident and not be an additional detailed use of force report. Any suspected misconduct by a member during the use of force shall be documented administratively.

Updated: 10-22-20

3.610.20 Reporting the Use of Force: Mobile Field Force

All use of force incidents by member(s) of the Mobile Field Force (MFF) shall be reported as soon as practicable to their platoon team leader/supervisor. If force is used on a suspect who flees into a large crowd or is not immediately identifiable, the member(s) using force shall document all details of the use of force in a criminal report.

In cases of MFF activities where force is used on large crowds or on multiple subjects who are not identified, a master deputy report (DR) shall be generated by the MFF Commander or his/her designee and all use of force incidents shall be documented therein. It shall be the responsibility of the MFF commander or his/her designee to ensure use of force incidents are documented by the member(s) who used force in a criminal report and all appropriate information is contained within the use of force report, under the master DR.

Nothing in this section shall override current policy related to the use of force.

3.610.30 Show of Force

The term "show of force" is defined as intentionally pointing a firearm, Taser, bean bag shotgun or 40 mm launcher (less-lethal weapon) directly at a subject(s) and is a reportable use of

force, even if the firearm or the less-lethal weapon is not fired, or the Taser is not deployed. A BlueTeam entry shall be completed for every show of force incident.

Removing a firearm or less-lethal weapon from a holster or vehicle and/or displaying a firearm or less-lethal weapon in a low ready position is not considered a show of force.

If the show of force is related to a criminal report, all safety members involved in the incident shall also document the show of force in a criminal report or supplemental report prior to the end of their shift, unless a delay in the report's completion is approved by the supervisor. The primary safety member shall also document the show of force using BlueTeam.

If the incident involves a show of force only, the primary safety member shall complete a BlueTeam entry in the "Show of Force" module per Department policy 3.610.40. The BlueTeam Show of Force entry will be sent to the supervisor for approval.

If the show of force escalates and there is any additional force used, as described in Department policy section 3.610, then the entire use of force report shall be completed by the supervisor per Department policies 3.610 and 3.610.10 and will include the show of force.

Updated: 3-23-21

3.610.40. Reporting the Show of Force

Unless otherwise directed by a supervisor, the following requirements apply to any show of force, which involves the intentional pointing of a firearm, less-lethal weapon or Taser directly at a subject(s):

- A BlueTeam entry is required and shall serve as the necessary notification to a supervisor.

- The primary safety member shall complete a BlueTeam entry in the "Show of Force" module. The entry shall include a brief summary of the incident documenting the totality of circumstances. The entry shall also include the names of all safety members and involved civilians.
- If the incident is not associated with a DR, the call history number shall be used. Include all attachments such as a call history, audio recordings, video, photographs, etc.
- The BlueTeam Show of Force entry will be sent to the supervisor for approval.
- The supervisor shall ensure all criminal and supplemental reports by involved members, and/or other documentation of the incident, including but not limited to, all evidence such as photographs, audio and video recordings etc. are entered into the BlueTeam show of force report before sending it to the station/division commander or his/her designee.
- The final submission will be made by the station/division commander or designee in the IA Pro system.

For BlueTeam documentation requirements refer to Department policy 3.610.

Revised: 4-13-21

3.610.50 Self-Defense or Defense of Others

A safety member may use objectively reasonable force to protect themselves or others from death or great bodily injury. If a member has an objectively reasonable belief that a subject poses a threat of death or great bodily injury and conventional force options are impractical, unavailable or have been tried and were unsuccessful, the member may use a type of force not specifically authorized by Department policy, so long as the force used is objectively reasonable.

New: 1-4-21

3.612. Use of Firearms: Approved Firearm Immediately Available

Generally, while on-duty, safety members shall be armed, with an approved firearm, on their person. Exceptions include while at a jail facility, when assignment dictates otherwise, or where prohibited by law or regulation. When entering a jail facility rifles may remain locked in a rifle rack in a locked vehicle and sidearms may be locked in the vehicle trunk or provided gun locker.

Safety employees and Designated Level 1 Reserve Deputy Sheriffs are not required to be armed while off-duty. The decision to be armed while off-duty shall be discretionary with the involved safety employee or Designated Level 1 Reserve Deputy.

It is the responsibility of all safety employees to have an approved firearm immediately available on one's person, in the passenger area of a vehicle, at one's residence, or in some other easily accessible area, while off-duty and when reasonably practicable.

No off-duty safety member is authorized to carry a weapon on their person, have a weapon easily accessible or within arm's reach, or to engage in any law enforcement activity when the member is so impaired by any alcohol, narcotic, or other controlled substances that they are unable to exercise the level of judgement and care of a reasonable law enforcement officer.

Generally, having a weapon in a vehicle's locked trunk, a locked container, or secured at one's residence is considered "not immediately available/easily accessible."

Storage and transportation of firearms shall comply with applicable law. When leaving a handgun in an unattended vehicle, safety members shall:

1. Lock the handgun in the vehicle's trunk;
2. Secure the handgun in a locked container that is out of plain view;
3. Secure the handgun in a locked utility or tool box;

If a vehicle is not equipped with a trunk, safety members shall:

4. Lock the handgun in a center utility console out of plain view;
5. Secure the handgun in a locking glove box;
6. Secure the firearm as allowed by other applicable law.

Storage of firearms shall comply with Penal Code section 25100 (criminal storage of firearm accessible to child) whenever applicable.

3.612.10 Use of Firearms: Field of Fire

Regardless of the nature of the crime or the justification for firing at a suspect, deputies must remember that their basic responsibility is to protect the public. Deputies shall not fire under conditions that would subject bystanders or hostages to death or possible injury, except to preserve life or prevent serious bodily injury. Firing under such conditions is not justified unless the failure to do so at the time would create a substantial, immediate threat of death or serious bodily injury.

3.614. Drawing or Exhibiting Firearms

Unnecessarily or prematurely drawing or exhibiting a firearm limits a safety member's alternatives in controlling a situation, creates unnecessary anxiety on the part of citizens, and may result in an unwarranted or accidental discharge of the

firearm. A safety member's decision to draw or exhibit a firearm should be based on the tactical situation and the safety member's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified. When a safety member has determined that the use of deadly force is not necessary, the safety member shall, as soon as practicable, secure or holster the firearm.

3.616. Warning Shots

Generally, warning shots should not be fired.

3.618. Shooting at Fleeing Misdemeanants

Safety members shall not use deadly force to effect the arrest or prevent the escape of a person whose only offense is classified solely as a misdemeanor under the Penal Code.

3.620. Surrendering a Weapon

A safety member or his partner may be at the mercy of an armed suspect who has the advantage, but experience has shown that the danger to a safety member is not reduced by his giving up his gun upon demand. Surrendering his weapon might mean giving away his only chance for survival; therefore, a safety member should use every tactical tool at his disposal to avoid surrendering his weapon.

This must be the individual officer's decision, as it shall depend on the particular circumstances surrounding his safety. Extreme caution in this regard should be exercised.

3.622. Use of Force in Vehicle Pursuits

The Department recognizes that Code 3 and pursuit driving are two of the most common, yet most hazardous of law enforcement functions, subjecting both the involved safety

members as well as nearby members of the public to significant danger. Therefore, all safety members shall remain constantly familiar with the policy and procedures concerning Code 3 and pursuit driving set forth in the Department Manual.

3.624. Use of Chemical Agents

To minimize injury to suspects, safety members, and others, or to avoid property damage, the use of a chemical agent may be necessary in circumstances where a serious danger to life and property exists and other methods of control or apprehension would be ineffective or more dangerous.

When confronted with civil disobedience in the form of an unruly crowd or riotous situations, the field commander at such law enforcement situations has the responsibility for determining the need for the use of a chemical agent and its methods of deployment. In no event, however, can authorization for the use of a chemical agent be given by a safety member below the rank of sergeant, except for the use of individual hand-held aerosol chemical agent devices.

Proper first aid and fire prevention personnel should generally be alerted and placed on a "stand-by" status when chemical agents are deployed, except for the use of individual hand-held aerosol chemical agent devices.

Only chemical agents specifically authorized by the Department shall be used.

3.624.10 Special Use Chemical Agents

Special use Chemical Agents, used for the control of civil disobedience, crowd control, or riot control shall be purchased (by the Training Division) and maintained by the Specialized Enforcement Division, Special Weapons and Tactics Team.

Oleoresin Capsicum sting balls are considered special Use Chemical Agents that require special training to be deployed. Special Weapons and Tactics teams, patrol, and corrections personnel who have been trained in the utilization of sting balls may deploy them under appropriate circumstances.

The Specialized Enforcement Division, Special Weapons and Tactics Team (SWAT), shall maintain Special Use Chemical Agents for civil disobedience, crowd control, riot control, and emergency gas protocol. Special use chemical agents are described as Ortho-Chlorobenzalmalonoitrile (CS gas) and Oleoresin Capsicum (O.C.) Ferret rounds. CS gas can be either pyrotechnic or non-pyrotechnic.

The use of Special Use Chemical Agents against barricaded suspects shall remain the responsibility of the Specialized Enforcement Division, Special Weapons and Tactics Team.

After Special Use Chemical Agents have been deployed inside a residence or structure, a chemical exposure notice shall be posted at all entry and exit points (exposure notice will be posted in English and Spanish) prior to SWAT clearing the scene.

Replacement of special use chemical agents shall be accomplished when the shelf life (5 year from manufacture date) of the unit has expired or it was used in the performance of a law enforcement function. Special use chemical agents should generally be stored in a sealed container at all times. Only trained personnel should use special use chemical agents unless exigent circumstances exist.

3.624.15 Hand-Held Chemical Agents/Sprays

Effective August 1, 1994, the use and carrying of hand-held Oleoresin Capsicum (OC) by all uniformed safety members is mandatory. Safety members may use OC for defensive

purposes or to gain compliance when verbal commands have failed and a physical confrontation appears reasonably imminent or when the circumstances reasonably indicate that any attempt of verbal control would be futile or endanger the safety member or others.

The use of OC allows a subject to be controlled and restrained with minimal physical contact on the part of a safety member, thereby reducing risk of injury for both the safety member and the subject OC is being applied to. Because its effects are rapid, it can decrease the safety member's need to escalate to a higher level of force.

Sheriff's Service Specialists (SSS), Civil Technicians, and Safety Extra-Help Boating Officers may carry and use OC for defensive purposes only.

All personnel authorized by this policy to carry OC shall first be trained and certified as set forth in training requirements established by the commander of the Training Division. Only Department-approved and issued hand-held Oleoresin Capsicum shall be carried.

The use of any chemical agents shall be documented in a crime report and/or administrative reports.

3.625. PNEUMATIC LAUNCHERS

For purposes of this section, a pneumatic launcher is defined as a less-lethal impact chemical agent delivery system, which utilizes compressed air to propel a projectile during law enforcement actions. A pneumatic launcher projectile may be utilized as a direct impact weapon and/or a chemical agent delivery system. Safety members may utilize the pneumatic launcher for defensive purposes or to gain compliance when verbal commands have failed, and a physical confrontation appears reasonably imminent, or when the circumstances

reasonably indicate that any attempt of physical control would be futile or endanger the safety member or others.

Generally, a verbal announcement of the intended use of the pneumatic launcher shall be given prior to discharge. This announcement serves to provide other safety members and individuals with the warning that a pneumatic launcher may be deployed. No verbal announcement is required prior to the deployment of the pneumatic launcher if making such an announcement would endanger the safety members or others, or if an announcement is otherwise impractical.

All Department issued pneumatic launchers shall remain in factory specifications and no modifications, alterations or additions shall be authorized. Safety personnel authorized to deploy the pneumatic launcher shall first be trained and certified as set forth in training requirements established by the Commander of the Training Division. Only Department approved and issued munitions shall be deployed from the pneumatic launcher. Routine maintenance of Department issued pneumatic launchers shall only be completed by qualified Sheriff's Range staff.

New: 10-29-20

3.625.10. PNEUMATIC LAUNCHERS – OPERATIONAL USE

The Pneumatic Launcher may be utilized when objectively reasonable to accomplish the following:

1. To reduce violence
2. To minimize property damage and protect the public
3. To disperse individuals during riots or incidents of unlawful civil disobedience,
4. To apprehend offenders or suspected offenders who refuse to submit to arrest and/or lawful orders.

The Pneumatic Launcher may be deployed to overcome resistive or assaultive behavior prior to hands on control if a physical confrontation appears unavoidable and injury may result.

Deployments can be in close proximity and may be effective at ranges up to 150 feet. Safety members shall make every effort to avoid deploying projectiles to the face, eyes, neck or groin unless objectively reasonable and shall not deploy projectiles as punishment.

Decontamination procedures shall be conducted as soon as practicable and monitoring of the subject for abnormal reactions to the chemical agent(s) should be conducted. Any unanticipated reaction requires immediate medical attention.

The intentional deployment of the pneumatic launcher is a reportable use of force which requires supervisor notification as soon as practicable.

New: 10-29-20

3.625.15. PNEUMATIC LAUNCHERS – APPROVED MUNITIONS

Only Department issued and approved pneumatic OC and inert training launcher projectiles supplied from the Sheriff's Range shall be utilized for deployments. OC based projectiles are not considered "Special Use" chemical agents as outlined in section 3.624.10 of this manual. "Glass-shattering" projectiles or "Marking" projectiles, shall not be approved for Department use; however, the Specialized Enforcement Division (SED) is exempt from this restriction.

New: 10-29-20

3.626. Use of Oleoresin Capsicum: Reporting Policy

Every Oleoresin Capsicum (OC) application that results in any individual, with the exception of a member, being directly or indirectly exposed shall be reported by the member who applied the Oleoresin Capsicum. This shall be accomplished by:

- All members involved will orally report the application to their supervisor as soon as practicable after the event.
- Safety members will ensure that the Oleoresin Capsicum (OC) use is documented on the subject's booking application, WI 5150 application, or juvenile application.
- At the direction of the incident supervisor, all safety members involved will complete a related crime report or memorandum containing a detailed description of the facts involved, including both their own and other safety members' interaction with the subject, and the underlying reasons for the decision to use a particular level of force.

A supervisor's use of force report shall be completed using Blue Team.

Update: 10-22-20

3.628. Less Lethal Force

The intent of the application of less lethal force is to subdue a potentially violent subject without resorting to deadly force. As a tactical option, the use of less lethal force is approved when it would be unsafe to approach a suspect who appears to be either suicidal, mentally unbalanced, or otherwise potentially combative under circumstances in which the suspect does not otherwise present an imminent threat of death or great bodily injury to the officer or to the public at large.

Less lethal munitions shall be used in a manner consistent with Departmental Use of Force Policy. The deployment of less lethal

munitions should have the goal to restore order and/or reduce the risk of more serious injury.

Guidelines and circumstances where deployment may be an option include, but are not limited to, the following:

- Restoration or maintenance of order during a jail or civil disturbance.
- Safely controlling violent persons.
- Situations in which the safety member deems their use necessary to safely resolve the incident.

Depending on circumstances, less lethal weapons can be used to control violent or potentially violent suspects when the officer reasonably believes the following conditions exits:

- Attempts to control the incident with lesser force options have been, or will likely be, ineffective in the situation, AND
- There is reasonable expectation that it would be tactically unwise for officers to approach or place themselves in range of the suspect.

3.628.10 Less Lethal Weapon Systems: Preparation for Use

When the decision is made to have the less lethal shotgun or 40mm launcher available as a force option, the following procedures shall be followed:

1. The safety member that is to deploy the less lethal shotgun or less lethal launcher shall retrieve the weapon from its case. The safety member shall then check both, visually and physically, to verify that the shotgun or launcher is empty.

2. A second safety member, if available, shall also visually and physically check the shotgun or launcher to ensure the weapon is empty.
3. The primary safety member shall then point the shotgun muzzle in a safe direction, rack the forearm forward, safety off, pull the trigger, and release the hammer.
4. The primary safety member will open the breach-lock of the launcher and prepare to load the four chambers.
5. The primary safety member shall then inspect the labels on the less lethal ammunition cartridges to ensure they are of the proper type.
6. A second safety member, if available, shall do the same before loading the ammunition into the shotgun or launcher.

Generally, a verbal announcement of the intended use of the less lethal shotgun or less lethal launcher shall be given prior to discharge. This announcement serves to provide other safety members and individuals with the warning that a less lethal shotgun or less lethal launcher may be deployed.

No verbal announcement is required prior to the deployment of less lethal munitions if making such an announcement would endanger the safety members or others, or if an announcement is otherwise impractical.

Revised: 3-31-20

3.628.15 Less Lethal Weapon Systems: Restrictions in Use

Target Areas/Point of Aim:

The target areas for less lethal munitions should be the extremities (i.e. arms and legs), buttocks, thigh, calf or abdominal area.

Less lethal munitions shall not be intentionally aimed at the head, neck, spine, groin, or chest, unless lethal

force is justified.

Deployment Distances:

The optimal distance for deployment of the less lethal "drag stabilized bean bag" munitions is 20 feet to 50 feet.

The optimal distance for deployment of the less lethal "fin stabilized bean bag" munitions is 15 feet to 35 feet.

The optimal distance for deployment of the less lethal 40mm "exact impact standard range sponge round" munitions is 5 feet to 131 feet. The optimal distance for deployment of the less lethal 40mm "blunt impact projectile collapsible gel round" munitions is 5 feet to 131 feet.

Less lethal munitions should not be used in the apprehension of the following individuals, unless lethal force is justified:

1. Women who are obviously or known to be pregnant.
2. People known to have diseased hearts.
3. Obviously debilitated or elderly people who are at greater risk from medical injuries or coronary problems.
4. Children who appear or who are known to be under the age of twelve.
5. People in danger of falling to their death or being caught in dangerous equipment or machinery.

Revised: 4-1-20

3.628.20 Less Lethal Force: Medical Treatment

Any person subjected to less lethal munitions shall, when practical, and before booking, be transported to the hospital for examination. Photographs shall be taken of the suspect's injuries when practical, and shall be included in the Use of Force Report. The photographs should show the location of the

injury clearly and, if applicable, should be taken after the injury is cleaned and before treatment.

3.628.25 Less Lethal Force: Required Training

Training in the application of less lethal force and in use of less lethal munitions shall be the responsibility of the Training Division. Only safety members who have been trained and certified in the use of less lethal munitions shall be authorized to deploy them.

3.628.30 Reporting the Use of Less Lethal Force

All discharges of less lethal munitions and the circumstances surrounding their use shall be documented in the initial crime report. The Supervisor's Use of Force Report shall be completed and documented to ensure the incident is thoroughly investigated and information, statements, and evidence have been properly recorded. The expended round shall be collected and placed into evidence as part of the initial crime report.

The deployment of less lethal munitions is generally not considered a Lethal Force Encounter (LFE). However, based on the circumstances involving the deployment or the nature of injuries sustained, investigation of the incident may be conducted by the Specalized Investigations Division if deemed necessary by the Station Commander.

3.630. The Taser

The term "Taser," as used in this manual, refers to a class of electronic control devices which discharge probes and deliver an electronic charge to an individual for the purpose of controlling violent or potentially violent subjects who pose an

immediate threat to a law enforcement officer or other member of the public.

Appropriate use of the Taser is intended to help reduce the risk of injury to suspects, safety members, and the general public.

Safety members are authorized to carry and use Tasers in accordance with current Departmental training, and in compliance with the Department's Use of Force Policy. The Taser shall not be used as a means or method of punishment.

3.630.10 Taser: Training

The Sheriff's Training Division shall be responsible for establishing training requirements related to the carry and use of the Taser by Department personnel.

Safety members must successfully complete a Department-approved Taser training course before they are authorized to carry and use the Taser.

3.630.15 Taser: Mandatory Carry

Uniformed safety members who have successfully completed a Department-approved Taser training course and been issued a

Taser shall carry the Taser while on duty, unless the device is in need of repair or otherwise unavailable for use.

The following personnel are exempt from this requirement:

- Uniformed safety members assigned to line positions in a jail facility, except as directed by the division commander.
- Uniformed safety members performing bailiff duties, upon approval from the division commander.
- Uniformed safety members assigned to special details, administrative or public relations duties, upon approval from the division commander.

All other safety members who have successfully completed a Department-approved Taser training course and have been issued a Taser shall ensure that the Taser is readily accessible for use while on duty, unless the device is in need of repair or otherwise unavailable for use.

3.630.20 Taser: Duty Holster

Uniformed personnel shall carry the Taser in a holster issued or approved by the Sheriff's Range.

The holster shall be rigidly attached to the duty gun belt (or uniform belt in corrections assignments), with the Taser carried at waist-level. The Taser shall be carried in the holster in a butt-forward, cross-draw position. The Taser shall not be carried on the same side as the safety member's service handgun.

Generally, the Taser should be only drawn from the holster with the dominant gun hand. Safety members assigned to specialized divisions may receive authorization from the Range to carry the Taser in a holster configuration other than that described above, based on the individual's specific assignment or duties.

3.630.25 Taser: Verbal Warning

Generally, a verbal announcement of the intended use of the Taser shall be given prior to the application of the Taser. This announcement serves to:

- Provide the individual with a reasonable opportunity to voluntarily comply with the deputy's direction.
- Provide other safety members and individuals with the warning that a Taser may be deployed.

No verbal announcement is required prior to application of the Taser if making such an announcement would endanger safety members or others, or if an announcement is otherwise impractical.

3.630.30 Taser: Removal of Probes

Generally, probes imbedded in a subject's skin shall be removed as soon as practicable, by either trained safety members or by licensed medical personnel.

- If a probe is embedded in a sensitive area of the body (i.e. eye, lip, neck, breast, or genital area), licensed medical personnel should accomplish the removal, if practicable.
- In the event of a serious injury, immediate medical aid shall be sought.

If medical personnel other than those employed by the Department remove Taser probes, the arresting safety member shall ensure that a Taser Probe Removal form is completed.

3.630.35 Taser: Pre-Booking Medical Examination

Generally, if the subject to which the Taser was applied is to be booked at a Type I or Type II facility, and there are no other

medical issues associated with the individual, no pre-booking medical exam is required.

Similarly, if only contact probes were used during the Taser application, a pre-booking medical exam is not required.

3.630.40 Taser: Reporting its Use

Every Taser application shall be reported by the safety member who applied the Taser. This shall be accomplished by:

- All members involved will orally report the application to their supervisor as soon as practicable after the event.
- Safety members will ensure that the Taser use is documented on the subject's booking application, WI 5150 application, or juvenile application.
- At the direction of the incident supervisor, all members involved will complete a related crime report or memorandum containing a detailed description of the facts involved, including both their own and other members' interaction with the subject, and the underlying reasons for the decision to use a particular level of force.
- A supervisor's use of force report shall be completed and documented using BlueTeam.

If a safety member points the Taser directly at and/or discharges a Taser at a subject, but the probes do not contact the subject, the safety member shall notify their supervisor as soon as practicable and document the show of force and/or the discharge in the crime report and in BlueTeam per Department policy 3.610.40.

Updated: 1-18-21

3.630.45. Taser: Limitations of Use.

A Taser may only be used when objective facts indicate that the suspect poses an immediate threat to a safety member or other member of the public.

Generally, the Taser should not be used:

- To overcome passive resistance.
- Over a prolonged period of time. Minimize repeated, continuous or simultaneous exposures. Near flammable liquids or fumes; or, when the safety member knows that a subject has recently come in contact with flammable liquids likely to be on his person.
- In conjunction with the application of chemical agents which contain flammable material.
- When a subject is operating a moving vehicle.
- When the subject is likely to fall from a precarious position, such as at the top of a staircase, on a balcony or ledge, in a tree, or in or next to a body of water.
- When the subject is obviously pregnant, or known to be pregnant.
- When the subject is visibly enfeebled due to advanced age or illness.
- When subjects are handcuffed or otherwise restrained, absent overtly assaultive behavior that cannot be reasonably overcome by any other less intrusive manner.

3.632. Excited Delirium

The term "Excited Delirium" refers to a condition in which an individual abruptly displays a change in mental state and behavior due to physiological changes within the body. Substance abuse and mental illness often accompany, induce, or augment this condition. In the law enforcement setting,

episodes of Excited Delirium are often terminated by a struggle, physical restraint, and arrest.

The condition of Excited Delirium is typically characterized by:

- Elevated respiration and heart rate.
- Hyperthermia (elevated body temperature) and/or profuse sweating.
- Paranoia.
- Disorientation.
- Agitation and/or violent/bizarre behavior.
- Hallucination.
- Incoherent speech or shouting.
- Incredible strength or endurance (typically noticed during attempts to restrain victim).
- Insensitivity to pain.

When a deputy is accomplishing the arrest/detention of an individual exhibiting signs of Excited Delirium, it is important to minimize, if possible, the duration of any physical struggle that may be involved in the incident.

3.632.10 Excited Delirium: Medical Aid Required

When a Department member comes in contact with an individual exhibiting the signs of Excited Delirium, medical aid shall be requested as soon as practicable, and the individual shall receive a hospital check prior to booking at any custody facility.

3.634. Non-Consensual Blood Draws

In the absence of exigent circumstances that render it impractical to obtain a search warrant, non-consensual blood draws shall only be performed under the authority of a search warrant. When determining whether exigent circumstances exist that would render obtaining a search warrant impractical,

the dissipation of alcohol in the suspect's bloodstream, by itself, shall not be sufficient to excuse the requirements of a search warrant.

Generally, when an individual in custody for a suspected DUI refuses a chemical test, it is the Department's expectation that officers seek a search warrant. Officers will notify the watch commander when circumstances arise where a blood sample was not obtained.

Penal Code Section 1524(a)(13) authorizes the issuance of a search warrant to obtain evidence of a violation of Sections 23140, 23152, or 23153 of the Vehicle Code.

All non-consensual blood draws shall be performed in the following manner:

1. After a search warrant has been signed by a judge or magistrate, unless there exist exigent circumstances, beyond the mere dissipation of alcohol in a suspect's bloodstream, that render obtaining a search warrant impractical.
2. In a medically-approved manner not shocking to the conscience and without excessive or unreasonable force.

At all times officers utilizing a non-consensual blood draw shall comply with the Use of Force Policy of this manual.

A supervisor shall ensure that the reporting requirements outlined in the Department's Use of Force Policy are complied with.

Supervisors shall also ensure that no more force or restraint than is reasonably necessary is used to accomplish the procedure and that pain is not intentionally inflicted when restraining the arrestee.

Whenever practical, the supervisor should respond to the officer's location to solicit the suspect's cooperation, audiotape, or videotape with audio, the encounter, and supervise the blood draw.

The amount of force used (if any) to overcome the resistance shall be limited to that which is reasonable and shall not be disproportionate to the need. A sufficient number of officers shall be available to adequately restrain the arrestee. The number of officers necessary shall depend upon the physical abilities of the suspect to be tested (e.g., muscular, sick, injured, disabled, elderly). Sound professional judgment shall be used when forcibly removing a blood sample from a suspect and care should be taken to guard against injury to the suspect or the officers involved. Pain shall not be intentionally inflicted when restraining the arrestee.

1. In DUI cases the medically qualified person who shall be extracting the blood must consent to the procedure, notwithstanding the arrestee's refusal or resistance. The sample shall be obtained in a medically approved-manner by a person authorized to obtain blood samples, per California Vehicle Code section 23158(a)
2. In all cases a statement shall be made in the arrest report that it became necessary to forcibly remove a blood sample from the suspect. The procedure used shall be articulated in the report (e.g., how the subject was secured, resistance [if any], amount of force [if any]. And the location from which the sample was taken).

PERSONS EXEMPT FROM NON-CONSENSUAL BLOOD DRAWS:

Blood samples shall not be taken from persons who are known to the officer to be hemophiliacs or have a heart condition and be using prescribed anticoagulants (refer to California Vehicle Code section 23612(a)(5)(b) and (c)).

A statement by the arrestee that he is subject to one of these medical conditions is sufficient for the officer to assume that the suspect qualified for exemption. It is recommended that officers should make this determination early in the arrest process when determining which chemical tests are appropriate.

Nothing in the policy shall change the procedure requiring a search warrant for blood samples used for DNA, etc., where the dissipation of alcohol and/or drugs is not an issue.

- If the arrestee chooses a blood test, the officer shall utilize the current contracted forensic company to respond to the location requested by the officer.

If the DUI or criminal suspect is combative to the point that a blood sample cannot be safely obtained, the procedure shall be discontinued.

3.636. Discharge of Firearm

On-duty deputies discharging a firearm, whether accidentally or intentionally, except on a target range, shall immediately report the circumstances to their supervisor.

A deputy who accidentally or intentionally discharges a firearm, should attempt to locate witnesses to the incident. The deputy shall refrain from discussing the incident until the arrival of the supervisor at the scene.

Upon the arrival of the supervisor, the involved deputies shall then follow the directives of the supervisor. If directed to respond to the station or unit of assignment, they shall refrain from discussing the incident with anyone else, or among themselves, until after they have discussed the situation with the

supervisor, assigned investigator, or Homicide Shooting Team investigators.

They should utilize this time to collect their thoughts and review the incident in their minds. Involved deputies need not prepare a written report of the incident unless specifically directed by the supervisor or assigned investigators to do so. If a written report is so requested, it shall be directed to the involved deputy's commanding officer.

If the incident is the accidental discharge of a firearm in a non-law enforcement action, the field supervisor shall respond to the scene, assess the incident, and interview the involved officers regarding the circumstances. In most cases, the supervisor shall instruct the involved officer to submit a report to their commanding officer. The supervisor shall also submit a report of his investigation of the incident.

3.636.10 Discharge of Firearm: Deputy Chief's Responsibilities

The concerned Deputy Chief shall review all reports documenting each accidental or intentional discharge of a firearm.

If, in the Deputy Chief's opinion, the facts and circumstances clearly demonstrate that the discharge was accidental and did not result in injury or death; or the discharge was intentional, but the deputy was not shooting at a person; the Deputy Chief may make a determination at the Bureau level, and forward that determination to an Assistant Sheriff for final approval.

The Bureau Chief may also elect to convene a Board of Deputy Chiefs for a review of the incident, if the facts and circumstances warrant it.

3.636.15 Discharge of Firearm: Board of Chiefs Review

The Board of Deputy Chiefs shall review the circumstances of all incidents involving an accidental or intentional discharge of a firearm by a Department member not resulting in an injury or death of another; or in the case of an intentional discharge where the deputy was not shooting at a person.

The Board shall consist of three Deputy Chiefs as selected by one of the Assistant Sheriffs, one of which shall be the involved officer's Deputy Chief.

The Board shall evaluate each incident based on the following:

- Whether the discharge of the firearm was within policy, out of policy, or accidental.
- Tactical considerations.
- Training considerations.
- Quality of supervision.

The Board may make recommendations to the Sheriff based on the results of the inquiry.

3.640. Lethal Force Encounters (LFE): Defined

A Lethal Force Encounter (LFE) is defined as any lethal force used by a deputy sheriff that causes, or is likely to cause, great bodily injury or death to another person. This type of force is not limited solely to the use of a firearm.

The policies and procedures established in this section shall be followed in all lethal force encounters, as previously defined, and anytime:

- A deputy is injured during an LFE.
- A deputy intentionally fires his weapon at another person, regardless if injuries are sustained or if the fired rounds strike the person.

The complexity of this subject is such that a policy cannot be formulated to cover every facet of these cases; therefore, the following policies are intended to be general guidelines for the delineation of responsibilities of the various Department personnel and work groups involved in LFE investigations.

The policies and procedures in the following subsections frequently refer to a Public Safety Statement. The Public Safety Statement can be found on the Department's Starlink Intranet page under the Manuals tab.

3.640.10 LFE: Involved Deputy's Responsibilities

If tactically safe to do so, immediate action should be taken by involved and/or witnessing deputies to care for any injured persons, apprehend all suspects, and secure the crime scene. Deputies involved in a lethal force incident should also attempt to locate and identify any witnesses to the LFE incident.

Involved deputies should refrain from discussing the incident until the arrival of the first supervisor. Deputies shall give the supervisor a Public Safety Statement when asked by the supervisor. They shall then follow the directive of the scene supervisor.

Involved deputies should refrain from further discussing the incident with anyone else, or among themselves, until after they have discussed the incident with their requested attorney and/or the Homicide Detail investigators. Involved and witnessing deputies, as well as the on-scene supervisor, shall not prepare a written report of the incident unless specifically directed to do so by the Homicide Detail investigators. Homicide Detail investigators shall electronically record voluntary interviews of all involved deputies, witnesses and on-scene supervisors. They shall also conduct recorded

interviews with any involved suspects. All interviews shall be memorialized in a criminal report detailing these interviews.

3.640.15 LFE: Supervisor's Responsibilities

A field supervisor shall respond to all LFE incidents, or any intentional discharge of a firearm at a person by a Department member in a law enforcement situation.

The first supervisor to arrive at the scene should ensure proper care is given to all injured persons. The supervisor shall obtain a Public Safety Statement from all involved deputies. The supervisor should make sure the scene is safe, secured and coordinate personnel for the apprehension of any outstanding suspect(s).

In most cases, personnel directly involved in the LFE, if not injured, should be transported to the station without delay. Deputies involved in an LFE incident should be accompanied to the station by another uninvolved member of the Department.

Vehicles directly involved in the incident shall not be used as the means of transportation to the station.

Fired weapons should be holstered or secured as soon as officer safety permits. Weapons should not be unloaded, handled,

examined or taken from any deputy involved in a LFE incident, except at the direction of the Homicide Detail investigators.

The supervisor at the scene should arrange for the identification of all witnesses and have personnel obtain, if possible, brief recorded statements at the scene.

Witnesses who are willing should be transported to the station, or go to the station voluntarily, to be interviewed by Homicide Detail investigators.

Immediate family members of the suspect, who may be witnesses, should be identified. If possible, uninvolved deputies should obtain a brief recorded statement to determine the extent of their knowledge of the LFE incident. The on-scene supervisor and/or the Homicide Detail investigators should determine whether these witnesses should be transported to the station or go to the station voluntarily to be interviewed.

The supervisor should remain at the scene until the arrival of the Homicide Detail investigators. The supervisor or his designee is responsible for providing the Homicide Detail investigators a detailed briefing of the information known at that time, provided he was not directly involved in the LFE incident.

Supervisors, both at the scene and at the station, shall ensure no one questions or interviews involved personnel, except as set forth in policy 3.640.10 (Public Safety Statement). The supervisor shall ensure involved deputies and witnesses are cared for and, as space permits, kept separate from one another.

Deputies who have wounded or killed someone should have a Department member remain with them until they can be interviewed by the Homicide Detail investigators. The supervisor should assign a Department member for this task. This member will provide aid and assistance as needed, but shall avoid discussing the incident with any personnel involved in the LFE.

The involved deputy, at his discretion, may contact family members to advise them of the incident and let them know he is safe.

3.640.20 LFE: Commander and Deputy Chief Responsibilities

The involved safety member's Station/Division Commander and Bureau Deputy Chief, or, in their absence, the Duty Captain and Duty Deputy Chief, shall respond to the scene of any LFE incident resulting in injury to a member or injury inflicted by a safety member upon another person, or both.

In situations where the safety member intentionally fired a weapon at another person, but missed and no injuries resulted, the Commander and Deputy Chief's response is discretionary.

The Homicide Detail supervisor shall keep the affected Bureau Deputy Chief and Station/Division Commander informed of the significant developments of the investigation. Once the Bureau Deputy Chief has been briefed by the Homicide Detail supervisor, they are responsible for disseminating the information to the Office of the Sheriff.

The Homicide Detail supervisor shall be responsible for giving the Station/Division Commander a detailed verbal briefing of the known facts as soon as possible after the initial LFE investigation is completed. This briefing shall be done so the Station/Division Commander can present the known facts of the LFE to the Board of Chiefs at a Preliminary LFE Review. The Preliminary LFE Review shall take place the Monday after the LFE or as soon as practical.

Once the Homicide Detail has completed the LFE investigation and the LFE criminal report has been reviewed for thoroughness by the Special Operations Bureau Deputy Chief, a copy of the LFE report shall be given to the affected Bureau Deputy Chief, Station/Division Commander, District Attorney's Office, the Training Division Commander, Civil Labilities Division Commander, Personnel/Emergency Services Deputy Chief and County Counsel for review.

It is the Station/Division Commander's responsibility to review the entire criminal report in preparation for an oral presentation during the LFE Review Board. The Commander shall ascertain whether there are any Department policy concerns in regard to the LFE.

Upon completion and receipt of the Homicide Detail's criminal report, the affected Bureau Deputy Chief shall request the Board of Deputy Chiefs to convene and review the LFE incident.

If any training related issues are found during the LFE Review Board it shall be the Station/Division Commander's responsibility to track the member's assigned training. When the member's training is complete the Commander shall write a memo addressed to County Counsel stating the type of training and date completed.

Revised: 10-14-21

3.640.25 LFE: Homicide Detail Responsibilities

The Homicide Detail is responsible for conducting a thorough, complete and detailed criminal investigation into all Lethal Force Encounter (LFE) incidents. These LFE investigations shall be comprehensive and include all aspects of a criminal investigation, including, but not limited to processing the crime

scene, recovering all relevant evidence, and conducting interviews with all involved members, witness members, supervisors, civilian witnesses and suspects.

The Homicide Detail supervisor shall ensure all involved members, witness members and/or their attorney, receive a copy of the member's audio and/or body camera recording(s), as well as other video/audio evidence discovered by investigators, prior to being interviewed by Homicide Detail investigators. The members shall be allowed to review the recording(s) prior to being interviewed.

The Homicide Detail supervisor shall be responsible for updating the affected Station/Division Commander and Bureau Deputy Chief relative to significant developments of the ongoing investigation. The supervisor shall be responsible for providing the affected Station/Division Commander with a verbal briefing of the known facts and preliminary assessment of the initial portion of the LFE investigation. The supervisor will include the known facts of the LFE so the Station/Division Commander can give a Preliminary LFE Review to the Board of Chiefs the Monday after the LFE or as soon as practical. The Homicide Detail supervisor shall also be responsible for ensuring timely press release information is provided to the Public Affairs Division.

Once the LFE criminal investigation is complete the Homicide Detail Lieutenant, Commander and the Special Operations Bureau Deputy Chief will review the entire criminal investigation for thoroughness. Once reviewed, copies of the entire completed investigation book will be distributed to the District Attorney's Office, affected Station/Division Commander and Bureau Deputy Chief, Personnel/Emergency Services Deputy

Chief, Civil Liabilities Division Commander, the Training Division Commander and County Counsel.

The Homicide Detail will prepare a detailed presentation for the Board of Deputy Chiefs Lethal Force Encounter Review Board. Homicide Detail personnel should be prepared to answer any questions the Board may have concerning the facts surrounding the LFE incident, and the results of their criminal investigation.

The Homicide Detail supervisor responsible for investigating the LFE, may be requested by County Counsel to prepare a case summary after the LFE Review Board for their use.

The Specialized Investigations Division Commander or Lieutenant shall make timely notification to the affected Bureau Deputy Chief, affected Station/Division Commander and Special Operations Bureau Deputy Chief and County Counsel when the District Attorney's Office renders a decision on the legality of the force used during the LFE incident. The Undersheriff, or their designee, shall contact the involved member(s) to inform them of the District Attorney's Office's legal findings and/or its intent to release their names to the public.

Revised: 10-19-21

3.640.30 LFE: Civil Liabilities Division Responsibilities

A member of the Civil Liabilities Division shall respond to the scene of any LFE incident resulting in injury to a deputy sheriff, or injury inflicted by a deputy sheriff upon another; or, in which a deputy sheriff fires his weapon at a person without resulting injury. A member of the Civil Liabilities Division shall be responsible for notifying a mental health professional to respond to the LFE incident. The Civil Liabilities Division member shall view

the scene and confer with the Homicide Detail supervisor to ensure Homicide Detail investigators gather all information and evidence relative to the civil liability aspect of the LFE incident.

The Civil Liabilities Division member at the scene of an LFE is responsible for issuing replacement Department handguns to deputies who fired their handgun during the incident. Such replacement shall occur only after Homicide Detail investigators have collected all handguns fired during the LFE. Replacement weapons shall be returned to the Civil Liabilities Division after the collected weapon has been forensically processed and test fired by the Crime Lab, and returned to the involved deputy.

The Civil Liabilities Division and County Counsel shall advise the LFE Review Board of any relevant criminal and civil laws, and Department policies; and, identify any civil liability issues regarding the LFE incident.

At the conclusion of the review process, the entire package of related LFE memos shall be sent to the Civil Liabilities Division to be filed. The Civil Liabilities Division is the sole Custodian of Records for all material prepared for LFE reviews, and is responsible for maintaining them in accordance with legal advice from County Counsel and established Department records retention guidelines.

The Civil Liabilities Division will conduct a LFE incident debriefing with all involved personnel, including, but not limited to all:

- Deputies directly involved in the LFE
- Witness deputies
- Involved supervisors and/or watch commanders
- Aviation personnel (if any) directly involved in the LFE
- Dispatch personnel directly involved in the LFE.

3.640.35 LFE: Counseling Support

Often following a LFE incident, personnel who have fatally injured or wounded someone suffer severe emotional impact. The impact varies with each individual and is unpredictable. In some cases, there is no change in the individual; and, in others, it may occur immediately, or several hours or days later.

It shall be the responsibility of the on-scene Civil Liabilities Division member to arrange for the involved deputies to meet with a mental health professional after the Homicide Detail has completed its interview. A follow-up phone call or visit with a mental health professional shall be arranged no later than the first business day following the incident, or sooner if possible.

3.640.40 LFE: Training Division Responsibilities

After the LFE crime report is complete (refer to Policy 3.640.20-3.640.25), the Homicide Detail will give a copy of the LFE criminal report to the Commander of the Training Division. The Training Division Commander or his designee, shall review the report for any training related issues to be addressed during the LFE Review Board.

The Training Commander, or his designee, shall be prepared to answer any questions from the LFE Review Board regarding any training issues or deficiencies found during the LFE incident.

After the LFE Review Board makes its determination, any training related issues identified during the LFE Review Board process, shall be relayed to the Training Division Commander by County Counsel. The Training Division will assist, at the direction of County Counsel, with the preparation of County Counsel's confidential memo to the LFE Review Board. County Counsel

may direct the Training Division to prepare a training summary for County Counsel's use.

County Counsel shall arrange for the debriefing with each member. After the individual training debriefings have taken place, the Training Division, based on the recommendation of the LFE Review Board and County Counsel, may assign involved members or supervisors to additional remedial training.

The Training Division shall verbally notify the member's Station/Division Commander when the assigned training has been completed.

Revised 10/28/21

3.640.45 LFE: Personal Leave

The Division Commander will release the involved deputies from duty after they have been interviewed by the Homicide Detail investigators and a mental health professional. Their Station/Division Commander, in most cases, will give the involved deputies up to four days off (no leave time charged to the deputy's leave bank) to recuperate from the LFE incident. The Commander, with the approval of his Bureau Deputy Chief, has the authority to approve additional days off if deemed necessary and in the best interest of the deputy and Department. Personal Leave will be coded as ADM on the affected deputy's EMACS.

3.640.50 LFE: Incidents within Jurisdiction of Non-Contract Cities

When a Lethal Force Encounter (shooting or in custody death) occurs within an incorporated city in San Bernardino County that does not contract with the Sheriff's Department for patrol services, but has a Memorandum of Agreement with the

Department to investigate officer involved shootings, the Homicide Detail shall respond as required. The LFE investigation will be investigated and completed in the same professional manner as a Lethal Force Encounter for the Sheriff's Department. However, the Homicide Detail will not respond to Officer Involved Shootings where the fired bullets do not hit the suspect and no injuries are sustained.

The Homicide Detail also may, under circumstances described below, investigate officer involved shootings or in-custody deaths that occur in cities that have neither a contract with the Sheriff's Department for patrol services, nor a Memorandum of Agreement with the Sheriff for LFE investigations.

No LFE investigation may be initiated unless a ranking official from such an agency contacts the Office of the Sheriff to request that the Sheriff's Homicide Detail conduct one. If approved by the Office of the Sheriff, the Homicide Detail investigative team shall proceed with the investigation as directed by the Office of the Sheriff or Deputy Chief. The LFE will be investigated and completed in the same professional manner as an in-house Lethal Force Encounter.

The Homicide Detail shall not respond to officer involved shootings with no injuries.

The subject agency will be kept informed during the investigation by the Homicide Detail supervisor. Members of the Sheriff's Department shall not issue press releases or answer media inquiries into LFEs involving other agencies. Members should defer all media matters to those other agencies.

3.640.55 LFE: Incidents Occurring Outside the County or in a City whose Municipal Police Agency Investigates Lethal Force Encounters.

The investigation of a LFE incident involving a Department member, which occurs in another county or city whose municipal police agency investigates Lethal Force Encounters, shall typically be conducted by the law enforcement agency maintaining jurisdiction. It shall be the responsibility of the affected Station/Division Commander and the Bureau Deputy Chief to respond to the scene and maintain liaison with the investigating agency with jurisdiction.

In addition, a Homicide Detail sergeant and detective, and a member of the Civil Liabilities Division shall also respond to the scene. They shall provide assistance to the involved deputy and outside agency investigative team, and ensure a thorough investigation is conducted. If additional Sheriff's Department investigators are required, they shall respond at the direction of the Homicide Detail sergeant and with the approval of the Specialized Investigations Division Commander.

3.640.60 LFE Involving Officers from Other Agencies

When a LFE incident occurs within the area of responsibility for law enforcement services of the Department and for LFE investigations by the Department through a Memorandum of Agreement wherein a peace officer, employed by any outside law enforcement agency, while acting as a peace officer, is involved in a LFE incident and is injured or inflicts injury upon another person, the Homicide Detail shall be notified and will conduct the investigation. If members of the law enforcement officer's department arrive, they will be kept informed of the investigation, but will not be allowed to interfere or take over the investigation.

3.640.65 Accidental Discharge of a Firearm with No Injuries or Shooting at an Inanimate Object

When a Department member accidentally discharges a firearm and no injury results or intentionally shoots at an inanimate object, the Homicide Detail may conduct an investigation if requested to do so by the involved member's Station/Division Commander and with approval by its Bureau Deputy Chief or the Office of the Sheriff.

In these types of incidents, the primary considerations prior to requesting an investigation by the Homicide Detail should be the potential for civil liability and adverse publicity resulting from the incident, and the investigative capabilities of the affected station.

3.640.70 LFE: LFE Review Board

The LFE Review Board shall be chaired by an Assistant Sheriff and, minimally, consist of four Deputy Chiefs, including the affected Bureau Deputy Chief and the Special Operations Bureau Deputy Chief. Additionally, County Counsel, the Civil Liabilities Commander, Specialized Investigations Commander, Internal Affairs Commander, Training Division Commander, and the affected Station/Division Commander (or their designees) shall be present during the LFE Review Board meeting.

The LFE Review Board shall convene and review circumstances attendant to all LFE incidents, including all officer involved shootings where the suspect was not hit by fired bullets and did not sustain any injuries. The LFE Review Board members will listen and watch the presentations given during the Board meeting and ask any clarifying questions.

The Board should thoroughly evaluate, in a fact-finding manner, the following aspects of the LFE incident:

- The facts contained in the Homicide Detail's criminal report
- Any possible Department policy violations

- Any training concerns
- Possible liability issues identified by the Civil Liabilities Commander and/or County Counsel

During the LFE Review Board meeting, the Homicide Detail will begin the process by making a detailed presentation outlining the results of the criminal investigation. After their presentation, the Training Division will answer questions regarding any training related issues based upon its comprehensive analysis of the LFE incident. After the Training Division is finished, the Homicide Detail and Training Division will be dismissed, and the Commander of Civil Liabilities and County Counsel will address any potential civil liability issues that were identified during the investigation. The Station/Division Commander will then discuss their review of the LFE incident. They will also express their assessment on whether the application of force during the LFE is within policy. County Counsel will then draft an attorney/client memo to the LFE Review Board and the Office of the Sheriff providing a comprehensive legal analysis of the case.

After considering all the facts and information presented, the LFE Review Board will then decide if an administrative investigation is warranted. The Board will also identify any training issues and how the training should be addressed by the Training Division. The Station/Division Commander shall verbally notify the involved member(s) of the Boards findings.

A copy of the LFE criminal report will be kept by County Counsel for filing. All other LFE criminal report copies will be returned to the Homicide Detail supervisor.

Revised: 10-19-21

3.640.75 LFE: Notification of Policy Violations and/or Misconduct

If at any time during the LFE investigation, review or decision-making process, employee misconduct and/or policy violations are discovered, the affected Bureau Deputy Chief, Special Operations Bureau Deputy Chief and the Office of the Sheriff shall be notified immediately.

3.640.80 LFE: County Counsel and Attorney-Client Communications

The LFE review process is conducted in anticipation of future litigation. The Department's attorney(s) must be informed of all the relevant circumstances related to a LFE incident in order to fully advise the Department. County Counsel shall be present during all Preliminary Briefings and LFE Review Boards.

After the LFE Review Board is complete, County Counsel shall write an attorney-client memo to the LFE Review Board and the Sheriff providing a comprehensive legal analysis of the case. The commanders of the Homicide Detail, the Training Division, Civil Liabilities Division and Internal Affairs will assist, as needed, at the direction of County Counsel. This memo will be kept with County Counsel's copy of the criminal report. County Counsel will arrange and be present for the involved member(s) to be debriefed. The Training Division shall participate in the debriefing.

After the member's debriefing and/or remedial training is complete, the affected Station/Division Commander shall address a memo to County Counsel detailing the training the member received and the date the training was completed.

It is the expectation and intent of the Department that any communication between County Counsel and the Board,

Station/Division Commanders, and any other member involved in the LFE review process will be privileged attorney-client communications. This confidentiality is necessary to ensure open and frank communication between the agents of the Department and the Department's attorney(s).

In order to ensure the integrity of this process, an employee who, by virtue of his assignment, is responsible for participating in the LFE review process, shall take steps to ensure that the content of any communication related to the LFE review process is not disseminated to anyone other than County Counsel or outside attorneys hired by the Department.

Revised: 10-19-21

3.640.85 LFE: Office of the Sheriff and Board of Chiefs Preliminary Briefing

Generally, the Monday after an LFE or ICD occurs, or as soon as practical, the Office of the Sheriff and Board of Chiefs will receive an initial briefing regarding the known facts and circumstances of the incident by the Station/Division Commander. The initial briefing will occur during the regularly scheduled Board of Chiefs meeting and will include the following personnel:

1. Station/Division Commander of the affected station
2. County Counsel

The Station/Division Commander shall cover:

1. Summary of the incident
2. Specific observations of the Commander
3. Possible Department policy violations and/or concerns
4. Liability concerns
5. Media or public relation concerns
6. The safety member's condition

7. Training or equipment needs
8. Recommendations (does a P# need to be issued)

Revised: 10-19-21

3.640.90 LFE: Administrative Investigation

If, at any time, information is obtained during the LFE or ICD criminal investigation or other information is obtained that reveals potential Department policy violations occurred leading up to, during, or after the LFE, an administrative investigation may be completed by the Station/Division and the Internal Affairs Division.

Revised: 10-19-21

3.704. Local Critical Incident Response: General Guidelines

When an incident requiring immediate response occurs within another local or area law enforcement jurisdiction and assistance is requested by that agency, deputies from this Department shall respond with permission of their watch commander.

If immediate assistance is requested by a law enforcement agency outside the boundaries of San Bernardino County, but adjacent to those boundaries, deputies from this Department shall respond with permission of their watch commander.

Generally, the watch commander shall limit the response to no more than one-half of his available personnel, but shall attempt

to provide an adequate number of personnel to assist the officer/agency who is requesting aid.

As soon as practicable thereafter, the watch commander shall advise the division commander of the situation and the response.

The watch commander may proceed to the scene of the critical incident if necessary, based on the circumstances involved.

3.704.10 "Officer Needs Help" Incident Response

A "999" is defined as "Officer Needs Help" in an extreme emergency. Any deputy hearing a "999" call from their own or an adjacent jurisdiction shall immediately respond Code 3 unless otherwise directed. Deputies shall be aware that other units are also responding, and extreme caution shall be used.

"998" is defined as "Officer Needs Help" in an urgent situation. The response to a "998" call differs from a "999" in that only deputies within the same division or area as the officer requesting aid shall automatically respond Code 3, unless otherwise directed. Deputies shall be aware that other units are also responding, and extreme caution shall be used.

3.706. San Bernardino County 999 Agreement

The County's standardized law enforcement agency response to "999" and "11-99" incidents is as follows:

Officers or deputies should respond to a "999" call originating within their jurisdiction based on the specific policies of their department.

Upon monitoring or being informed of a "999" broadcast by another county agency all adjacent agencies should send units

to assist the agency making the broadcast. The watch commander or supervisor of all adjacent agencies should make a determination of the number of units that respond to a "999" call based on the following factors:

- Location of the officer making the broadcast and proximity to responding units.
- Circumstances of the incident, if known.
- Number of units available in jurisdiction broadcasting the "999" at time of broadcast.
- Traffic conditions.
- Activity levels and conditions in local jurisdiction.

As soon as possible after a "999" broadcast is made, the watch commander or other supervisor of the agency making the broadcast should notify all adjacent agencies if additional units are needed or if units already responding need to continue to respond.

County agencies that monitor or become aware of a "999" broadcast by an agency that is not immediately adjacent to their jurisdiction should monitor the situation but should not send units to assist unless another compelling factor is present or the originating agency specifically requests that they do so.

3.708. Request for Mutual Aid: Responsibilities

In any instance in which mutual aid is requested of this Department, the watch commander shall be notified immediately. The watch commander shall obtain all information regarding the incident and inform the station commander and Deputy Chief of the request. Based on the circumstances/exigency involved, the watch commander and/or the division commander may initiate a preliminary response to the mutual aid request. The Deputy Chief shall be

responsible for the notification to the Office of the Sheriff of the incident and any process that may have been put into effect.

3.710. California Law Enforcement Mutual Aid Plan

During conditions of emergency, state aid shall be rendered as required in accordance with the state's Law Enforcement Mutual Aid Plan.

The Law Enforcement Mutual Aid Plan reflects current law enforcement operation, mobilization, and function of mutual aid in the State of California and includes aspects of the 1970 California Emergency Services Act (Government Code 8550 et. seq.).

The California Highway Patrol, the State Military Department, the Department of Justice, the Department of Corrections, and the Office of Emergency Services have provided policy statements concerning their respective roles in support of the state's mutual aid system, which have been included in Department Policy for clarification purposes.

3.710.10 CA Law Enforcement Mutual Aid Plan: Purpose

The purposes of the California Law Enforcement Mutual Aid Plan include:

- To prescribe the procedure for coordinating or alerting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires assistance from another jurisdiction.
- To establish official state policy for law enforcement mutual aid.
- To provide for coordination of law enforcement mutual aid planning and operation of the state, regional, and operational areas, and local levels and to relate such

plans to the overall state plan for disaster and emergency operations.

- To provide for a system of receipt and dissemination of information and data related to riots, civil disturbances, or other unusual occurrences, either existing or pending. This information shall be made available to the Governor's Office and to other state agencies that may be called upon to support law enforcement efforts or to use the information to plan allocation and distribution of state resources in support of the overall law enforcement mission.

3.710.15 CA Law Enforcement Mutual Aid Plan: Basic Structure

The California Law Enforcement Mutual Aid plan represents the official position of the State of California concerning law enforcement mutual aid planning and operations in the state of California.

- Each region within the state mutual aid structure shall develop a separate mutual aid plan based on law enforcement input from within the region, counsel from personnel, and publications (Law Enforcement Guide for Emergency Operations, and California Minimum Emergency Operations Services).
- Maximum use of existing law enforcement resources prior to the initiation of a mutual aid request shall be the main tenet of mutual aid operations.
- Unless otherwise expressly provided, or later agreed on by the parties, the responsible local law enforcement official in whose jurisdiction an incident requiring mutual aid has occurred shall remain in charge. It is strongly advised that local law enforcement officials consult with contributing

agencies so that those involved shall understand the emergency and thus be able to respond more effectively.

- The integrity of responding forces shall be maintained whenever possible.
- A maximum effort shall be made to provide each successive level of authority with complete, current, and accurate information relating to emergency situations, in progress or anticipated, that may require law enforcement mutual aid or state agency assistance to local law enforcement.

3.712. Organization of Mutual Aid Plan

The organizational framework for mutual aid in the State of California is based on four (4) levels of increasing responsibility. There are:

- CITIES. City police departments are charged with responsibility for the maintenance of law and order and protecting of law and property within the city limits. The chief of police is the official responsible for determining the magnitude of an emergency within his city and the necessity of calling for assistance from the county sheriff in accordance with this plan.
- OPERATIONAL AREAS. The next higher level of mutual aid responsibility is the county. For purposes of this plan, and by authority of the California Emergency Services Act, a county shall hereinafter be referred to as an operational area. There shall be an Operational Law Enforcement Coordinator who shall be the sheriff of the county.
- REGION. To facilitate coordination of mutual aid and other emergency conditions, the State of California is divided into seven (7) law enforcement

mutual aid regions. In each mutual aid region, there shall be a Regional Law Enforcement Coordinator.

- This person shall be elected by a majority vote of the Operational Area Law Enforcement Coordinators in each region. Elections may be held following the sheriff's general election. If a tie vote should occur, such a tie shall be resolved by the chiefs of police of the region in which the tie occurs.
- Each regional coordinator shall designate as alternates two (2) senior officers with his department, one of whom shall function as the regional coordinator during his absence or inability to serve due to illness or other reasons.
- If a regional coordinator should die or otherwise vacate the position during his term, a meeting of Operational Area Coordinators by the Chief, Law Enforcement Division (OES), within thirty (30) days of the creation of such a vacancy for the purpose of electing a new regional coordinator.
- If, for any reason, a two-thirds (2/3) majority of the law enforcement officials in a particular region desire to hold another regional election, they shall petition the Chief, OES, Law Enforcement Division, who shall conduct such an election.
    - STATE. At the state level, the Office of Emergency Services is responsible for coordination and application of state resources in support of local jurisdictions during time of emergency. This office is also responsible for the receipt and dissemination of current information relating to existing or potential major disasters or disorders on which to base mutual aid coordination at the state level.
    - There are other agencies at the state level that have specific responsibilities of supporting local law enforcement officials during emergency situations. They are the California Highway Patrol, the State Military Department, the Department of Justice, and the Department of Corrections.

- The State of California has established a Law Enforcement Mutual Aid Radio System (CLEMARS) with a special frequency of 154.920 MHz for emergency law enforcement mutual aid purposes. This system is intended for command and control purposes among agencies operating in an emergency when these agencies normally operate in an emergency on their own separate frequencies. It is not intended to be the primary local channel in their day-to-day operations, but as an auxiliary to their normal frequency.

3.714. Mutual Aid: Conditions of Emergency

Under the California Emergency Services Act of 1970, there are three (3) conditions of emergency. These are:

- State of War Emergency
- State of Emergency
- Local Emergency

During the state of war emergency or state of emergency, the governor shall have complete authority over eleven (11) agencies of state government and the right to exercise within the area or regions designated all law enforcement power vested in the state by the Constitution and laws of the state of California (Article 12, section 8620, Article 13, section 8627, California Emergency Services Act). In effect, this means that

during these two (2) conditions of emergency, mutual aid is mandatory.

The governor is empowered to proclaim a state of emergency in an area affected or likely to be affected when:

- He is requested to do so by the chief executive of a city or the Chairman of the Board of Supervisors, or administrative officer of a county.
- He finds that local authority is inadequate to cope with the emergency.

A local emergency is the least severe of the three (3) conditions of emergency proclaimed by the governing body of a county, city, or by an official designated by ordinance.

In periods of local emergency, political subdivisions (cities or counties) have the power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, plans, or agreements.

During a local emergency, state agencies may provide mutual aid, including personnel, equipment, and other available resources, to assist local jurisdictions in accordance with mutual aid agreements or at the direction of the governor.

By proclaiming a local emergency, the governing body of a city or county increases its law enforcement power and may promulgate special orders and regulations necessary to provide for the protection of life and property. These might include imposing a curfew within designated boundaries and other such regulations to preserve the public order and safety.

In periods other than state of war emergency, state of emergency, or local emergency, state agencies, and political subdivisions have the authority to exercise mutual aid powers in accordance with the Master Mutual Aid Agreement and local

ordinances, resolutions, agreements, plans (section 8617 of the Government Code).

3.714.10 General Criteria for Requesting Mutual Aid

The basic policy of state assistance to local government in civil disorders and "unusual occurrences" is to support law enforcement with state resources after local and adjacent government aid has been reasonably committed, or whenever the magnitude of the emergency is such that the best interest of the state shall be served by the involvement of state resources before the commitment of all local agencies.

- LOCAL. When the chief of police of a city determines that an emergency situation in his jurisdiction may become or is already beyond the control of his department's resources, it is his responsibility to request mutual aid from the Operational Aid Coordinator (sheriff).
- OPERATIONAL AREA. When an emergency situation develops or appears to be developing which cannot be resolved by a law enforcement agency within an operational area, it is the responsibility of the Operational Area Coordinator to provide assistance and coordination to control the problem (section 26602 of the Government Code).
- If it appears likely that the resources of an operational area may be overtaxed or event depleted in coping with an emergency, the Regional Coordinator should be advised in advance.
- REGIONAL. Should a present or anticipated emergency be of such a magnitude as to require the commitment of the resources of one or more operational areas, the Regional Coordinator shall keep the State Law Enforcement Coordinator advised of the situation.

3.718. State Office of Emergency Services

The purpose of this section is to define duties, responsibilities, and resources of the Law Enforcement Division, Office of Emergency Services, in providing assistance to law enforcement agencies throughout the state during times of emergency.

Authority for the activities of the Law Enforcement Division, Office of Emergency Services, is prescribed by Article 5, Chapter 7, California Government Code.

The Law Enforcement Division and each of the regional Law Enforcement Mutual Aid Coordinators maintain an inventory of law enforcement support equipment which is available for short- or long-term loan to law enforcement agencies throughout the state.

The Law Enforcement Division of the Office of Emergency Services is responsible for coordination of state resource application in support of law enforcement during "unusual occurrences" such as disorders, demonstrations, riots, and natural or war-caused disasters. To accomplish this task, the Law Enforcement Division maintains a continuous duty system which operates in conjunction with the 24-hour communications center at the Office of Emergency Services in Sacramento.

Any communications to the Office of the Governor concerning local emergencies, requests for state assistance, or information relative to any local problem can be handled with one telephone call to the Office of Emergency Services. Included in this emergency communications system is an operational 24-hour closed-circuit teletype system connecting the Office of Emergency Services with the Department of Justice, California Highway Patrol, Military Department, and the Governor's Office.

This communications system should also be used for reporting information concerning possible or potential future incidents and/or local situations or community conditions of unrest which

might develop into major disorders. Also, a representative of this division shall be dispatched to the scene of an unusual occurrence, either upon request of local law enforcement or when a situation appears to have the potential of requiring state assistance.

3.722. Mutual Aid: California Highway Patrol

The purpose of this section is to describe the legal responsibilities, policies, and procedures of the California Highway Patrol in providing assistance to local law enforcement agencies during emergencies.

Authority for the California Highway Patrol to provide the various types of assistance and support outlined in this section is contained in the following:

- California Penal Code
- California Vehicle Code
- Governor's Executive Order 67 CHP-1
- Emergency Services Act (Title 2, Div. 1, Chapter 7, of the Government Code)
- California Master Mutual Aid Agreement

The primary responsibility of the California Highway Patrol is to provide traffic supervision and control on all state highways constructed as freeways and on highways within the unincorporated areas of the state.

Secondary responsibilities of the California Highway Patrol include assisting local law enforcement agencies to restore and maintain law and order.

3.724. Mutual Aid: State Military Forces

This section presents the legal authority for commitment of State Military Forces (SMF) in support of local law enforcement, SMF

capabilities, and responsibilities and procedures for requesting support. SMF includes the California Army and Air National Guard, the State Military Reserve (SMR), and the Naval Militia.

The governor normally will commit state military forces resources in support of civil authority under the provisions of section 146 Military/Veterans Code (M/VC), only upon determination that emergency conditions exist or are imminent, that all civil resources reasonably available have been or will have been or shall be committed, that civil authority cannot or shall not be able to control the situation, and that military assistance is required and has been requested as provided in the M/VC.

The governor normally will commit state military forces resources without a request from civil authority under the provisions of section 143 M/VC, only under highly perilous conditions, where local civil authority no longer exists or is unable or unwilling to control or mitigate the situation.

State military forces, when committed by order of the governor under the provisions of section 143 or 146 M/VC, shall assist civil authority to discharge lawful responsibilities by performing tasks which include, but are not limited to, restoration and maintenance of law and order, protection of life and property, removal of debris, medical evacuation and treatment, search and rescue, emergency communications, and general logistics support.

3.726. Mutual Aid: California Department of Justice

The purpose of this section is to set forth the role, responsibilities, and capabilities of the Department of Justice in providing

assistance to local law enforcement agencies during emergencies.

Authority for use of the California Department of Justice in mutual aid situations is found in:

- California Constitution, Art. 5 (13)
- Government Code, Sec. 1215, et. seq.

During a state-of-war emergency, the Attorney General is the Chief of the Law Enforcement Services, California Emergency Organization. In peacetime emergencies, the Attorney General, as Chief Law Officer of the state, acts as advisor to the governor. The resources of the Department of Justice are directed toward providing the Attorney General with current information of the state of law enforcement throughout the state.

Services provided by the California Department of Justice in mutual aid situations include:

- Providing legal advice to state and local agencies involved in mutual aid situations.
- Gathering, analyzing, and disseminating advance intelligence information to the Governor's Emergency Planning Council and other appropriate agencies, state, local, and federal, of potential civil disturbances that may necessitate mutual aid.
- Gathering on-scene intelligence at the location of any civil disturbance, correlating data, and identifying participants, and furnishing such information to appropriate agencies, including council and local agencies.

3.730. Mutual Aid: California Department of Corrections

The purpose of this section is to set forth the role, responsibilities, and capabilities of the Department of Corrections in providing assistance to local law enforcement agencies during emergencies.

Authority of the California Department of Corrections to provide assistance outlined in this section is contained in the following:

- Emergency Services Act
- Title 2, Div. 1, Chapter 7
- Article 13, Section 8598
- Article 14, Section 8628
- California Master Mutual Aid Agreement

The primary responsibilities of the Department of Corrections are for the supervision, management, and control of state correctional facilities and for the care, custody, treatment, and discipline, training, and employment of inmates confined. In addition, to protect the public by providing to parolees a combination of supervisory, supportive, and preventive services designed to increase the potential for successful integration into free society.

3.732. Mutual Aid: Availability of Federal Resources

When the state has committed all of its available forces, including the state military, and when such forces are unable to control the emergency, only state government may make the request to the President to provide federal troops to assist in restoring or maintaining law and order. Only after the President has agreed to provide such forces, and his proclamation has been published, will federal troops be furnished and deployed. Such deployment shall be on a specific order of the Chairman of the Joint Chiefs of Staff.

The Department of the Army has issued certain regulations regarding temporary loan of federal military resources to

National Guard units and local civil authorities in anticipation of or during disturbances. These regulations, the type of equipment available, and procedures for obtaining this equipment can be found in the Law Enforcement Guide for Emergency Operations.

Basically, this loaned equipment may be kept only for the duration of the disorder and in no case for more than fifteen days. Should the disorder exceed this fifteen-day period, the hand receipt and loan agreement maybe renewed for another fifteen-day period. The loan agreement shall also require a cash bond equivalent to the value of the loaned property.

3.802. Responsibility to Investigate Complaints

The San Bernardino County Sheriff's Department believes that a relationship of confidence and trust with the public is essential to effective law enforcement. Deputies must be free to exercise their best judgment to initiate law enforcement action in a reasonable, lawful, impartial manner without fear of reprisal. So, too, enforcers of the law have a special obligation to respect meticulously the rights of all persons.

The San Bernardino County Sheriff's Department acknowledges its responsibility to establish a system of complaint and disciplinary procedures which not only will subject an employee to corrective action when that employee conducts himself improperly but also shall protect an employee from unwarranted criticism when duties are properly discharged.

It is essential that public confidence be maintained in the ability of the Department to investigate and properly adjudicate complaints against its members. Additionally, the Department has the responsibility to seek out and discipline those whose conduct discredits the Department or impairs its effective operations. The rights of the employee as well as those of the public must be preserved and any investigation or hearing

arising from a complaint must be conducted fairly, with the truth as its primary objective. The Department has procedures in place to accept complaints from the public, its members and jail inmates in accordance with law.

3.804. Civilian Complaints

Section 832.5 of the California Penal Codes requires that: "Each department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and shall make a written description of the procedure available to the public." The administration of an effective civilian complaint investigation has three primary objectives:

- Protection of the public interest.
- Protection of the integrity and reputation of the Department.
- Protection of the accused employee from an unjust accusation.

It is imperative that the Department demonstrate to the public its ability to objectively process all complaints regarding misconduct of personnel. Public confidence is fostered by implementing effective procedures to process civilian complaints, ensuring the public that the Department will not tolerate misconduct by its members.

The public is encouraged to report misconduct by any Sheriff's employee, and such reports shall be initially accepted in either oral or written form. Complaints shall be recorded and investigated in a timely manner.

A civilian complaint is an important matter and should be handled by a supervisor whenever possible. If a supervisor is

unavailable, the employee assisting the civilian shall furnish him, upon request, a Civilian's Complaint Form and informational brochure.

3.804.10 Use of the Civilian Complaint Form

Employees shall not attempt to dissuade any civilian from lodging a complaint against any employee or the Department.

The Sheriff's Department Civilian Complaint Form is self-explanatory and shall be used for all civilian complaints. The form can be located on the Department's public web-site under the Civilian Complaint tab, on the Internal Affairs Division page of Starlink or in the Department Template file. The form is provided in an English and Spanish version.

If a civilian chooses, they can type in the form field area of the Civilian-Complaint form provided on the Department's public web-site, print the completed Civilian Complaint Form and mail it to the Internal Affairs Division. If a civilian chooses or is not able to utilize the Department's public web-site to complete a complaint form, they may request a form by calling the Internal Affairs Division and have a Civilian Complaint Form mailed to them. A civilian may also enter any Sheriff's station and request a Civilian Complaint Form. In this instance, an employee may seek supervisor assistance in an effort to resolve the complainant's concerns, however if the complainant ultimately requests a complaint form, the employee shall print a form and provide the complainant with a civilian complaint pamphlet.

If a civilian completes a complaint form and desires to submit it to Department personnel at any Sheriff's station, the employee shall accept the Civilian Complaint Form, verify the complainant signed and dated the complaint form in the appropriate spaces, sign and date the appropriate spaces themselves signifying acceptance of the complaint form and provide a copy to the civilian if requested. If the complainant

declines to sign the complaint form, the employee will accept the complaint and write refused in the location the complainant was requested to sign. The employee shall submit the form to their commander or his designee for review. The commander or his designee shall ensure that an investigation of the allegations is completed.

If a complaint alleges a serious violation that could possibly result in substantial disciplinary action, or if the complaint is against employees from two or more divisions, or if the investigation is likely to require substantial travel, the complaint shall be forwarded to that commander's Deputy Chief, who shall determine whether the complaint shall be investigated by the originating division or investigated by the Internal Affairs Division.

Once an investigation is initiated, a P-number shall be obtained from the Internal Affairs Division. To obtain a P-number, contact the Internal Affairs Division the first available business day after the complaint is submitted.

Although the use of a Civilian Complaint form by a complainant is the standard method of initiating a complaint against the department or its personnel, a civilian may also initiate a complaint in other ways, including but not limited to the following:

- Orally
- Via letter
- Via email

If a complainant is unable to complete a complaint form or generate a written document, the employee receiving the complaint shall assist the complainant.

Upon completion of the investigation, whether by the station or by the Internal Affairs Division, all investigative reports shall be

forwarded to the appropriate Deputy Chief who will determine whether the matter is to be presented to the Board of Deputy Chiefs or resolved at the bureau/division level.

3.804.15 Accepting Civilian Complaints

The Department has an obligation to objectively investigate any complaint or allegation involving misconduct of its members. All complaints of misconduct shall be accepted and thoroughly investigated.

When the allegation is determined to be a complaint against Department policy or procedure only, and not involving misconduct, the complainant shall be advised that no administrative investigation will be undertaken, and the employee shall attempt to explain and/or clarify the policy or procedure to the complainant. If the complainant nevertheless insists on filing the complaint, the complaint will be accepted and processed appropriately.

When a complaint is initiated by a person who is intoxicated, the complaint shall be accepted, and the complainant shall be interviewed at the earliest opportunity after the complainant has regained sobriety.

Third-party complaints (complaints initiated on the behalf of another person) shall be accepted and investigated thoroughly.

3.804.20 Anonymous Civilian Complaints

Anonymous complaints should also be given complete consideration. Supervisors shall evaluate and investigate complaints including, but not limited to, ongoing investigations, arrests, suspects, etc., and take any appropriate action.

There is no statutory obligation for the person making a civilian complaint to identify himself or to explain the nature of his complaint at the time of the request for a complaint form.

3.806. Time Limit for Administrative Investigations

The investigation of a personnel complaint, including the commander's review, shall be completed and the reports submitted to the appropriate Deputy Chief within forty-five (45) days after the date the complaint was initiated.

NOTE: Any extension of the forty-five (45) day time limit requires specific approval of the appropriate Deputy Chief.

3.806.15 Recording of Members During Administrative Interviews

All legally required oral advisements of rights, orders of confidentiality, and subsequent interviews with Department members during administrative investigations shall be electronically or magnetically recorded.

Members shall be informed of the intent to record prior to such advisements, orders and interviews, and once the recording has commenced, it shall be verbally acknowledged onto the recording itself.

Members' consent to record an administrative interview is NOT required.

3.806.20 Commander's Review of Administrative Investigation

At the conclusion of the investigation, the commander shall ensure that the allegations have been thoroughly investigated,

and the reports are accurate, impartial, and complete. The commander shall compile the investigative reports and consult with the proper Deputy Chief about the investigation and any further action to be taken.

3.806.25 Deputy Chief's Review of Administrative Investigation

When an employee of this Department is alleged to have violated a County personnel rule or a Department rule or regulation, the Department shall conduct an investigation into such allegations.

At the conclusion of an investigation, all materials related to alleged violations shall be forwarded to the Deputy Chief of the involved bureau, for his review.

Upon review of the investigation, and a consideration of the circumstances attendant to the nature of the violations, the Deputy Chief shall make a determination at the bureau level regarding:

- A finding of fact as to each allegation, as in section 3/820.60.
- A disposition of any sustained allegation, and the option to approve a written letter of reprimand, and a specific course of training or both, or any other non-punitive re-directive measure deemed appropriate.
- A recommendation of suspension, not to exceed five (5) working days without pay, when such recommendation is endorsed by the Assistant Sheriff of the involved bureau.
- A recommendation to the Assistant Sheriff of the involved bureau to convene a mini-review board consisting of the involved bureau Deputy Chief and the involved employee's commander. Said board may recommend disciplinary action up to ten (10) working days without pay

when such recommendation is endorsed by the Assistant Sheriff of the involved bureau.

3.806.30 Board of Deputy Chief's Review of Administrative Investigation

After an investigation of a complaint alleging misconduct by an employee is completed and forwarded to the accused employee's Bureau Deputy Chief, the Deputy Chief may make a determination in accordance with section 3/820.40, or request a formal review by a Board of Chiefs. A Deputy Chiefs Review Board shall consist of the following Department members:

- The Deputy Chief for the Bureau of the accused employee. He shall read each allegation to the employee, and is the only member of the Board who may ask questions based on the employee's response to an allegation, or facts relating to the circumstances of an allegation.
- Two (2) additional Deputy Chiefs, as selected by the chairman of the Review Board.
- The employee's station/division commander.

The accused employee, when notified of the date and time for a Board of Review, must appear before the Board and may bring a representative of their choice to be present during the reading of each allegation and the employee's response, if any.

The employee and his representative shall be excused prior to any discussion and deliberation by the Board. In all cases the employee shall be informed of the Board's recommendation at a future date, and notified in accordance with section 3/820.50 when a punitive action is proposed. Following the appearance

by the employee, the Review Board shall discuss and consider all the facts of each allegation and the employee's response.

Upon consideration of the facts and response, the Board shall make a finding of facts regarding each allegation as specified in section 3/820.60. When there is a sustained finding, the Deputy Chief of the involved bureau shall make a recommendation to the Board for an appropriate disciplinary action. After the Board agrees to the recommendation it shall be forwarded to the Sheriff for approval.

3.810. Employee Notification of Disciplinary Action

When the Sheriff approves a punitive disciplinary action as recommended by a Bureau Deputy Chief or the Board of Deputy Chiefs, a notice of proposed discipline shall state what disciplinary action the Department intends to impose, as well as the reason and cause for the action. The employee shall be provided a copy of all materials upon which this action is based.

Within five (5) County working days after the notice is served, the employee may request a conference with the Undersheriff or his designee, to attempt to mitigate the proposed disciplinary action. Any disciplinary action to be taken by the Department shall be imposed upon the employee no sooner than five (5) County working days from the date of the notice, unless the employee waives this five (5) day period and as stated by the Order of Disciplinary Action. The order shall include the date and time that such action shall be imposed, and fully describe the extent or duration of the action.

3.812. Notification of Disposition to Complainant

Within thirty (30) days of the disposition of a citizen complaint, the Internal Affairs Division shall notify the complaining party in

writing that the complaint was determined to be either unfounded, exonerated, not sustained, or sustained.

3.814. Administrative Investigation Files

Completed administrative investigations of personnel misconduct or completed citizen complaint investigations shall be maintained only by the Internal Affairs Division.

3.816. On-Duty Traffic Collisions

Any Department member who is involved in a traffic collision while operating a Department vehicle; or who is involved in a traffic collision while acting within the scope of his Department duties; shall immediately report the collision to his on-duty supervisor.

A supervisor should respond to the scene of the collision. The Civil Liabilities Division shall be notified and advised of the circumstances of the collision as soon as practicable. The supervisor shall ensure a traffic collision investigation report is generated and complete an interoffice memorandum to his division commander summarizing the findings of the traffic collision investigation report.

The division commander shall review the accident report and forward the administrative report packet, including the County's Auto/Incident report," to the Civil Liabilities Division within ten (10) days of the date of the collision.

If the traffic collision occurred outside the Department's jurisdiction, every effort shall be made to obtain a traffic collision investigation report from the appropriate agency. If a traffic collision investigation report is not generated, a detailed interoffice memorandum shall be submitted to the division commander.

A vehicle, as described in this section, shall include any Departmental car, truck, motorcycle, aircraft, boat, off-road vehicle, or any other means of transportation which is self-propelled.

3.816.10 On-Duty Traffic Collisions: With Injury

When a Department member is involved in an injury traffic collision, the responding supervisor shall ensure that appropriate medical aid is summoned, and that sufficient resources are requested and deployed to ensure security of the scene and the safety of the public.

The supervisor shall also cause the division commander or his/her designee to be immediately notified of the accident; and the Civil Liabilities Division shall be advised as soon as practicable.

If a member has been injured in the collision and requires medical treatment and/or hospitalization, the supervisor shall complete Employee's Claim for Workers' Compensation Benefits (DWC-1) form a Medical Service Order (MSO), an "Occupational Injury or Illness" (5020) form and the Supervisor's Report of Injury or Illness form. These completed forms shall be emailed to the Civil Liabilities Division (CivilLiabilities@sbcsd.org), prior to the end of the supervisor's shift and shall be attached to the supervisor's administrative investigation.

The notification of member's relatives shall be accomplished by the division commander or his/her designee, if the employee's unable to make such notification.

3.816.15 On-Duty Traffic Collisions: Serious Injury or Death

When a Department member is seriously injured or killed in an on-duty or employment-related traffic collision, the division commander shall respond to the scene.

The division commander shall be responsible for personally contacting relatives or next of kin of the injured or deceased member. The commander shall also cause the appropriate Deputy Chief to be advised of the incident, and ensure that the Civil Liabilities Division has been notified.

The Deputy Chief should respond to any traffic collision involving serious injury or death to a member of this Department, or to any citizen seriously injured by a member of the Department.

3.816.20 Vehicle Damage: Repair Costs

It is the responsibility of the station, division, or contract city to obtain a complete copy of the accident report and internal investigation whenever a vehicle is damaged. The original "Auto/Incident Report" with copies of the traffic accident report shall be forwarded to the appropriate Deputy Chief for review and routing to the Civil Liabilities Division.

The Civil Liabilities Division shall coordinate with Risk Management to seek reimbursement from other parties and refund the money to the Sheriff's Department when it is received.

Risk Management shall send subrogation recovery transfers to the Civil Liabilities Division. The Civil Liabilities Division shall itemize the recovery transfer and prepare a memo to the Administrative Services Division identifying the division affected by the recovery. The Administrative Services Division will cause

the division entitled to the reimbursement to be credited with the recovery.

In cases where the vehicle is no longer part of the fleet or received in a different fiscal year, the fund shall be reimbursed to the contract city entitled by contract to receive the recovery.

3.818. Sheriff's Accident Review Board

The Department shall establish an Accident Review Board.

A Deputy Chief shall chair the Board, which also shall comprise at least one (1) captain, one (1) lieutenant, one (1) sergeant and one (1) corporal; all appointed by the Sheriff. In order to provide a Department-wide balance of representation based on training and experience, the Sheriff may appoint additional members to the Board, as necessary.

Additionally, each appointed Board member shall recommend to the Sheriff for approval, the name of an alternate to serve as a member of the Board during the temporary absence of such current member.

Each month the Board shall meet, discuss, and make recommendations to the appropriate Deputy Chief of their findings concerning collisions and possible responsibility involving members of the Department.

3.820. Discovery Motion for Personnel Records

Upon receipt of a discovery motion for a deputy sheriff's personnel records, the person receiving the request shall immediately notify the Internal Affairs Division. The custodian of personnel records at Internal Affairs shall advise, in writing, the concerned employee of the action that is taking place. The

custodian of records shall produce the records only upon an order of the court.

3.822. Processing Claims Against the County

When a claim is filed against the County identifying the Sheriff's Department or its members as responsible for alleged damages, the Civil Liabilities Division shall forward an Investigative Request to the commander of the station/division identified in the claim.

A completed investigation should include witness interviews, copies of related documents, and any other facts necessary to assist the commander toward making a recommendation to justify the claim being honored or denied. One (1) copy of the investigation shall be forwarded to the Civil Liabilities Division on or before the time specified in the request.

If a personnel investigation has previously been conducted or is in progress, and related to the circumstances specified in the claim, the commander should contact the Civil Liabilities Division for guidance in preparing the claim investigation reports, and a response.

3.824. Personal Property Loss Reimbursement

The County's Liability Insurance Trust Fund provides for the repair and replacement of a member's personal property, necessarily worn or carried by the member, that is lost or damaged in the line of duty without fault or negligence of the member.

Reimbursement for repair or replacement may be made when the loss or damage is caused by circumstances arising from the performance of duty.

All reimbursements shall be made based on a depreciated, functional value. No reimbursement shall be made for ornamental or jewelry items except for watches, eyeglasses and frames, or other items necessary for the member to fulfill their job functions.

Claims for reimbursement of personal property loss shall be filed with the Civil Liabilities Division on the authorized form, after approval by the station/division commander.

Revised: 11-19-20

3.828. On Duty Injury: No Medical Attention Required

When members are injured, while on duty or acting within the scope of their duties and no medical attention is required, they shall immediately, or as soon as practicable, notify their supervisor.

If the member and the supervisor agree that no medical attention is needed, the member shall complete a "Minor Injury Report" memorandum and submit it to the station/division commander via a supervisor.

The "Minor Injury Report" memorandum may be found in Sheriff's Administrative Templates.

After review, the station/division commander shall forward the memorandum to the Civil Liabilities Division.

Revised: 11-19-20

3.828.10 On Duty Injury: Medical Attention Required

When members are injured while on duty or acting within the scope of their duties, and medical attention is required they shall immediately or as soon as practicable notify a supervisor.

When a member is injured while conducting law enforcement duties that result in a criminal or administrative report being written, the injury shall be documented in the report to include the circumstances, facts, and nature of the injury. If the member is unable to complete the report, the member's immediate supervisor shall be responsible for ensuring the injury is documented in the report.

For injuries occurring while on duty or acting within the scope of their duties, that do not require documentation in a report, the member shall, after receiving medical treatment, submit a memorandum to their station/division commander. This

memorandum shall include the circumstances, facts, and nature of the injury. If the member is unable to complete the memorandum, their immediate supervisor shall be responsible for obtaining and documenting the injury.

3.828.15 On-Duty Injury: Employees Responsibility

Employees who are referred for medical treatment due to an occupational injury or illness shall be given a Medical Services Order by their supervisor and directed to a physician or medical facility from the Physician's Referral List. In an emergency, the employee shall be sent to the nearest medical facility immediately.

The employee shall give the Medical Services Order to the treating physician. The form contains a section to be completed by the treating physician entitled "Physician's Authorization to Return to Duty." This section describes the suitability for participation in a modified duty position along with the next scheduled medical appointment. The employee shall return the completed form to his supervisor as soon as possible.

The completed Medical Services Order shall generally be returned to a supervisor immediately after the initial treatment. In cases involving more serious injury or intensive treatment, the employee when physically possible, shall make his supervisor aware of such treatment and the anticipated delay in returning the Medical Services Order.

Refusal to participate in the Modified Duty Program could subject the employee to a loss of benefits or disciplinary action.

The employee shall keep his supervisor informed of any changes in medical status and of future medical appointments.

If an employee assigned to a modified duty position experiences difficulty in performing the restrictive duties, the

supervisor shall be notified immediately. The Modified Duty Coordinator shall be advised of these circumstances as soon as possible. The employee may then be scheduled for medical re-evaluation.

3.828.20 On Duty Injury: Supervisory Responsibility

If an employee is injured and requires medical attention, the immediate supervisor shall complete and submit all required forms to the Civil Liabilities Division before the end of their shift. The submission will be made by e-mail to CivilLiabilities@sbcsd.org. The required forms are: "Employee's Claim for Workers' Compensation Benefits" (DWC-1) form, "Medical Service Order for Occupational Injury or Illness" (MSO) form, Occupational Injury (5020) form, and "Supervisor's Report of Injury or Illness" form.

The supervisor shall provide the employee with a DWC-1form if medical treatment is requested/required. The employee shall complete the top portion of the DWC-1form and sign where indicated. The supervisor shall complete the bottom portion and sign where indicated.

The supervisor shall complete a MSO form. This MSO form shall be sent with the employee to the attending medical facility. The MSO form is both an authorization for treatment and a release to regular duty, modified duty, or an off-work order.

The "Supervisor's Report of Injury or Illness" form provides specific information required by Risk Management for processing the employee's claim. Items notated on the form include: the criminal report, a brief description of how the injury occurred, and the employee's assigned shift.

After the initial submission by e-mail to the Civil Liabilities Division, all four original forms and a copy of the criminal report or the injured employee's memorandum shall be forwarded to the

Civil Liabilities Division after review by the station/division commander.

Volume 4 Property and Evidence

4.105. Property System Overview

The San Bernardino County Sheriff's Department property system consists of two basic components: The Division Property System and the Scientific Investigations Division's Evidence/Property Unit.

In general terms, the Division Property System is responsible for the initial intake and processing of property seized in the field.

The SID Evidence/Property Unit is responsible for the long-term processing and storage of property; for the final disposition of certain specific categories of property such as firearms and controlled substances; and for ensuring the overall integrity of the Department's property system.

4.110. Property Types

All property entered into the Sheriff's Property Evidence Tracking System (PETS) shall be classified into one of the following categories:

- EVIDENCE PROPERTY - items that are directly or indirectly connected to a crime.
- FOUND PROPERTY - items that have no known connection to a crime, but may have been lost or misplaced by their

owner and subsequently turned over to the Sheriff's Department by a civilian.
- SAFEKEEPING PROPERTY - items that are not connected to a crime, but are taken for public safety reasons or when the owner is unable to take possession.

4.115. Evidence Collection, Packaging and Processing Guidebook

The Scientific Investigations Division (SID) shall create an Evidence Collection, Packaging, and Processing Guidebook detailing current procedures for handling property of various types, including the following topics:

- Packaging techniques for various types of property.
- Forms to be used in making various requests for the processing of evidence.
- Techniques for the collection of evidence and samples in the field.

SID shall review the contents of the Guidebook annually, and update it as necessary.

4.115.10 Guidebooks at Divisions

SID shall provide a minimum of three current copies of the Evidence Collection, Packaging, and Processing Guidebook to each division having a property function. One current copy shall be maintained at each of the following locations:

- The division Property Room.
- The division's designated evidence packaging area.
- The evidence supervisor/watch commander's office.

4.115.15 Responsibility to Follow Guidebook

Members shall follow the procedures outlined in the Evidence Collection, Packaging, and Processing Guidebook, in order to ensure accuracy and consistency in the handling of property.

4.120. Bar Coding

The Department uses a system of Bar Coding in order to track/process property and evidence. The Official Bar Code Label shall be issued by the Scientific Investigations Division (SID), and shall not be altered.

4.130. Property Evidence Tracking System (PETS)

PETS is a computer records system designed to facilitate the accurate and timely tracking of property that is in the custody of the Sheriff's Department. It is intended for use by authorized Sheriff's Department personnel assigned to Property Officer functions.

4.130.10 Use of Property Evidence Tracking System (PETS)

Property being held by this Department shall be entered into PETS before being stored at any location within the Department.

The following items are excluded from this rule.

- Film
- Media containing digital images.
- Marijuana Kits
- Blood samples for toxicology typing.
- Blood Alcohol Kits

4.135. Record of Chain of Custody

The chain of custody begins at the time a member collects or seizes an item of evidence or property. That member is responsible for the security of the item and the maintenance of the chain of custody until it is introduced into the Department property system. The member shall not allow an item seized or collected within the course and scope of his duties to be unsecured or unsupervised at any time. The seizing/collecting member shall properly package items of evidence and/or property and introduce those items into the Department property system as soon as practicable after seizure/collection.

No member shall store seized/collected items of evidence and/or property in personal lockers, desk drawers, office cabinets, etc. as a substitute for properly packaging items of evidence and/or property and introducing those items into the Department property system.

The entry made in the Property Evidence Tracking System (PETS) by a Property Officer serves as an official record of chain of custody for a specific piece of property, and therefore may be subject to court scrutiny. All changes in the status of property (to court, release, destroyed, auctioned, transferred, etc.) shall be entered in PETS at the time of the change.

4.140. Receipt for Seized Property

Generally, a member shall issue a receipt for any property seized as evidence, found property, or for safekeeping, to the owner or person reasonably in control of the property at the time of the seizure.

4.140.10 Completion of Property Receipts

The member shall ensure that the property receipt is completely filled out prior to issuance.

4.140.15 Authorized Form of Receipt

An authorized form of receipt is considered to be one of the following:

- A Sheriff's Department Property Receipt.
- A "Receipt and Notice of Rights for Confiscated Firearms" form.
- A copy of a completed CR-3.
- A copy of a completed CR-4.

4.140.20 Property Seized Via Search Warrant

A member need not issue a separate Departmental receipt for property seized by virtue of a search warrant. The receipt process required by the search warrant is sufficient.

4.140.25 Physical Evidence Seized from Person's Body

A member is not required to issue a receipt for physical evidence seized from a person's body; such as hair samples, blood, urine, nail scrapings, etc.

4.140.30 Property Seized with No Known Owner

A member is not required to issue a receipt for seized property in circumstances in which an owner or person reasonably in control cannot be identified.

4.140.35 Property Seized as Instrument or Fruit of Crime

A member is not required to issue a receipt for seized property when that property is suspected as being an instrument or fruit of a crime.

4.145. Disposition of Property - General Guidelines

All seized property, regardless of category, shall be dispositioned as soon as possible. If immediate release of property is not possible, the following guidelines shall apply:

- Property held in any case still pending with the court shall not be released or destroyed.
- Property held in felony cases shall be retained for a minimum of one calendar year, unless a judge orders its release or the case is adjudicated before that date.
- Property held in misdemeanor cases shall be retained for a minimum of six calendar months, unless a court orders release or the case is adjudicated before that date.
- Found property and property taken for safekeeping shall be, released to a legal owner, or his/her designee as soon as reasonably possible, but no later than six calendar months from the date received by the agency (excluding firearms).
- Property shall not be dispositioned without the written approval of the case agent or the appropriate division designee (i.e. detective, Administrative/Detective Sergeant, etc.).

4.150. Releasing Property for Court Use

Generally, only members of the Sheriff's Department are authorized to check out property for, or deliver property to, court. Other persons seeking to check out property must obtain written permission from the case agent or their designee, prior to the property's release.

4. Multiple items of evidence packaged under one bar code label shall not be separated for court.
5. The person taking possession of the property is responsible for making sure that the property is returned to the Division Property Officer, unless the court retains the property.
6. When the property is returned to the Division Property Officer, the Property Officer shall ensure that all items are

accounted for. Any items retained by the court shall be documented in the Property Evidence Tracking System (PETS).

4.155. Court Orders Compelling Unlawful Acts

If a member receives a court order which they believe compels them to commit an unlawful act in compliance with that order:

- The member shall not take any action in compliance with the order.
- The member shall immediately notify their supervisor.
- The member or supervisor shall immediately notify Sheriff's Civil Liabilities Division.

4.205. Division Commander's Responsibility

All commanders of a division having a property function are responsible for developing and maintaining a division property system that complies with all Department policy and procedural requirements for the processing and storage of property.

4.210. Patrol Division ID Kits

All patrol divisions shall assign an authorized ID kit to every member who may process evidence.

Each authorized ID kit shall, at a minimum, contain the following:

1. Camera
2. Fingerprint Powder
3. Brushes
4. Measuring Scale/Ruler
5. Latent Fingerprint Lift Cards

6. Fingerprint Tape

4.215. The Division Property Room

Each division shall establish and maintain a secure room and/or interim locker facilities for the purpose of storing property seized/collected within the course and scope of Sheriff's Department activities.

The only members authorized to introduce property into the division property room are the Property Officer or the Alternate Property Officer.

The only members authorized to move property out of the division property room are the Property Officer or the Alternate Property Officer.

The division property room should be alarmed to prevent unauthorized access.

4.215.10 Specialized Division Property Storage

The Scientific Investigation Division Evidence/Property Unit shall store property for those divisions that do not have formal property storage rooms.

4.220. Property Officer

The Property Officer is designated to assume custody of all physical evidence and property seized/collected by their division.

Division commanders shall designate a division property officer who shall ensure that property is stored within the designated

secure area of each division, and is processed according to Department policies and procedures.

4.220.10 Alternate Property Officer

The division commander shall designate an Alternate Property Officer who shall assume the duties of the division's Property Officer during extended absences, such as vacation, training, etc.

The Alternate Property Officer shall ensure that property is stored within the designated secure area of each division, and is processed according to Department policies and procedures.

4.220.15 Specialized Divisions - Property Officer

Commanders of specialized divisions having a property function shall designate a division Property Officer who shall ensure that property is stored within the designated secure area of each division, and is processed and transferred to SID according to Department policies and procedures.

4.220.20 Specialized Divisions - Alternate Property Officer

Commanders of specialized divisions having a property function shall designate an Alternate Property Officer who shall assume the duties of the division's Property Officer during extended absences, such as vacation, training, etc.

The Alternate Property Officer shall ensure that property is stored within the designated secure area of each division, and is processed and transferred to SID according to Department policies and procedures.

4.220.25 Changing/Replacing Division Property Officers

Commanders of divisions having a property function shall ensure that a complete (100%) audit of all property and evidence stored at the division is conducted prior to the reassignment or replacement of a division Property Officer.

Both the Alternate Property Officer and the supervisor in charge of the Division Property System shall participate in this audit.

Commanders may solicit assistance from the SID Evidence/Property Unit in completing this requirement.

4.225. Property Officer Training Provided by SID

SID shall determine the minimum initial and recurrent Departmental training requirements for members assigned as division Property Officers.

4.230. Organization of Division Property Room

All divisions having a property room shall use the following method of organization:

- Each row of shelves shall be labeled alphabetically.
- Each bin, section, or sub-section of a shelf shall be numbered.
- Weapons shall be stored in a section that is separate from other property.
- Money shall be stored in a section that is separate and secure from other property.

4.230.10 Security of Property Storage Areas

Access to the division's property storage areas shall be controlled to prevent the unauthorized removal, alteration, or theft of property under Sheriff's Department control.

Only those members designated by the division commander as the Property Officer or Alternate Property Officer shall have access to the property storage areas.

Supervisors may obtain access to these areas at any time, when accompanied by the Property Officer or the Alternate Property Officer.

4.230.15 Storage of Property in Outside Secure Areas

Property stored in an outside, secured area shall be bar coded in compliance with guidelines set by SID. Particular care should be taken to protect the bar code label from the elements by enclosing it in a plastic bag, laminating it, etc.

4.235. Interim Storage Lockers

An interim storage locker is one in which an employee may secure recently seized property, pending its processing by the division Property Officer.

Every division having a property function shall have secured interim property storage lockers. Once property has been placed in an interim locker, only the division Property Officer or Alternate Property Officer may access the item for further processing.

4.240. Designated Evidence Packaging Area

All divisions having a property function shall identify an area or location within the workplace for the purpose of packaging property. This area or location shall be of adequate size to have

desk/counter top workspace and to neatly contain required packaging supplies and materials.

All divisions shall ensure that the packaging area also has a display or notebook containing packaging and labeling examples, as well as a copy of the Evidence Collection, Packaging, and Processing Guidebook for reference.

4.245. Review of Division Property System

The division commander shall implement procedures to ensure that the Property Officer periodically conducts a brief review of the property system to ensure that policies and procedures are being followed.

This review shall include, but not necessarily be limited to, the following:

- Evidence Collection, Packaging, and Processing Guidebooks
- Packaging Supplies
- Interim Storage Lockers
- Evidence Room

Any issues of concern that cannot be adequately addressed by the Property Officer shall be communicated to the division supervisor in charge of property and/or the watch commander.

4.245.10 Audit of Interim Storage Lockers

Generally, the Property Officer shall, at least once per workday, empty interim storage lockers of all property, and process the property according to procedures established by the Scientific Investigations Division (SID).

4.245.15 Quarterly Evidence Inspections

Each division commander shall ensure that a quarterly inspection of the division property system is conducted and documented. Records of the inspection shall be maintained at the division and made available to SID upon request.

The division Property Officer and/or the Alternate Property Officer, and the supervisor responsible for division property functions, shall conduct the quarterly inspection.

The inspection of the division property system shall, at a minimum, include the following subject areas:

- 5% of the total items stored at the division.
- Packaging of property.
- Organization and storage of property.
- Entry/listing of property in PETS.
- Cleanliness.

4.245.20 Annual Property and Evidence Audit

During the month of December of each year, the division commander shall ensure that a complete (100%) audit of all property and evidence stored at the division is conducted.

The division Property Officer and/or the Alternate Property Officer, and the supervisor responsible for division property functions, shall conduct the audit. A memorandum documenting the audit and the results shall be forwarded to the commander of the Scientific Investigations Division (SID) on or before December 31 of each year.

4.245.25 SID Inspections of Division

The Scientific Investigations Division (SID) may conduct unannounced inspections of division property systems at any time. Inspections may also be conducted at the direction of the

Office of the Sheriff, the Executive Staff, or at the request of the division commander.

SID shall conduct at least one inspection each calendar year of each division's property system. This inspection shall include an audit encompassing a minimum of 10% of the total property held at each division.

4.305. Responsibility of Division Personnel

It is the responsibility of each member who seizes, collects, handles, processes or otherwise accomplishes a property function to follow Departmental policy and the guidelines set forth in the SID Evidence Collection, Packaging, and Processing Guidebook.

No member shall store seized/collected items of evidence and/or property in personal lockers, desk drawers, office cabinets, etc. as a substitute for properly packaging items of evidence and/or property and introducing those items into the Department property system.

4.305.10 Responsibility of Division Personnel - Serialized Property Items

Items of property that exhibit/contain serial numbers, owner-applied numbers, and/or other unique alpha-numeric markings, that are to be stored in the Department property system, shall be entered into the CLETS automated property database (APS).

Generally, this shall be accomplished by the seizing/collecting member.

The seizing/collecting member shall:

- Send a teletype message to Sheriff's Records requesting entry;
- Include a copy of the request with the paperwork and property submitted to the Property Officer.

The division Property Officer shall verify that the entry has been accomplished and confirm its accuracy prior to entering the item into PETS.

When the property is dispositioned out of the PETS system, the Property Officer shall be responsible for cancelling the listing in APS; and/or verifying the property has been removed from that database.

4.310. U.S. Currency

All U.S. currency received by a division as property shall be transferred to the Scientific Investigations Division Evidence/Property Unit. All U.S. currency received by the Evidence/Property Unit shall be deposited into a trust account.

This policy shall not apply to specific bills or coins that are required for court exhibits. Those items shall be packaged separately, in a money envelope that is marked "DO NOT DEPOSIT."

4.310.10 Disposition of U.S. Currency

Generally, no U.S. currency shall be released or disposed of at the division level. The Scientific Investigations Division (SID) shall

accomplish the final disposition of property of this type, unless arrangements are made between SID and the division.

4.310.15 Non-U.S. Currency Items

Collector's coins & bills, foreign money, and certificates/monetary instruments stored within the Department property system shall not be packaged in money envelopes. Those items shall be packaged and treated as regular evidence.

4.315. Contraband Items

Items of property are considered contraband if they are illegal for members of the general public to possess, or there is some other reason why they cannot be released to members of the general public.

Items of property that have had their serial numbers removed or altered are generally considered to be contraband.

4.315.10 Counterfeit U.S. Currency

Counterfeit U.S. currency is considered to be contraband. It shall therefore not be packaged or processed in the same manner as U.S. currency. It shall be packaged as regular evidence.

Once the criminal case is adjudicated and it is determined that the counterfeit currency is to be dispositioned, the property officer shall forward the items to the U.S. Secret Service for final disposition.

4.315.15 Destruction of Contraband Items

Except as described in section 4/315.10 of the Department Manual, contraband property items may be marked for

destruction when it is determined they no longer have any evidentiary value.

4.320. Placing Property in Interim Storage Lockers

All property shall be properly packaged, with an Official Bar Code Label securely affixed, before being placed in an interim storage locker.

4.320.10 Large or Bulky Items

Items of property that are too large or bulky for storage in interim storage lockers and/or the division's property room may be secured in fenced areas, or in enclosed portable buildings.

Large or bulky property items that could be easily damaged by housing them out in the open may be temporarily housed in a locked room or closet, pending acceptance and processing by the division's Property Officer.

Interim storage of any item of property in areas other than designated interim storage lockers is subject to supervisor approval.

4.320.15 Digital Image, Video and Audio Files

Digital Images, videos, and audio files seized for evidentiary purposes by investigative personnel (files possessed/controlled by suspects, witnesses, victims - or contained in devices seized pursuant to investigation, etc.), shall be retained in their original storage device/media or downloaded directly from the device/media to a compact disc (CD), a Digital Video Disc (DVD), or a Department-owned flash drive. Consult the High Tech Crimes Unit if there is uncertainty as to proper procedure.

The original storage device, CDs, and/or DVDs containing these files shall be submitted into evidence and processed in the

same manner as general evidence - as outlined in the Evidence Collection, Packaging, and Processing Guidebook.

The transfer of files from the original storage device to CDs/DVDs shall be accomplished through Department equipment. Personal laptops, personal computers, or personal flash drives, etc. shall not be used to accomplish the transfer.

Generally, digital videos and audio files shall not be stored on the same disc as digital photographs/still images.

Although digital image, video, and audio files may be reproduced, printed, or copied for inclusion in the original case submission to the Districts Attorney's Office, etc., no other reproductions, prints, or copies shall be made at the patrol division level, without the approval of the division commander or his designee.

For example, digital image, video, and audio files may be reproduced, printed, or copied in order to generate suspect information sheets, press releases, or other instruments which may aid in the investigation of crime.

4.322. Processing Controlled Substances

All controlled substances and prescription medications received by a division as property shall be transferred to the Scientific Investigations Division Evidence/Property Unit as soon as practicable.

In the case of large/bulk marijuana seizures, etc., the property must be entered into PETS, and then may either be destroyed by Narcotics Division, or stored at Scientific Investigations Division (SID) - based on consultation and coordination between the two divisions.

4.325. Firearms - Seizing Member Responsibility

The member seizing/collecting the firearm is responsible for:

1. Ensuring the firearm is safe by removing the ammunition and securing the action or cylinder in an open position.
2. Issuing a "Receipt and Notice of Rights for Confiscated Firearms" form (unless the firearm is "found property" with no known owner).
3. Checking the firearm's status in the Automated Firearm System (AFS).
4. Successfully completing and sending the teletype notification.
5. Completing the Firearm Safety Sticker and affixing it to the firearm's exterior packaging or firearm tag.
6. Attaching a copy of the teletype notification and AFS printout to both the report and the firearm.

If a member cannot render a firearm safe, it shall be taken to the Sheriff's Training Center and rendered safe by Range personnel.

4.330. Firearm Storage - Property Officer Responsibility

When a firearm has been seized or collected and is to be stored in the division property system, the division Property Officer shall confirm the firearm is safe by ensuring the ammunition has been removed and the action or cylinder is

secured in an open position; and that the following items accompany each firearm:

- Firearm tag with bar code label.
- Automated Firearm System (AFS) printout.
- Copy of the DOJ notification indicating gun status.
- A completed CR-3.

The Property Officer shall then:

- Verify that the firearm brand, model, and serial number are recorded correctly on all paperwork; and ensure corrections are made if necessary.
- Conduct a records search of the firearm to ensure the firearm status is recorded correctly and that the "Crime Gun" tracking requirement has been met.
- Make the appropriate entry into PETS, and store the item.

If a member cannot render a firearm safe, it shall be taken to the Sheriff's Training Center and rendered safe by Range personnel.

4.335. Seized Ammunition

All ammunition stored in the property system shall be packaged separately from any firearm.

Hazardous or unstable ammunition shall not be stored in the station property room or in interim storage lockers. These items shall only be stored on a temporary basis in an outside, secured

area, as described in section 4/230.15. of the Department Manual.

All other ammunition shall be stored and dispositioned in keeping with standard evidence procedures.

Under no circumstances shall any ammunition be released with any firearm. At least 24 hours must separate the release of a firearm and the release of its ammunition.

It is unlawful for any person who is prohibited from possessing firearms to possess ammunition.

4.340. Temporary Storage of Incendiary/Explosive Property

Incendiary or explosive property shall not be stored in the station property room or in interim storage lockers.

These items shall only be stored on a temporary basis in an outside, secured area, as described in section 4/230.15 of the Department Manual.

Examples of this type of property include:

- Fireworks
- Black Powder/Gunpowder
- Fuel
- Paint Thinners/Solvents
- Propane Bottles
- Rags/Cloth Soaked in Fuel

4.340.10 Responsibility of Seizing Member

The member who seizes incendiary or flammable property, such as listed in section 4/340 of the Department Manual, shall advise the Bomb/Arson Detail of the seizure as soon as practicable.

4.340.15 Storage of Incendiary or Explosive Property

Generally, incendiary or explosive property such as listed in 5/340 shall be transferred to the Bomb/Arson Detail for storage as soon as practicable.

4.345. Batch Reports

Batch reports are documents generated through PETS that list and categorize property currently held by the Department on the basis of division and member.

The Scientific Investigations Division (SID) shall, three times per calendar year, generate PETS batch reports for each division having a property function. SID shall distribute these batch reports to divisions in a timely manner.

Each division shall develop procedures to ensure that the batch reports are distributed to employees in a timely manner; that employees make the appropriate notations on their batch reports allowing for the proper disposition of property; and that the completed batch reports are returned to the division Property Officer within 30 days of their distribution.

4.345.10 Retention of Completed Batch Reports

The division Property Officer shall maintain the completed batch reports on file for a minimum of three years.

4.345.15 Member Unable to Complete Batch Report

If a member is unable to complete their assigned Batch Report(s) due to separation from employment, death, or other circumstance, the Scientific Investigations Division (SID) shall transfer/assign the Batch Report items to another member for disposition, after consulting with the member's division commander.

4.350. Disposition of Property

The disposition of property may only be accomplished by completing a CR-4 and/or making the appropriate code entry on a batch report.

The division Property Officer is responsible for ensuring proper authorization is received before accomplishing the disposition of any property.

4.350.10 Property with No Monetary Value

The division Property Officer may dispose of property items having no monetary value if the item no longer has any evidentiary value and there is no further reason to maintain the item in the division property system.

Items as described above may be destroyed at the division level in accordance with section 4/365 of the Department Manual.

All other items shall be marked for auction or destruction and delivered to the Scientific Investigations Division (SID).

4.350.15 Disposition of Firearms

It is the responsibility of the division Property Officer to close each firearm entry in PETS and to transfer the firearm to the SID Evidence/Property Unit for disposition.

The SID Evidence/Property Unit shall have the responsibility for accomplishing the disposition of firearms, and providing notification to the California Department of Justice, via the current DOJ-approved notification method.

4.355. Release of Unclaimed/Found Property - Contract Cities

Unclaimed or found property shall not be released to contract cities for final disposition. All such property shall be maintained by the Sheriff's Department through final disposition.

4.360. Forwarding Property to SID Evidence/Property Unit

Before sending dispositioned property to the Evidence/Property Unit, the division Property Officer shall inventory all property and check the stolen status of the items containing serial numbers. Any property identified as stolen shall be returned to its owner.

All efforts to ensure stolen property is returned to the legal owner shall be exhausted before the property is dispositioned. The division Property Officer shall contact the Evidence/Property Unit to coordinate the delivery of property to SID.

All of the property shall be dispositioned and movement functions completed in PETS prior to physical transfer.

4.360.10 Transport of Property to SID Evidence/Property Unit

The following persons are authorized to transport property from a division
to the SID Evidence/Property Unit:

1. A division Property Officer.
2. An Alternate Property Officer.
3. A safety member assigned to the division.
4. A reserve safety member assigned to the division.
5. A member temporarily assigned or designated by the division commander, during exigent circumstances.

4.365. Destruction of Property: General Guidelines

Items of contraband, trash, and junk may be destroyed when necessary to purge the property control system of those items that have no evidentiary, marketable, and/or monetary value. Destruction of property by a division Property Officer shall only be accomplished after receiving approval by a supervisor at the rank of sergeant or above. Two employees shall witness/administer the disposition and destruction of the property item.

Contraband, trash, and junk items shall be reduced to scrap by some means that will render the items useless. After destruction, these items shall be placed in a receptacle for pickup by a disposal service.

4.370. Multiple Items Stored Under One Bar Code Level

On occasion, multiple items of property may be packaged together and combined under one Bar Code Label. When property is packaged in this manner, a CR-3 itemizing all items contained within the package shall be included with the package before submission to the division property system.

4.370.10 Multiple Items Stored Under One Bar Code Label: Release

If the property package is to be released in its entirety to one individual or agency, etc., the release may be accomplished as with any other single item of property.

If some of the items contained within the package are to be retained by the Department, and/or the items contained therein are being released to multiple individuals or agencies, etc., the employee shall:

- Prepare a new bar code label for each of the items to be released, and enter each item into PETS.
- Generate a new CR-3 reflecting the new bar coding; and use this document as the "new" original for that item of property.
- Make entries in the PETS "Comments" sections for both the original bar code and the new bar code, cross referencing the bar codes and the items released.

4.375. Lost or Mutilated Bar Code Labels

If it is discovered that the bar code label assigned to an item of property has been lost or damaged to the point of being unreadable, the division Property Officer shall notify the Scientific Investigations Division Evidence/Property Unit and request that a duplicate original bar code label be generated. The division Property Officer shall ensure this duplicate label is affixed to the property before it is processed further.

No member shall assign a new bar code label to any property already entered in PETS, except as outlined in section 4/370.10.

4.380. Release of Property to Owners - Notification

When property has been cleared for release to its owner, the member shall accomplish notification to the owner in one of three ways:

1. Telephone contact - the member may telephone the owner.
2. Personal contact - the member may notify the owner directly and in person.
3. Letter - the member may send a letter via US Mail.

The member shall document the notification by making an entry in PETS, or by including the information in the investigative report.

4.380.10 Release of Property to Owners - Documentation

The member releasing the property shall complete a CR-4 and obtain a signature from the person taking possession of the property at the time of release.

4.380.15 Appointments for the Release of Property

Generally, the release of property that has been entered into the Property Evidence Tracking System (to a member of the public) shall be accomplished by appointment only. The division Property Officer, the Alternate Property Officer, and/or the case agent are the only members who may accomplish such a release.

If the situation dictates the need for the release of property after hours or on weekends, the Property Officer, the Alternate Property Officer, or the case agent may make arrangements with another member to accomplish the release.

The Scientific Investigations Division (SID) will not release property directly to the public.

4.380.20 Release of Property to Owner

Prior to the release of property, the member shall verify ownership. At the time of release, the member shall complete a CR-4 and have the owner sign the form in the appropriate location, thereby acknowledging receipt of the property. This CR-4 shall be filed in the case file.

4.380.25 Release of Property to Owner - Damaged Property

If the owner makes a complaint about the condition of the property, the nature of the complaint shall be documented on the CR-4.

If the owner alleges the property was damaged while in the custody of the Sheriff's Department, he shall be advised of the "Claim Against the County" procedure.

4.385. Property Kept by the Court - Property Officer Responsibilities

When the court or District Attorney's Office retains property, the division Property Officer shall disposition the appropriate bar code label in the following manner:

1. Authorized by - enter the employee number of the member that checked out the property for court.
2. Disposition type - released.
3. Disposition date - enter current date.
4. Released by - enter the employee number of the member that checked out the property for court.
5. Released to - enter the court name.

4.385.10 Property Retained by the Court - Additional Requirements

The member delivering the property to the court or District Attorney's Office shall complete a "Property Record" form and obtain a signature from the person receiving the property.

The member delivering the property shall deliver this completed form to the division Property Officer. The Division Property Officer shall forward a hard copy of this form to the DR file.

4.385.15 Receiving Property from Court

The division Property Officer shall ensure that all property received or returned from court has a bar code label attached and a corresponding entry/listing in the Property Evidence Tracking System (PETS). The Property Officer shall contact the Scientific Investigations Division (SID) to have the bar code regenerated, if necessary.

4.385.20 Evidence Returned from Court without a Bar Code Label

If property is returned from court without its bar code label, the division Property Officer shall notify the Scientific Investigations Division Evidence/Property Unit and request that a duplicate original bar code label be generated. The Property Officer shall ensure this duplicate label is affixed to the property before it is returned to storage.

4.390. Attorney Requests to View Evidence - Criminal Cases

When an attorney expresses the desire to view property stored at the division level, the following procedure shall apply:

- The attorney shall generate a written request to view a specific item (or specific items) of evidence, and submit it to the division Property Officer.
- If defense counsel is making the request, the Property Officer shall notify the District Attorney's Office.
- The case agent or his designee shall verify that the defense counsel making the request is the attorney of record.
- The case agent or his designee shall be present at the time of viewing and be responsible for the security/integrity of the evidence.
- The case agent or his designee shall generate a supplemental report to document the viewing.

4.390.10 Attorney Requests to View Evidence - Civil Cases

All attorney or private investigator requests to view evidence, reference civil cases/matters, shall be referred to Civil Liabilities Division for processing.

4.395. Computers and/or E-Storage Devices

When a computer or electronic storage device (ESD) has been seized as evidence for the purpose of examining its informational/data contents, every effort shall be made to collect and store the property in compliance with requirements set forth in the "Best Practices for Seizing Electronic Evidence" published by the International Association of Chiefs of Police.

4.395.10 Computers and/or E-Storage Devices: High Tech Crimes Detail Responsibilities

The High-Tech Crime Detail is responsible for ensuring the most current version of the "Best Practices for Seizing Electronic Evidence" is posted on Starlink.

4.395.15 Computers and/or E- Storage Devices: Transfer to High Tech Crime Detail

When a computer or electronic storage device (ESD) has been seized as evidence for the purpose of examining its informational/data contents, it may be transferred directly from the division making the seizure to the High-Tech Crime Detail, without being routed through the Scientific Investigations Division (SID).

The division Property Officer shall ensure that an entry is made in the PETS reflecting the property transfer.

The division Property Officer shall ensure that a completed "Examination of Electronic Storage Device" request form accompanies the item when delivered.

A signed consent form or valid search warrant must accompany the examination request.

4.395.20 Computers and/or E-Storage Devices: Release

When a computer or electronic storage device (ESD) seized as evidence for the purpose of examining its informational/data contents is to be returned to a member of the public, the

division Property Officer shall verify the following requirements have been met:

- The criminal case involving the item has been adjudicated.
- The ESD examination has been completed.
- Any criminal content previously stored in the device has been eliminated.

4.405. Oversight of the Department Property Control System

The Scientific Investigations Division is responsible for the development and/or revision of policy, the establishment of guidelines, and the general oversight of the Department Property Control System.

The Scientific Investigations Division shall conduct training of Department Property Officers and Alternates in the proper handling and disposition of property. SID shall also exercise functional supervision of the Department property control system; and employ inspections and audits as methods of ensuring efficient operation.

4.410. Property Officer Training

The Scientific Investigations Division shall determine the minimum initial and recurrent Departmental training requirements for members assigned as division Property Officers and Alternate Property Officers.

4.415. Issuing Bar Code Labels to Divisions

It is the responsibility of SID to stock and issue bar code labels to divisions upon request. SID shall maintain a log of the bar code labels issued to divisions. This log shall contain:

1. The date issued.
2. The bar code label numbers issued.
3. The division receiving the bar code labels.
4. The name of the member issuing the bar code labels.
5. The name of the member receiving the bar code labels.

4.420. Final Disposition of Property - Authorization

Generally, it is the responsibility of the case agent to determine the appropriate disposition of property. The Scientific Investigations Division Evidence/Property Unit shall not dispose of any active property without the knowledge and consent of the division Property Officer or the case agent.

4.420.10 Final Disposition of Closed-Out or Inactive Property

Generally, the Scientific Investigations Division Evidence/Property Unit shall accomplish the final disposal of closed-out or inactive property, except as noted in sections 4/350.10 and 4/365 of the Department Manual.

When property is transferred from divisions to the Scientific Investigations Division (SID) as "closed-out" or "inactive," it is the responsibility of the SID member to account for all items brought in for disposition, via the PETS.

The SID member, after all items are accounted for, shall accept the transfer of the closed-out or inactive property for final disposition and process the items as required.

4.425. Final Disposition of Unclaimed U.S. Currency

After a case involving unclaimed U.S. currency has been dispositioned, and the Scientific Investigations Division (SID) has

obtained a court order, SID shall cause the transfer of the U.S. currency from the trust account to the Administrative Services Division for deposit into the County General Fund.

4.430. Storage of Photo Negatives and Digital Photo Media

Photographic negatives and digital photographic media (still images) shall be stored at SID until the below-listed time periods have expired. The items shall then be destroyed unless a written request is submitted to extend that time.

1. Homicides and crimes resulting in a death penalty conviction and sentence -indefinite.
2. Lethal Force Encounters - indefinite.
3. Death investigations and suicides investigated by the CSI Unit - indefinite.
4. Member-involved traffic collisions - 8 years.
5. Other felony cases - 7 years.
6. Death investigations and suicides investigated at the patrol level - 7 years.
7. Traffic collisions - 7 years.
8. Booking photographs - 7 years.
9. Misdemeanor cases - 4 years.

4.430.10 Digital Photograph Processing

Digital photographs (still images) generated for evidentiary purposes by investigative personnel (i.e. images photographed by the investigating employee) shall be downloaded directly

from the camera (or camera card) to a Digital Image Management System (DIMS) download station.

The transfer of the images shall only be accomplished via DIMS. Personal laptops, personal computers, or personal flash drives, etc. shall not be used to accomplish the transfer.

Although digital photographs/images may be printed and included in the original case submission to the Districts Attorney's Office, etc., no other digital photographs/images shall be printed and no copies shall be made at the patrol division level, without the approval of the division commander or his designee.

For example, digital image files may be reproduced, printed, or copied in order to produce suspect information sheets, press releases, or other instruments which may aid in the investigation of crime.

The Scientific Investigations Division, Evidence/Property Unit shall be responsible for generating and distributing all other copies of photographs/images, based on the receipt of valid requests by authorized agencies/persons. All requests for images/photographs shall be forwarded to the Scientific Investigations Division, Evidence/Property Unit for consideration.

4.430.15 Digital Video and Audio Processing

Digital video and audio files generated for evidentiary purposes by investigative personnel (i.e. video or audio recordings created by the investigating member for documentation, etc.), shall be downloaded directly from the camera or recording/storage device to a compact disc (CD) or a Digital Video Disc (DVD). Consult the High Tech Crimes Unit if there is uncertainty as to proper procedure.

The transfer of the images shall be accomplished through a Department computer. Personal laptops, personal computers, or personal flash drives, etc. shall not be used to accomplish the transfer.

The discs shall be submitted into evidence and processed as general evidence - as outlined in the Evidence Collection, Packaging, and Processing Guidebook.

No additional copies of the CDs or DVDs shall be made at the patrol division level, without the approval of the division commander or their designee. For example, videos may be reproduced or copied (or still images generated from them) for inclusion in the original case submission to the District Attorney's Office, etc., or in order to produce suspect information sheets, press releases, or other instruments which may aid in the investigation of crime.

The High Tech Crimes Unit shall be responsible for generating and distributing all other copies of videos and/or CDs/DVDs, based on the receipt of valid requests by authorized agencies/persons.

4.435. Final Disposition of Printed Photographs

When the case agent has determined that printed photographs are no longer needed for a case and are to be destroyed, those photographs shall be shredded.

4.440. Final Disposition of Firearms

It is the responsibility of the investigating division to close out each firearm registered in the Property Evidence Tracking

System (PETS) and to transfer it to the Scientific Investigations Division (SID) for final disposition.

The SID Evidence/Property Unit shall have the responsibility for dispositioning firearms, and providing notification to the California Department of Justice, via teletype notification.

4.445. Final Disposition of Controlled Substances

All controlled substances shall be destroyed thirteen (13) calendar months from the date of submission without any further notification required other than that which has been printed on the laboratory submission form.

The District Attorney's Office or the case agent may place a hold on the property, in increments of one (1) calendar year.

4.450. Final Disposition of Trash or Junk Items

Items other than contraband that have no saleable value are considered trash or junk items may be destroyed if they no longer have any evidentiary value.

4.455. Property to be Auctioned

The Scientific Investigations Division (SID) is responsible for the final disposition of all property designated for auction. Property to be auctioned shall be stored and secured at SID as per division policy until time for public auction.

Prior to the sale, the property shall be inventoried, and then transferred to a private auction company for sale. All proceeds from the public auction shall be transferred to the Sheriff's Administrative Services Division for deposit into the County General Fund.

4.460. Biennial Property Audit of SID Evidence/Property Unit

During the first quarter of even numbered calendar years, the Board of Deputy Chiefs shall assign a team to conduct an audit of the property stored by the Scientific Investigations Division Evidence/Property Unit.
The Board of Deputy Chiefs shall determine the scope of the audit.

4.505. Firearms - Seizing Member Responsibilities

The member seizing/collecting the firearm is responsible for:

1. Ensuring the firearm is safe by removing the ammunition and securing the action or cylinder in an open position.
2. Issuing a "Receipt and Notice of Rights for Confiscated Firearms" form, (unless the firearm is "found property" with no known owner).
3. Checking the firearm's status in the Automated Firearms System (AFS).
4. Successfully completing and sending the teletype notification.
5. Completing the Firearm Safety Sticker and affixing it to the firearm's exterior packaging or firearm tag.
6. Attaching a copy of the teletype notification and AFS printout to both the report and the firearm.

If a member cannot render a firearm safe, it shall be taken to the Sheriff's Training Center and rendered safe by Range personnel.

4.510. Firearms - Property Officer Responsibilities

When a firearm has been seized or collected and is to be stored in the division property system, the Property Officer

shall confirm the firearm is safe by ensuring the ammunition has been removed and the action or cylinder is secured in an open position; and that the following items accompany each firearm:

- Firearm tag with bar code label.
- "Record of Gun" (AFS) printout.
- Copy of teletype request indicating gun status.
- A completed CR-3.

The Property Officer shall then:

- Verify that the firearm brand, model, and serial number are recorded correctly on all paperwork; and ensure corrections are made if necessary.
- Conduct a records search on the firearm to ensure the firearm status is recorded correctly and that the "Crime Gun" tracking requirement has been met.
- Make the appropriate entry into PETS, and store the item.

If a member cannot render a firearm safe, it shall be taken to the Sheriff's Training Center and rendered safe by Range personnel.

4.515. Firearms Taken at Domestic Violence Scenes

In cases where a firearm has been used in a domestic violence crime, all firearms at the scene and/or within the control of the suspect shall be seized and stored as evidence, in compliance with the Penal Code.

None of these firearms shall be eligible for disposition until the criminal case has been adjudicated, or pursuant to an order of the court.

4.515.10 Firearms Taken at DV Scenes - Safekeeping

In cases where a firearm has not been used in a domestic violence crime, all firearms at the scene and/or within the control of the suspect shall be seized and stored for safekeeping, in compliance with the Penal Code.

If the investigating member does not file a petition (with the superior court) to retain the firearm(s) between 30 and 90 calendar days after the seizure, the firearms become eligible for return at that time (refer to SBSD Manual section 4/560 et seq.).

4.515.15 Firearms Taken at DV Scenes - Notification

When firearms are seized at scenes of domestic violence crimes, the owner or person in control of those firearms shall be given a completed copy of the "Receipt and Notice of Rights for Confiscated Firearms" form.

If more firearms are seized than can be documented on one "Receipt and Notice of Rights for Confiscated Firearms" form, the member shall document the seizure of the additional firearms on an additional "Receipt and Notice of Rights for Confiscated Firearms" form with the DR # listed and the word "CONTINUATION" written at the top of the form.

4.520. Firearms Taken from WI 5150

Whenever a person is detained pursuant to WI section 5150, or meets the criteria described in WI section 8100 or 8103, any firearm or other deadly weapon as described in California Penal Code section 12020 found to be owned by them or in their possession or control shall be seized for safekeeping.

4.520.10 Firearms Taken from WI 5150 - Notification

When firearms are seized pursuant to California Welfare and Institutions Code section 8102, the owner or person in control of

those firearms shall be given a completed copy of the "Receipt and Notice of Rights for Confiscated Firearms" form.

If more firearms are seized than can be documented on one "Receipt and Notice of Rights for Confiscated Firearms" form, the employee shall document the seizure of the additional firearms on an additional "Receipt and Notice of Rights for Confiscated Firearms" form with the DR # listed and the word "CONTINUATION" written at the top of the form.

4.520.15 Firearms Taken from WI 5150: Petition for Disposition

If, in the judgment of the investigating member, the confiscated firearm(s) should not be returned to the person described in section 4.520 of the Department Manual, the member shall file a petition with the Superior Court seeking the disposition of the firearm(s).

If a petition is not filed within 30 days following the release of the subject from custody, the firearm(s) become(s) eligible for return. (Refer to section 4.560 et seq. of the Department Manual.)

4.520.20 Firearms Taken from WI 5150: Petition - Proof of Service

If a member of the Department files a petition seeking judicial disposition of the firearm(s), then a copy of the petition shall be served to the person detained, a "Proof of Service" form shall be completed, and the Proof of Service shall be returned to the filing court.

4.520.25 Firearms Taken from WI 5150: Disposition of Firearms

If the person the firearm was seized from does not respond within 30 days of the date of service, the member shall file an "Order on Petition Seeking Judicial Determination of Firearm" with the court.

This order will allow the firearm to be forfeited to the Department for final disposition and/or destruction.

If the person does respond to the Superior Court contesting the seizure of the firearm(s), the Civil Liabilities Division shall be notified of the date and time of the next scheduled court hearing.

4.525. Recommending Petition for Retention of Firearms

In determining whether a petition should be filed in court for the retention of firearms seized in domestic violence or WI 5150 cases, the member shall consider the following:

- Was the individual physically violent during the incident?
- Is there a history of the individual being physically violent or using a firearm in the commission of a crime?
- Was the individual threatening violence or to harm himself or others?
- Is the individual otherwise ineligible to possess/own firearms?
- Is the subject gravely disabled?
- Is the subject unwilling to voluntarily relinquish ownership of the firearm?

Generally, if one or more of these criteria is/are present, the need for a petition is established and a petition should be generated.

4.530. Firearms Used in Suicides

Firearms suspected of having been used in a suicide shall be seized, processed, and stored as evidence. The actual storage location shall be determined in coordination with the Coroner Division.

Other firearms present at the suicide scene may be taken for safekeeping, based upon the totality of the circumstances or the request of the Coroner Division.

4.530.10 Disposition of Firearms Seized at Suicide Scenes

Firearms suspected of having been used in a suicide shall be maintained in evidence a minimum of 60 days. The firearm shall not be released until the Coroner Division has rendered a disposition for the case.

Generally, the Coroner Division is responsible for determining the person eligible to receive the gun.

The release of firearms taken for safekeeping shall be accomplished in accordance with section 4.545. of the Department Manual.

4.535. Firearms Taken as Found Property

Firearms seized as "Found Property," in cases where no owner can be identified, shall be recovered and stored so as to preserve any evidence that may be present. These firearms shall be forwarded to the Scientific Investigations Division (SID) for processing.

If it is determined that the firearm has no evidentiary value, SID shall return the firearm to the division for disposition.

4.540. Court Order: Surrender of Firearms

When a person contacts the Sheriff's Department to surrender firearms pursuant to a court order, the following guidelines apply:

- The surrender of firearms shall be generally accomplished by appointment.
- A safety member shall accept and process the firearms.

The safety member shall:

- Obtain a certified copy of the court order, and verify its validity.
- Obtain the person's ID and include a photocopy with the report.
- Comply with sections 4.505. and 4.510. of the Department Manual, reference the intake of firearms.
- Ensure that a DR number has been assigned to the case.
- Issue a "Receipt and Notice of Rights for Confiscated Firearms" form, and shall provide a copy to the person surrendering the firearm.
- Store the firearms for safekeeping.
- Forward copies of the "Receipt and Notice of Rights for Confiscated Firearms" and the court order to the court of jurisdiction.

4.540.10 Voluntary Surrender: Relinquishment of Firearms

When a person contacts the Sheriff's Department to voluntarily surrender or relinquish firearms, the following guidelines apply:

- The surrender of firearms shall be generally accomplished by appointment.
- A safety member shall accept and process the firearms.

The safety member shall:

- Generate an incident report that documents the person's intent to voluntarily surrender or relinquish the firearm(s).
- Obtain the person's signature on a CR-4, which indicates and verifies their intention to surrender or relinquish the firearm(s).
- Obtain the person's ID and include a photocopy with the report.
- Comply with sections 4/505 and 4/510 of the Department Manual reference the intake of firearms.
- Issue a "Receipt and Notice of Rights for Confiscated Firearms" form, and shall provide a copy to the person surrendering the firearm.
- Store the firearms for safekeeping.

4.545. Firearms Taken for Safekeeping - Release

When a firearm taken for safekeeping is to be released, the Property Officer shall accomplish the following:

- Confirm that the individual set to receive the firearm is legally eligible to receive the firearm.
- Confirm that the individual set to receive the firearm has a Department of Justice (DOJ) Clearance Letter in his possession.
- Conduct a final record check on the firearm(s) to confirm its status/availability for release.
- Confirm that any applicable waiting period requirements have been met.
- Schedule the release, and accomplish it in accordance with section 4/380 et seq.
- Ensure the disposition of the firearm is entered/recorded in both the Automated Firearm System (AFS) and the Property Evidence Tracking System (PETS).

4.550. Firearm Storage Fees

The Department shall collect firearm storage fees in applicable cases. Applicable cases may include, but are not limited to, the following:

- When storing firearms pursuant to Family Code 6389, a fee shall be charged according to the Department's fee schedule, commencing on the day the firearm was seized.
- When storing firearms pursuant to Welfare and Institutions Code 8102, a fee shall be charged according to the Department's fee schedule, commencing on the day the firearm was seized.
- When storing firearms pursuant to Penal Code 12021.3, a fee shall be charged according to the Department's fee

schedule, commencing on the day the firearms becomes eligible for release.

In all other cases, applicable storage fees shall begin to accrue on the first day the firearm becomes eligible for release.

No firearm subject to storage fee charges shall be released until the storage fees have been paid in full.

For exceptions, see section 4.550.10. of the Department Manual.

4.550.10 Firearm Storage Fees - Exceptions

Firearm storage fees shall not be charged in the following instances:

- When the firearm was stolen from its lawful owner, and is to be released back to the lawful owner.
- When the Coroner Division has collected the weapon pending its transfer/release to next of kin.

The division commander may waive applicable firearms storage fees, based upon consideration of the specific circumstances involved.

4.555. Firearms Disposition at Division Level - Destruction

It is the responsibility of the division Property Officer to close each firearm registered in the Property Evidence Tracking

System (PETS) and to transfer the item to the Scientific Investigations Division (SID) for final disposition.

The SID Evidence/Property Unit shall have the responsibility for dispositioning and/or destroying firearms, and providing notification to the California Department of Justice.

4.560. Firearms Release at Division Level - To Persons

An individual's legal eligibility to possess firearms shall be determined/confirmed prior to the release of any firearm to them.

4.560.10 Firearms Release at Division Level - Notification

When a firearm has been cleared for release to its owner, the member shall accomplish notification to the owner in one of three ways:

- Telephone contact - the member may telephone the owner.
- Personal contact - the member may notify the owner directly and in person.
- Letter - the member may send a letter via US Mail.

The member shall document the notification by either:

- Making an entry in PETS, or
- Documenting the information in the investigative report.

4.560.15 Firearms Release at Division Level - Final Check

When a firearm is to be released from the division to an individual, the Property Officer shall:

- Confirm that the individual set to receive the firearm is legally eligible to receive the firearm.
- Confirm that the individual set to receive the firearm has a DOJ Clearance Letter in their possession.
- Conduct a final record check on the firearms to confirm its status/availability for release.
- Confirm that any applicable waiting period requirements have be met.
- Schedule the release, and accomplish it in accordance with section 4/380 et seq.
- Ensure the disposition of the firearm is entered/recorded in both the Automated Firearm System (AFS) and the property Evidence Tracking System (PETS).

4.565. Gun Dealers - Option for Release

In the event ownership of the firearm has (or is to be) changed due to court order or owner ineligibility, the firearm owner may make arrangements to release the weapon to a gun dealer as an intermediary pending accomplishment of the legal sale/transfer.

It is the responsibility of the member releasing a firearm to a gun dealer to verify the dealer's license and DOJ or ATF clearance prior to releasing the firearm.

4.570. Firearms Release at Division Level - Release to Other Agencies

A release of a firearm to another law enforcement agency may be accomplished via a face-to-face release/transfer, in accordance with the policy set forth in 4.380.

When a firearm is transferred to another agency, a DOJ clearance letter is not required.

A release of a firearm to another law enforcement agency may also be accomplished via delivery by a commercial parcel carrier (i.e. UPS, DHL, etc.).

- The Property Officer shall ensure that the PETS release procedures have been accomplished.
- The Property Officer shall update the status of the firearm in AFS.
- The Property Officer shall include a copy of the investigative report with the firearm.
- The Property Officer shall include a copy of the CR-4, and request that the receiving employee sign & return the form.

4.600. Property Retained for Departmental Use

4.605. General Information

The Sheriff may retain certain items of property and use them as necessary in furtherance of the official duties of the

Department. All items retained under these sections become the property of the Sheriff's Department.

The types of items that may be considered for retention include, but are not limited to, the following:

- Firearms and firearm parts in cases where the owner cannot be identified or located.
- Firearms and firearm parts that have been seized in the course of an investigation, after the case has been dispositioned and a release or authorization from the court has been obtained.
- Computers and computer parts in cases where the owner cannot be identified or located.
- Computers and computer parts that have been seized in the course of an investigation, after the case has been dispositioned and a release or authorization from the court has been obtained.
- General property items such as VCR/DVD players, tools, appliances, etc.

4.610. Assignment of Retained Firearms to Divisions

The Sheriff may authorize the assignment of firearms as described in section 4.605. of the Department Manual to specific Sheriff's Department divisions in furtherance of the law enforcement mission.

When a retained firearm is assigned to a division, it may then be issued to a safety member for temporary use. The division commander shall ensure an adequate method of inventory is in place to keep track of the firearm.

4.615. Assignment of Retained Firearms to Specific Member

The Sheriff will not authorize the assignment, gift, or loan of firearms as described in section 4.605. of the Department Manual to specific members of the Department or to members of the public.

4.615.10 Retained Firearms Previously Assigned to Specific Members

Any member in possession of a firearm described in section 4.605 of the Department Manual, which was specifically assigned to him prior to the establishment of section 4.615 of the Department Manual, shall return that firearm to the Sheriff's Range immediately for inventory.

This firearm may then be re-issued in compliance with sections 4.610 and 4.620 through 4.630 of the Department Manual.

4.620. Request Format - Retained Firearms

In order to obtain authorization to retain a firearm for Department use, the commander of the requesting division shall generate an inter-office memorandum to his Deputy Chief addressing the following topics:

- Reason for the request, detailing the specific need for retention and the proposed use of the item.
- The present location of the item, the bar code label number, and any case numbers associated with the item.

The following attachments shall be included with the request memorandum:

- A court order authorizing Department use of the weapon.
- Printouts indicating the item's status in the Automated Firearms System, completed within five days of the date of the request.

4.620.10 Approval Process - Retained Firearms

Upon receipt of the memorandum and its attachments, the Bureau Deputy Chief shall evaluate the request and, if appropriate, make a recommendation to the Office of the Sheriff.

If the Sheriff approves the request, a copy of the entire request packet (with a written notice of approval) shall be forwarded to the Scientific Investigation Division's Evidence/Property Unit for processing in accordance with the law.

4.625. Responsibility of SID Evidence/Property - Retained Firearms

The Evidence/Property Unit shall be responsible for processing all approved requests for retention of firearms.

- The Evidence/Property Unit shall confirm that all requirements set forth in sections 4.620. and 4.620.10. of the Department Manual have been met.
- The Evidence/Property Unit shall ensure that the Department of Justice is notified of all weapons retained in accordance with the law.

After the firearm is processed at SID, it shall be forwarded to the Sheriff's Range to be function-tested, inventoried, and then issued to the requesting division.

4.630. Responsibility of the Sheriff's Range - Retained Firearms

The Sheriff's Range shall, upon receipt of a firearm from the Scientific Investigations Division (SID):

- Generate a Department record of the item, documenting its acceptance by the Range and cataloging its make, model, caliber, and serial number.
- Inspect the item for safety and operational integrity.
- Assign the item as indicated in the authorization, and update the Departmental record reflecting its assignment.

The Sheriff's Range shall maintain a record of all firearms that have been retained for the Sheriff's Department in accordance with the law.

4.635. Responsibility of the Sheriff's Range - Audit of Departmentally Issued and/or Owned Firearms

The Sheriff's Range shall, at a minimum interval of once per calendar year, conduct an audit of Department-owned and/or issued firearms.

The commander of the Sheriff's Training Division shall be responsible for determining the extent and nature of the audit and shall report the findings in writing to the Board of Deputy Chiefs, within 30 days of the completion of the audit.

4.640. Return of Firearms Retained for Department Use

Firearms retained for Department use remain the property of the Sheriff's Department.

All retained firearms assigned to a division for Department use shall be returned to the Sheriff's Range upon request by the Office of the Sheriff or when the division commander determines the equipment is no longer needed.

4.645. Disposition of Firearms No Longer Required for Department Use

The range shall transfer those firearms previously retained for Department use, but no longer needed, to the SID Evidence/Property Unit.

The SID Evidence/Property Unit shall have the responsibility of disposing of these items in accordance with the law, and providing notification to the Department of Justice of the final disposition.

4.650. Assignment of General Property, Computers, etc. to Divisions

The Department may assign retained property to specific divisions in furtherance of the law enforcement mission.

4.655. Request Format - General Property, Computers and/or Computer Parts

In order to obtain authorization to retain property for Department use, the commander of the division making the request shall generate an inter-office memorandum to the commander of SID, addressing the following topics:

- Reason for the request, detailing the specific need for retention, the proposed use of the item, and where it will be assigned/located (if applicable).
- The present location of the item, the bar code label number, and any case numbers associated with the item.

4.655.10 Approval Process - General Property, Computers and/or Computer Parts

Upon receipt of the request memorandum, the commander of the Scientific Investigations Division (SID) shall evaluate and, if appropriate, approve the request.

Once the request is approved, both the request packet (including the approval) and the item itself shall be forwarded to the SID Evidence/Property Unit for processing.

4.660. Responsibility of SID Evidence/Property Unit - General Property, Computers, etc.

The Evidence/Property Unit shall be responsible for processing all approved requests for retention of property.
The Evidence/Property Unit shall confirm that all requirements set forth in sections 4.655 and 4.655.10 of the Department Manual have been met. The appropriate entry shall be made into PETS, and the state automated property system. The property shall then be issued to the requesting division.

If the property is intended for use in the Sheriff's Wide-Area-Network (WAN), the Evidence/Property Unit must obtain approval from the Technical Services Division prior to issuance.

4.665. Return of General Property, Computers and/or Computer Parts Issued for Department Use

All property assigned to a division for Department use shall be returned to the Scientific Investigations Division Evidence/Property Unit upon request by the Office of the Sheriff, at the request of SID, or when the division commander determines the equipment is no longer needed.

4.670. Disposition of Property No Longer Required for Department Use

The Scientific Investigations Division Evidence/Property Unit shall have the responsibility of disposing of computers and/or computer parts in accordance with current procedures, upon their return to SID.

Volume 5 Uniforms

5.100. General Requirements

5.105. Purpose

Standards in uniform apparel, equipment, and the appearance of uniformed personnel are important to the public image of the Department and the morale of its members. To achieve the maximum benefit from uniform and appearance standards, the standards must be applied equally at all levels of command.

This volume establishes policy and standards for the proper wearing of the various Department uniforms and for the personal appearance of members.

5.110. Uniform Sub-Committee Definition

A sub-committee of the Manual Committee shall be appointed by the Chairman of the Manual Committee. It is the responsibility of the Uniform Committee to review and make

recommendations about new uniforms or the modification of existing uniforms.

5.110.10 Uniform Sub-Committee Responsibilities

It shall be the committee's responsibility to review and evaluate all proposed uniforms introduced for Department use. The submitters of all such uniform suggestions are responsible for the design, specifications, and justifications of uniform suggestions submitted.

The committee shall make recommendations regarding approval to the Manual Committee for review prior to submission to the Board of Deputy Chiefs. Upon Board approval, the Uniform Committee shall be responsible for the dissemination of information regarding the specifications and requirements of new uniform regulations as approved by the Board. The committee chairman shall maintain appropriate records to insure that the regulation of uniforms is maintained in a systematic and organized manner.

5.115. Uniforms and Equipment: Member Responsibility

All safety and uniformed professional staff members shall possess and maintain ready for immediate use the uniforms, equipment, and other required items as prescribed herein for the position they hold.

The professional bearing of all uniformed members requires that each member assumes the responsibility for presenting an appearance that enhances the stature and prestige of the Department.

Members shall be responsible for using sound discretion in their conduct and activity while in uniform. Any such conduct or activity likely to debase law enforcement, detract from the

Department image, or bring ridicule to the Department shall be avoided.

5.115.10 Items Worn as Part of the Uniform

Items utilized as part of the uniform or safety equipment carried on the uniform shall meet the specifications contained in this manual. Wearing of any uniform item or carrying of any safety equipment not conforming to these specifications is prohibited.

5.120. Duty Requirements

During all tours of duty, members shall wear the appropriate uniform for their assignment and be equipped with the applicable required items, except:

- Any member holding the rank of captain, or higher.
- Any member whose station/division/bureau commander at his discretion, directs otherwise.

5.125. Restrictions on Wearing Department Uniform

The uniform shall only be worn on-duty, for approved events, and when necessary for travel incidental to duty or an approved event.

5.130. Maintenance

Prescribed uniforms, equipment, and identification items shall be maintained in a clean and serviceable condition, and ready for immediate use at all times. They shall be replaced when they are so worn or damaged as to present an unacceptable appearance or do not meet specifications.

5.135. Destruction of Emblems and Insignias

When a member decides to discard any part of the uniform that bears any Department emblem or insignia, he shall ensure that all emblems and insignias are destroyed to prevent misuse or misrepresentation. This destruction shall include, but is not limited to, cutting the emblem or insignia at least once, causing it to be defaced.

5.140. Identification Card

Members, unless otherwise exempted, shall always carry the official identification card currently issued to them.

5.145. Quality of Materials and Workmanship

FABRIC: All fabric materials, including braid, shall be of good quality, pre-shrunk, and colorfast. In addition, all fabrics are to comply with the specifications of the particular garment.

STITCHING: All stitching is to be of the best quality vat-dyed thread.

WORKMANSHIP: Workmanship shall be of the highest quality, even to the smallest detail; there shall be no raw edges, defective material or stitching, in any part of the garment.

FIT: Each garment shall be tailored to the satisfaction of the wearer to reflect a professional image.

5.150. Leather

All visible parts of leather goods shall be finished black and of stamped basket weave design. All visible parts of metal goods shall be silver in color.

5.205. Professional Appearance

In order to project a professional image to the public, all members are required to present themselves in a neat, clean, and well-groomed manner while on-duty or otherwise representing the Department.

Members are required to maintain appropriate and professional-looking hairstyles. Hair coloring shall be within the range of natural hair colors, with no unnatural accents, streaks, or patches of color. Hair must be properly restrained for its length and the member's job assignment. Facial hair must be clean and neatly trimmed.

Clothing, whether uniform or plain clothes, shall be clean, neatly pressed, in good repair, and fitted properly to exhibit a business-like, professional appearance. Female members are required, while on-duty and/or otherwise representing the Department, to wear appropriate undergarments and brassieres that provide adequate support and are not visibly displayed.

Commanders are responsible for ensuring that members within their division are in compliance with the dress and grooming standards set forth in this manual, however they may temporarily exempt a safety member from certain dress/grooming standards, based on the nature of their assignment (undercover, narcotics investigations, etc.).

5.210. Jewelry: Professional Staff Members - Plain Clothes Assignments

Professional staff members of the Department may wear the following jewelry when on duty in a plain-clothes job assignment:

- Rings, necklaces, and bracelets in an amount and style that is reasonable and appropriate for a business

environment. Rings should not exceed one per digit. (A set of wedding rings is considered one ring.)
- Watch bands of black or brown material, gold or silver metal no wider than one (1) inch.
- Female members are permitted one set of stud-type earrings no greater than 1/4 inch (1/4") in diameter worn in the traditional earlobe location, one per ear.
- Eyeglass frames and safety straps shall be of gold, silver, or earth tone colors.

Male members are not permitted to wear earrings when on duty in a plain-clothes job assignment.

Professional staff members shall not display (or allow to be visible) the following objects when on duty or while engaged in the business of the Department:

- Body piercings; including but not limited to nose rings or studs, tongue rings or studs, eyebrow rings or studs, fingernail jewelry, dental jewelry, any other form of facial or body ornamentation not listed above.

5.210.10 Jewelry: Professional Staff Members - Uniformed Assignments

Professional staff members of the Department may wear the following jewelry when on duty in a uniformed job assignment:

- Rings, not to exceed one per hand. (A set of wedding rings is considered one ring.)
- Watch bands of black or brown material, gold or silver metal no wider than one (1) inch.
- Female members are permitted one set of stud-type earrings no greater than 1/4 inch (1/4") in diameter worn in the traditional earlobe location, one per ear.
- Eyeglass frames and safety straps shall be of gold, silver, or earth tone colors.

Male members are not permitted to wear earrings when on duty in a uniformed job assignment.

Professional staff members shall not display (or allow to be visible) the following objects when on duty or while engaged in the business of the Department:

- Necklaces.
- Bracelets, other than those approved by the Department or intended for medical identification.
- Body piercings; including but not limited to nose rings or studs, tongue rings or studs, eyebrow rings or studs, fingernail jewelry, dental jewelry, any other form of facial or body ornamentation not listed above.

5.210.15 Jewelry: Safety Members - Plain Clothes Assignments

Safety members of the Department may wear the following jewelry when on duty in a plain-clothes job assignment:

- One ring on each hand. (A set of wedding rings is considered one ring.)
- One necklace.
- One bracelet per wrist.
- Watch bands of black or brown material, gold or silver metal no wider than one (1) inch.
- Female members are permitted one set of stud-type earrings no greater than 1/4 inch (1/4") in diameter worn in the traditional earlobe location, one per ear.
- Eyeglass frames and safety straps shall be of gold, silver, or earth tone colors.

Male safety members are not permitted to wear earrings when on duty in a plain-clothes job assignment.

Safety members shall not display (or allow to be visible) the following objects when on duty in a plain-clothes job assignment:

- Body piercings; including but not limited to nose rings or studs, tongue rings or studs, eyebrow rings or studs, fingernail jewelry, dental jewelry, any other form of facial or body ornamentation.

A division commander may exempt a member from the provisions of this policy, based on the nature of their specialized assignment (undercover, narcotics investigations, etc.).

5.210.20 Jewelry: Safety Members - Uniformed Assignments

Safety members of the Department may wear the following jewelry when on duty in a uniformed job assignment:

- One ring on each hand. (A set of wedding rings is considered one ring.)
- Watch bands of black or brown material, gold or silver metal no wider than one (1) inch.
- Female members are permitted one set of stud-type earrings no greater than 1/4 inch (1/4") in diameter worn in the traditional earlobe location, one per ear.
- Eyeglass frames and safety straps shall be of gold, silver, or earth tone colors.

Male safety members are not permitted to wear earrings when on duty in a uniformed job assignment.

Safety members shall not display (or allow to be visible) the following objects when on duty in a uniformed job assignment:

- Necklaces.
- Bracelets, other than those approved by the Department or intended for medical identification.
- Body piercings; including but not limited to nose rings or studs, tongue rings or studs, eyebrow rings or studs, fingernail jewelry, dental jewelry, any other form of facial or body ornamentation.

5.215. Fingernails: Professional Staff Members

Fingernails shall be clean and trimmed. Nails shall not be so long as to interfere with the duties assigned.

5.215.10 Fingernails: Safety Employee Members

Fingernails shall be clean and trimmed. Nails shall not extend beyond the tip of the fingers.

5.220. Grooming Standards: Male

Male members are required to maintain appropriate and professional-looking hairstyles. Hair coloring shall be within the range of natural hair colors, with no unnatural accents, streaks, or patches of color. Hair must be properly restrained for its length and the member's job assignment. Facial hair must be clean and neatly trimmed.

Hair shall be clean, neat, and styled to present a well-groomed appearance. Hair length, volume, and/or bulk shall not be excessive so as to present a ragged, unkempt appearance. Hair length on the back of the head shall not extend below the top of the buttoned shirt collar, measured while the member is standing. Hair on the side of the head shall not extend below the upper quarter of the auricle of the ear. Sideburns shall not extend below the ear lobes, and shall have a clean, horizontal trim line.

Male members are permitted to have neatly trimmed mustaches. Mustaches shall not exceed more than 1/2 inch (1/2") beyond the corners of the mouth (horizontally), nor below the top edge of the upper lip. The ends of the mustache shall not extend more than 1/4 inch (1/4") below the corner of the mouth (vertically). Waved/curled ends or points are not authorized. Beards are not permitted.

Notching of the eyebrows is not permitted. Eyebrows, nose hair, and ear hair shall be neatly trimmed.

5.225. Grooming Standards: Female

Female members are required to maintain appropriate and professional-looking hairstyles. Hair coloring shall be within the range of natural hair colors, with no unnatural accents, streaks,

or patches of color. Hair must be properly restrained for its length and the member's job assignment.

Hair shall be clean, trimmed, and neatly styled. Hair must be properly restrained for its length and the member's job assignment. It shall be worn so that it does not extend below the bottom of the back portion of the shirt collar. Hair shall be adequately controlled and/or clasped so that it cannot be readily grabbed by an assailant and does not fall over the eyebrows.

Makeup shall be subdued and blended to compliment the natural skin color of the individual. No excessively bright colors or reflective, glitter-type material shall be used for rouge, eye shadow, lipstick, or nail polish.

5.230. Professional Business Attire

Captains and above shall have the option of wearing civilian clothing or the required uniform. All other members may wear professional business attire while on duty (including Department-related court appearances and proceedings) at the discretion of their division commander.

Clothing is to be clean, in good repair, neatly pressed, and shall be of the size and fit to give a business-like, professional appearance.

Those male members, excluding those working in an undercover capacity, authorized to wear professional business attire while on duty, shall wear the following:

1. Business suit, OR
2. Sports coat and slacks AND
3. A dress shirt and tie shall be worn at all times.

Female members authorized to wear professional business attire on duty shall wear the following:

1. Dress
2. Tailored Skirt and Blouse
3. Tailored Pants Suit
4. Tailored Slacks and Blouse

Physically Handicapped Personnel: Personnel who are physically handicapped and who are unable to meet the requirements set forth in this section are to make special arrangements with the commanding officer as to their on-duty clothing/apparel.

ALTERNATIVE CLOTHING (Casual Business Attire)
At each commander's discretion, on Fridays non-uniform personnel may wear Casual Business Attire.

1. Casual Business Attire is the combination of the professionalism and credibility of the business look with the comfort of casual clothing.

Acceptable casual business clothing:

1. SHIRTS AND BLOUSES: Long or short sleeved, solid colored, striped, and other patterns or polo-type shirts with collars.
2. SWEATERS: Turtlenecks, cardigan, crew, and V-neck.
3. PANTS: Solid or muted-patterned slacks in khaki, wool, linen, blends, corduroy, twill, cuffed or un-cuffed.
4. SHOES: Leather or similar type of closed shoes, loafers, oxfords, or boots.
5. SOCKS: Male members must wear socks with all casual attire.

Unacceptable casual business clothing:

1. T-Shirts
2. Jogging Suits
3. Sweatshirts
4. Sweat Pants
5. Shorts
6. Loud Pattern Shirts
7. Sandals
8. Tennis Shoes
9. Any sneakers in general.
10. Jogging Shoes
11. Jeans
12. Denim Pants (regardless of color)

5.232. Detective Attire

The position of Detective in San Bernardino County encompasses a wide range of duties and working conditions. For this reason, there are several uniform options available which are mission specific and at the discretion of the Station/Division commander or their designee. The following uniforms are approved for the position of Detective:

4. Class A uniform.
5. Professional Business attire as outlined in section 6.230.
6. Class E uniform.
7. Raid Jacket as outlined in section 6.710.20.
8. Casual business clothing. (as outlined in 6.230, may be worn on Fridays).

The following is considered acceptable casual business clothing:

1. SHIRTS AND BLOUSES: Long or short sleeved, solid colored, striped and other patterns or polo-type shirts with collars.
2. SWEATERS: Turtlenecks, cardigan, crew, and V-neck.
3. PANTS: Solid or muted-patterned slacks in khaki, wool, linen, blends, corduroy, twill, cuffed or un-cuffed.

4. SHOES: Leather or similar type of closed shoes, loafers, oxfords, or boots.
5. SOCKS: Male members must wear socks with all casual attire.

5.235. Civilian Attire

The following members are authorized to wear appropriate civilian business attire in lieu of their prescribed uniform:

1. Dispatch
2. Clerical

The appropriate civilian attire is described as the following:

Clothing is to be clean, in good repair, neatly pressed, and shall be of the size and fit to give a business-like, professional appearance.

Those male members, excluding those working in an undercover capacity, authorized to wear civilian attire while on duty, shall wear the following:

1. Business suit, OR
2. Sports coat and slacks AND
3. A dress shirt and tie OR
4. A polo shirt with Department insignia.

Female members authorized to wear civilian clothing on duty shall wear the following:

1. Dress
2. Tailored Skirt and Blouse
3. Tailored Pants Suit
4. Tailored Slacks and Blouse
5. Polo Shirt with Department Insignia

There are no provisions for a ceremonial uniform for professional staff members. The appropriate dress for solemn and ceremonial occasions shall be the civilian business attire described in this section. The solemn and ceremonial occasions may include:

1. Funerals.
1. Awards, promotions, and dedication ceremonies.
2. Law enforcement graduation or appreciation programs.
3. Other events or functions deemed appropriate by the Department.

Physically Handicapped Personnel: Professional staff members who are physically handicapped and who are unable to meet the requirements set forth in this section are to make special arrangements with the commanding officer as to their on-duty clothing/apparel.

ALTERNATIVE CLOTHING (Casual Business Attire)

At each commander's discretion, on Fridays non-uniform safety personnel may wear Casual Business Attire.

1. Casual Business Attire is the combination of the professionalism and credibility of the business look with the comfort of casual clothing.

Acceptable casual business clothing:

1. SHIRTS AND BLOUSES: Long or short sleeved, solid colored, striped and other patterns or polo-type shirts with collars.
2. SWEATERS: Turtlenecks, cardigan, crew, and V-neck.
3. PANTS: Solid or muted-patterned slacks in khaki, wool, linen, blends, corduroy, twill, cuffed or un-cuffed.
4. SHOES: Leather or similar type of closed shoes, loafers, oxfords, or boots.

5. SOCKS: Male Department members must wear socks with all casual attire.

Unacceptable casual business clothing:

1. T-Shirts
2. Jogging Suits
3. Sweatshirts
4. Sweat Pants
5. Shorts
6. Loud Pattern Shirts
7. Sandals
8. Tennis Shoes
9. Any sneakers in general.
10. Jogging Shoes
11. Jeans
12. Denim Pants (regardless of color)

5.240. Tattoos, Brands, and Body Art: Professional Staff Members

Professional staff members of the Department, when on duty or while engaged in the business of the Department, are prohibited from exhibiting or displaying (or allowing to be visible) tattoos, brands, and/or pieces of body art.

Generally, these objects are to be completely covered by articles of clothing. However, a skin-colored patch not exceeding three (3) inches by three (3) inches may be used to cover a tattoo, brand, or piece of body art if the object is completely covered by one patch. A member shall not use multiple patches to cover tattoos, brands, or body art.

Skin-colored cosmetic makeup may be used to cover a tattoo, brand, or piece of body art if the object is completely covered, and not merely "faded" or "blurred."

5.240.10 Tattoos, Brands, and Body Art: Safety Members

Safety members of the Department, when on duty or while engaged in the business of the Department, are prohibited from exhibiting or displaying (or allowing to be visible) tattoos, brands, and/or pieces of body art that:

- Are religious in nature.
- Are political in nature.
- Exhibit or contain profanity.
- Exhibit or contain nudity.
- May be interpreted as racially offensive(as determined by the appointing authority or his designee).
- Encircle any portion of the arm that is visible.
- Cover a surface area greater than 25% of the exposed extremity.
- Are located on the face or neck.

These objects are to be completely covered by a Department authorized uniform or business attire. However, a skin-colored patch not exceeding three (3) inches by three (3) inches may be used to cover a tattoo, brand, or piece of body art if the object is completely covered by one patch. A member shall not use multiple patches to cover tattoos, brands, or body art. Skin colored arm or leg sleeves are not authorized to be worn below the elbow or knee to cover tattoos in lieu of long sleeve shirts or pants.

Skin-colored cosmetic makeup may be used to cover a tattoo, brand, or piece of body art if the object is completely covered, and not merely "faded" or "blurred."

A station/division commander may exempt a safety member from the provisions of this policy, based on the nature of their specialized assignment (undercover, plain clothes surveillance, Gangs/Narcotics Division, etc.). Absent exigent circumstances,

this policy shall be adhered to during a planned law enforcement action.

5.305. Badges

The Department authorized badge shall be worn over the left breast pocket of each Departmental uniform. Three badges are authorized for safety member's uniforms as indicated, the metal badge, the gold cloth badge, and the subdued badge.

When an authorized cloth badge is worn in public, the metal badge shall be visible and attached to the front of the belt or web gear of the wearer.

5.305.10 Metal Badge

The Department authorized badge is in the shape of a seven-point star. The badge, manufactured by the Sun Badge Company of San Dimas, California, is a "suntone" breast badge with a "siltone" arrowhead encompassed by a white enamel circle.

The words "Deputy Sheriff" appear on the upper portion of the badge with the words "San Bernardino County" and a numerical figure appearing on the lower portion. The blue

enamel bordering the lettering and comprising the numerals, as well as the white circle, are cloisonné enamel.

All members holding the rank of Captain or higher shall have red enamel bordering the lettering. The reverse side contains a joint and catch, which are silver-soldered in place.

Safety members shall wear the metal badge when dressed in the prescribed uniform, and are authorized to wear the badge when in plain clothes, whether on or off-duty.

Professional staff members shall wear the badge when dressed in the prescribed uniform, but are not authorized to wear the badge when in plain clothes, whether on or off duty.

5.305.15 Gold Colored Cloth Badge

The Department authorized gold colored cloth badge shall be a replica of the metal badge and shall be a gold twill cloth, seven point star, three inches (3") point to point, with gold colored lettering and a blue background surrounding the arrowhead.

The badge shall be sewn onto the uniform with gold colored thread.

5.305.20 Subdued Cloth Badge

The Department authorized subdued cloth badge shall be a replica of the metal badge and shall be a twill cloth, seven-point star, three inches (3") point to point, with black colored lettering and a sage green background surrounding the arrowhead.

The badge shall be sewn onto the uniform with black colored thread.

5.310. Authorized Shoulder Patch Types

The Department authorized shoulder patches shall be worn on both shoulders of the Department uniforms as indicated. Two shoulder patches are authorized for safety member's uniforms, the standard patch and the subdued patch.

The shoulder patch shall be sewn onto the sleeve, one-half inch (1/2") below and centered on the shoulder seam.

5.310.10 Standard Shoulder Patch

The Department authorized standard shoulder patch is a cloth patch with a forest green background. It is bordered with gold colored thread and has gold colored block lettering. The patch is in a semi-circular shape with a rectangular protrusion extending below the half circle. The words "SAN BERNARDINO COUNTY" shall appear in three-eighths inch (3/8") high block lettering below the edge of the semicircle. The arrowhead is centered on the patch, and the "SHERIFF" in three-eighths inch (3/8") high block lettering shall appear within the rectangular portion of the patch.

The Department authorized standard shoulder patch shall be sewn onto the uniform sleeve with gold colored thread.

5.310.15 Subdued Shoulder Patch

The Department authorized subdued shoulder patch is cloth patch that, except for coloring, is identical to the standard shoulder patch. The subdued shoulder patch has a sage green background, with the border and other embroidering a black colored thread.

The subdued shoulder patch shall be sewn onto the uniform with black colored thread.

5.315. Rank Insignia

Members having attained the rank of Corporal, or higher, shall wear the following rank insignia:

Corporals shall wear a two-bar cloth chevron. The chevron shall be of forest green background having a gold colored border and bars.

Sergeants shall wear a three-bar cloth chevron. The chevron shall be of forest green background, having a gold colored border and bars.

The chevrons for Corporals and Sergeants shall be worn on each sleeve of the Class A Uniform shirt, the Class B uniform shirt, Class C uniform shirt, Class D uniform shirt, Eisenhower Jacket, car duty "Tuffy" jacket, windbreaker, and hip-length jacket. The chevrons shall be sewn so that the upper-most portion of the chevron is 1/2 inch (1/2") below and centered on the lower portion of the shoulder patch.

Lieutenants shall wear a single gold metal bar, measuring approximately 3/4 inch (3/4") by 1/4 inch (1/4"). The bar shall be attached 1 inch (1") to the rear of, and paralleling the leading edge of each side of the collar and centered vertically on the Class A, Class C, and Class D uniform shirt. On the car duty "Tuffy" jacket, windbreaker, and hip-length jacket the bar shall be 1 inch (1") by 3/8 inch (3/8").

Captains shall wear double gold metal bars, each measuring 3/4 inch (3/4") by 3/4 inch (3/4"), which parallel each other. The bars shall be attached 1-inch to the rear of and paralleling the leading edge of each side of the collar and centered vertically on the Class A uniform shirt. On the car duty "Tuffy" jacket,

windbreaker, and hip-length jacket the bars shall be 1 inch (1") by 1 inch (1").

Deputy Chiefs shall wear a single metal five-point gold colored star, measuring 3/8 inch (3/8") high. The star shall be attached 1 inch (1") to the rear of, and centered vertically on, the collar of the Class A uniform shirt. On the car duty "Tuffy" jacket, windbreaker, and hip-length jacket the star shall be approximately 1 inch (1") by 1 inch (1").

Assistant Sheriffs shall wear two (2) metal five-point gold colored stars, each measuring 3/8 inch (3/8") high. The stars shall be attached 1 inch (1") to the rear of, and centered in a straight line on the collar of the Class A uniform shirt. On the car duty "Tuffy" jacket, windbreaker, and hip-length jacket the stars shall be approximately 1 inch (1") by 1 inch (1").

The Undersheriff shall wear three (3) five-point gold colored stars, each measuring 3/8-inch high. The stars shall be attached 1-inch to the rear of, and centered in a straight line on the collar of the Class A uniform shirt. On the car duty "Tuffy" jacket, windbreaker, and hip-length jacket the stars shall be approximately 1 inch (1") by 1 inch (1").

The Sheriff shall wear four (4) metal five-point gold colored stars, each measuring 3/8 inch (3/8") high. The stars shall be attached 1 inch (1") to the rear of, and centered in a straight line on the collar of the Class A uniform shirt. On the car duty "Tuffy" jacket, windbreaker, and hip-length jacket the stars shall be approximately 1 inch (1") by 1 inch (1").

5.405. Class A Uniform

The Class "A" Uniform is the standard field uniform for Department members. The Class "A" Uniform is described in this section.

5.405.10 Shirt: Minimum Requirements

All shirts shall be silver-tan in color and have the following features:

- Dress collar with stays permanently sewn in
- Cross-stitched shoulder straps
- Scalloped pocket flaps
- Pencil division in left and right pocket and flap
- Velcro fasteners at corners of each pocket flap
- Pleated pockets
- (2)Hidden napoleon chest pockets
- Form fit
- Shall have military creases (military creases may be sewn in)
- Water resistant Teflon coating
- Stretch side mesh panels
- Deployable reflective trim on pocket panels
- Sewn in front zipper

Revised 11/12/21

5.405.15 Shirt Fabric

The blend of materials used in the uniform shirt shall be comprised of the following:

- Shell: 100% polyester ripstop with mechanical stretch
- Mesh: 92% nylon, 8% spandex

Revised 11/12/21

5.405.20 Long-Sleeve Shirt

The long-sleeve shirt shall have sleeves extending to the wrists

with two (2) buttons on each cuff and one (1) button on sleeve facing.

NOTE: The sleeves shall not be rolled up or turned under, unless utilizing deployable reflective trim.

Revised 11/12/21

5.405.25 Short-Sleeve Shirt

The short-sleeve shirt shall be tailored so that when the wearer's arm is bent at a ninety-degree angle, the lower portion of the sleeve shall come to within approximately one inch (1") of the inside of the forearm.

5.405.30 Trousers: Minimum Requirements

All trousers shall be olive green (OD) in color and be styled and constructed so as to be of the slacks style. All trousers shall have the following features:

- Water resistant Teflon coating
- Low-profile hidden zippered cargo pockets
- Stretch waistband
- Gusset crotch
- Trousers shall have no cuffs.
- Trousers shall be no shorter than the bottom of the ankle and should touch the instep of the boots or shoes without folding.

Revised 11/12/21

5.405.35 Trouser Pockets

The style of cut on the front trouser pockets shall be in an "L" shape.

There shall be two (2) rear (back) trouser pockets. There shall be (2) additional side cut-in pockets with an interior magazine pocket on the left side and an interior phone pocket on the right side. There shall also be (1) additional phone/sap pocket below the left rear pocket.

Revised 11/12/21

5.405.40 Trouser Fabric

The material of which the trousers shall be constructed is listed below:

- 100% polyester ripstop (6.6oz) with mechanical stretch

Revised 11/12/21

5.405.45 Class A Trouser Belt

The belt shall be constructed of black leather, or leather-type material, stamped with basketweave design, and be one and one-half inches (1 1/2") wide. The belt shall have either a silver-colored metal buckle or be buckleless with a Velcro-type closure.

5.405.50 Metal Badge: Class A Uniform

The Department authorized metal badge shall be pinned to the eyelet badge tab over the left breast pocket.

5.405.55 Shoulder Patches

Standard Departmental shoulder patches shall be sewn onto the shirt sleeves.

5.405.60 Name Plate

The name plate shall be a bright gold colored metal bar having the first initial and the last name of the member engraved thereon in bold black print.

The bar is a clutch-back bar, measuring approximately two and one-half inches in length by one-half inch in width (2 1/2" x 1/2").

The name plate shall be horizontally centered above the right breast pocket, the lower edge of the name plate to touch upon the upper edge of the pocket seam.

NOTE: Stations may also authorize name plates displaying the station name and/or city logo. The name plates shall measure approximately three inches in length by three-quarter inch in width (3" X ¾").

5.405.65 American Flag

The American flag is a cloth patch in gold colored thread.

The flag shall be worn centered and above the right breast pocket of the Class A Uniform shirt, car duty "Tuffy" jacket, windbreaker, and hip-length jacket.

- The flag shall be sewn three and one-half inches (3 1/2") above and centered on the right breast pocket of the windbreaker and the car duty and hip-length jackets.
- The flag shall be sewn one and one-eighth inches (1 1/8") above and centered on the right breast pocket of the Class A Uniform shirt.

5.405.70 Rank Insignia

Members having achieved the rank of corporal or higher shall wear rank insignia as described in section 5.300.

5.405.75 Undershirt

A plain, white, crew-neck style t-shirt shall be worn by all members when wearing the Class A Uniform. During the cold weather, a forest green long sleeve mock turtleneck shirt may be worn in place of the white t-shirt.

5.405.80 Socks

Socks shall be black or forest green, when oxford or chukka style shoes are worn.

5.405.85 Footwear

Members are authorized to wear any of the styles of footwear listed in these sections. Shoes and boots shall be constructed of smooth black leather that shall accept polishing. Authorized footwear, however, shall not be adorned with buckles, punchwork, decorative stitching, nor other ornamentation. Footwear equipped with a safety toe are not authorized.

Revised 11/12/21

5.405.90 Boots: Acceptable Styles

The following styles of boots are acceptable for wear with the Class A Uniform:

- Western and Wellington style boots are permitted only with rounded toes and rubber walking heels.
- Military style boots with plain toes are permitted. Boots with black Gore-Tex fabric on and above the ankles are permitted.

5.405.95 Shoes: Acceptable Styles

Oxford or desert (chukka) shoes are the only approved styles. Shoes shall have rubber heels.

5.410. Class B Uniform

The Class "B" Uniform is the standard academy, custody and Mobile Field Force uniform. The Class "B" Uniform is described in this section.

NOTE: A Class "A" uniform shall be worn for custody assignments involving public contact (e.g., transportation, front gate, intake).

Revised 11/12/21

5.410.10 Long Sleeve Shirt

The long-sleeve shirt shall have sleeves extending to the wrist with two buttons on each cuff.

NOTE: The sleeves shall not be rolled up or turned under, unless utilizing deployable reflective trim.

Revised 11/12/21

5.410.15 Short Sleeve Shirt

The short-sleeve shirt shall be tailored so that when the wearer's arm is bent at a ninety-degree angle, the lower portion of the sleeve shall come to within approximately one inch (1") of the inside of the forearm.

5.410.20 Shirt: Minimum Requirements

All shirts shall be silver-tan in color and have the following features:

- Dress collar with stays permanently sewn in
- Cross-stitched shoulder straps
- Scalloped pocket flaps
- Pencil division in left and right pocket and flap
- Velcro fasteners at corners of each pocket flap
- (2) Hidden napoleon chest pockets
- Form fit
- Shall have sewn in military creases
- Water resistant Teflon coating
- Stretch side mesh panels
- Deployable reflective trim on pocket panels
- Sewn in front zipper

The blend of materials used in the uniform shirt shall be comprised of the following:

- Shell: 100% polyester ripstop with mechanical stretch
- Mesh: 92% nylon, 8% spandex

Revised 11/12/21

5.410.25 Trousers: Minimum Requirements

The Class "B" trouser shall be a "Dickies" or similar brand work pant, olive green in color, with vertical-slit internal front pockets and horizontal-slit internal rear pockets (no flap).

The fabric shall be a 65% polyester and 35% cotton blend (approximate), seven to seven and one half (7-7 1/2) oz. twill, with a permanent-press finish.

Belt loops shall measure approximately one and one-quarter inch (1 1/4") wide and accept a two-inch (2") duty belt.

The trouser legs shall be no shorter than the bottom of the ankle and should touch the instep of the boot or shoe without folding when the member is standing.

5.410.30 Trouser Pockets

The style of cut on the front trouser pockets shall be in an "L" shape.

There shall be two (2) rear (back) trouser pockets. There shall be (2) additional hidden side cut-in pockets with an interior magazine pocket on the left side and an interior phone pocket on the right side. There shall also be (1) additional phone/sap pocket below the left rear pocket.

Added 11/12/21

5.410.35 Trouser Fabric

The material of which the trousers shall be constructed is listed below:

100% polyester ripstop (6.6oz) with mechanical stretch.

Added 11/12/21

5.410.40 Cloth Badge: Class B Uniform

The Department approved gold colored cloth badge shall be sewn onto the shirt one-half inch (1/2") above and centered to the left breast pocket.

Revised 11/12/21

5.410.45 Shoulder Patches

The Department authorized standard shoulder patches shall be sewn onto the shirt sleeves.

Revised 11/12/21

5.410.50 Cloth Name Tag

The cloth name tag shall have gold colored block lettering three-fourths of an inch (3/4") high with the member's first initial and last name on a forest green cloth background.

The tag shall be sewn directly above and centered to the right breast pocket of the Class B Uniform shirt.

Revised 11/12/21

5.410.55 American Flag

The American flag is a cloth patch measuring one and seven-eighths in length by three and one-fourth inches in width (1-

7/8" x 3-1/4"). It shall have a gold colored border and be attached with gold colored thread.

The flag shall be worn centered and one inch (1") above the right breast pocket of the Class B Uniform shirt directly above the cloth name tag.

Revised 11/12/21

5.410.60 Rank Insignia

Members having achieved the rank of corporal or higher shall wear rank insignia as described in section 5.300.

Revised 11/12/21

5.410.65 Undershirt

A plain white crewneck style t-shirt shall be worn by all members when wearing the Class B Uniform.

Revised 11/12/21

5.410.70 Socks

Socks shall be black or forest green, when oxford or chukka style shoes are worn.

Revised 11/12/21

5.410.75 Footwear

Shoes and boots shall be constructed of smooth black leather that shall accept polishing. Authorized footwear, however, shall not be adorned with buckles, punchwork, decorative stitching, nor other ornamentation. Footwear equipped with a safety toe are not authorized.

Revised 11/12/21

5.410.80 Boots: Acceptable Styles

The following styles of boots are acceptable for wear with the Class B Uniform:

- Western and Wellington style boots are permitted only with rounded toes and rubber walking heels.
- Military style boots with plain toes are permitted. Boots with black Gore-Tex fabric on and above the ankles are permitted.

Revised 11/12/21

5.410.85 Shoes: Acceptable Styles

Oxford, desert (chukka), or shoes constructed out of leather and/or a combination leather and Gore-Tex or nylon (all fabric will be black in color) are the only approved styles. Shoes shall have rubber heels.

Revised 11/12/21

5.410.90 Class B Trouser Belt

The belt shall be constructed of black leather, or leather-type material, stamped with basketweave design, and be one

and one-half inches (1 1/2") wide. The belt shall have either a silver- colored metal buckle or be buckleless with a Velcro-type closure.

Revised 11/12/21

5.410.95 Mobile Field Force Uniform

Members assigned to the Mobile Field Force are authorized to wear the Class "B" Uniform during Mobile Field Force deployments with the following adjustments:

- Long sleeve shirt: Mobile Field Force Members shall wear a long sleeve uniform during Mobile Field Force deployments. The unit commander shall have the discretion to designate a short sleeve uniform for operations and events where appropriate.

- Cloth name tag: The cloth name tag shall have gold colored block lettering three-fourths of an inch (3/4") high with the member's employee number on a forest green cloth background.

Added 11/12/21

5.415. Class C Uniform

The Class "C" Uniform is the ceremonial uniform that shall be worn by Department members when attending events in uniform, including but not limited to:

- Funerals.
- Awards, promotions and dedication ceremonies.
- Law enforcement graduation or appreciation programs.
- Any other event deemed appropriate by the Department.

The Eisenhower (Ike) Jacket (refer to section 5.770) is an optional item of apparel for this uniform that may be required

worn at a specific event by the Office of the Sheriff or the host of the event.

The Class "C" Uniform is described in this section.

5.415.10 Shirt

The Class C Uniform shirt shall be silver-tan in color and have the following features:

- Long sleeves with two buttons on each cuff and one button on sleeve facing.

- Dress collar with collar stays permanently sewn in.
- Button fastened, cross-stitched shoulder straps.
- Metal eyelet badge tab.
- Scalloped pocket flaps.
- Pencil division in left pocket and flap.
- Velcro fasteners at corners of each pocket flap.
- Pockets may be pleated (female members only).
- Extra-long shirttails and side seams.
- Form fit.
- Shall have military creases (military creases may be sewn in).

NOTE: When the shirt is worn, all buttons shall be buttoned. The sleeves shall not be rolled up or turned under.

5.415.15 Shirt Fabric Options

The Department recognizes the existence of personal comfort or preference in the cut, style, and/or wearability of a fabric. The material or blend of materials used in a uniform shirt shall be decided upon by the individual member, providing the

material or blend of materials contains no cotton and falls into one of the categories listed below:

- 100% polyester (wash and wear)
- 65% polyester and 35% rayon (wash and wear)
- 55% polyester and 45% rayon (dry clean)

5.415.20 Metal Badge: Class C Uniform

The Department approved metal badge shall be pinned to the eyelet badge tab over the left breast pocket.

5.415.25 Shoulder Patches

The Department approved standard shoulder patches shall be sewn onto the shirt sleeves.

5.415.35 American Flag

The American flag is a cloth patch in gold colored thread.

The flag shall be worn centered and above the right breast pocket of the Class C Uniform shirt, and the Eisenhower Jacket.

- The flag shall be sewn three and one-half inches (3 1/2") above and centered on the right breast pocket of the windbreaker and the car duty and hip-length jackets.
- The flag shall be sewn one and one-eighth inches (1 1/8") above and centered on the right breast pocket of the Class C Uniform shirt.

5.415.40 Rank Insignia

Members having achieved the rank of corporal or higher shall wear rank insignia as described in section 5.300.

5.415.45 Tie

When wearing the Class C Uniform, the black "four-in-hand" style tie shall be worn.

5.415.50 Tie Tack or Clasp

When wearing the Class C Uniform, the tie shall be secured with either:

- A miniature seven-point star tie tack with the chain attached to the rear clip. The tie tack is to be secured through the tie with the chain attached to the shirt. The tie tack shall be in line with the lower edge of the pocket flap.
- A gold colored bar clasp with a miniature seven-point star centered on it. The clasp shall be attached to the shirt so that it is in line with the lower edge of the pocket flap.

5.415.55 Trouser Pockets

The style of cut on the front trouser pockets shall be the straight side or quarter top style.

There shall be two (2) rear (back) trouser pockets. The left pocket shall have a button which is capable of closing the opening in the pocket. (A flap closure.)

Only female members shall have the option of wearing trousers otherwise acceptable that do not have pockets.

NOTE: Sap pockets are optional; however, when sap pockets are desired, they shall be located on the rear leg area of the trousers.

5.415.60 Socks

Socks shall be black or forest green, when oxford or chukka style shoes are worn.

5.415.65 Boots: Acceptable Styles

The following styles of boots are acceptable for wear with the Class C Uniform:

- Western and Wellington-style boots are permitted only with rounded toes and rubber walking heels.

5.415.70 Shoes: Acceptable Styles

Oxford or desert (chukka) shoes are the only approved styles. Shoes shall have rubber heels.

5.415.75 Class C Trouser Belt

The belt shall be constructed of black leather, or leather-type material, stamped with basketweave design, and be one and one-half inches (1 1/2") wide. The belt shall have either a silver-colored metal buckle or be buckleless with a Velcro-type closure.

5.420. Class D Uniform

The Class "D" Uniform is the approved uniform for bicycle and marine enforcement units. The Class "D" Uniform is described in this section.

Revised 11/12/20

5.420.10 Class D Shirt

Long or short-sleeve pullover, polo-type, wash and wear, stone in color and having the following features:

- Pique knit that is cotton, cotton/ polyester blend, or polyester.
- Front opening neckline with a three-inch (3") button closure. The top button shall remain open. The collar shall be approximately two and one-half inches (2 1/2") with rib knit-type construction.
- Short-sleeve, with a knit sleeve band on the bottom of the sleeve. The material of the sleeve band is to be the same as that of the collar.
- There shall be no brand insignias or pen holders on the sleeve.
- An internal stitched microphone holder on the upper front shoulder area of the Class D shirt is an approved option.

5.420.15 Cloth Badge: Class D Uniform

The cloth badge worn on the Class D Uniform shirt shall be the Department approved gold colored twill seven-point star, three inches, point to point, with gold colored lettering on a blue background surrounding the arrowhead.

The badge shall be sewn onto the shirt over the left breast with gold colored thread.

The issued Sheriff's Department metal badge shall be displayed in a leather holder to the front on the Sam Browne belt.

5.420.20 Shoulder Patches

The Department approved standard shoulder patches shall be sewn onto the shirt sleeves.

5.420.25 Name Tag

The deputy's first initial and last name shall be embroidered onto the shirt in black colored thread in one-half inch (1/2") letters on the right breast of the shirt.

5.420.30 American Flag

The American flag is a cloth patch measuring one and seven-eighths inches in length by three and one-fourth inches in width (1-7/8" x 3-1/4"). It shall have a gold border and be attached with gold colored thread.

The flag shall be worn centered and positioned one inch (1") above the embroidered name on the right breast of the shirt.

5.420.35 Rank Insignia

Members having achieved the rank of corporal or higher shall wear rank insignia as described in section 5.300.

5.420.40 Undershirt

A plain, white, crew-neck style t-shirt shall be worn by all members when wearing the Class D uniform.

5.420.45 Trousers

Trousers for the Class D Uniform shall be forest green BDU-type.

- The material shall be cotton/polyester twill-type.
- Keystone-style belt loops to accommodate up to a two inch (2") belt.
- Waistband shall have a secure closure and a French fly made of the same material as the trousers.

- The fly shall have a metal or plastic zipper and a zipper guard.
- There shall be two (2) inserted quarter top front pockets and two (2) back patch-type pockets with a flap and either one or two snaps or Velcro closures.
- Be hemmed with no cuff.
- The trousers shall be no longer than the bottom of the ankle and should touch the instep of the footwear without folding.
- Military style B.D.U. pant with bottom down fly is also authorized. This pant shall not be bloused.

5.420.50 Shorts

The shorts shall be forest green BDU-type.

- The material shall consist of a cotton/polyester blend.
- The waistband shall have a secure closure.
- There shall be two (2) inserted quarter top front pockets and two (2) back patch-type pockets with a flap and either a button or Velcro closure.
- There shall be two (2) cargo-type pockets on the front that are smaller in comparison to the trousers. Each pocket shall have a flap with either a button or Velcro closure.
- The shorts shall be hemmed approximately two inches (2") above the knee.
- Military style B.D.U. short pants with button down fly is also authorized.

5.420.55 Class D Trouser Belt

The belt shall be constructed of black leather, or leather-type material, stamped with basketweave design, and be one and one-half inches (1 1/2") wide. The belt shall have either a silver-colored metal buckle or be buckleless with a Velcro-type closure.

5.420.60 Socks

Socks worn with trousers shall be black.

Socks worn with shorts shall be crew or quarter crew-style, all white in color without stripes or designs.

5.420.65 Shoes

The shoes shall be all black in color, lace-type.

- The shoes shall be constructed out of leather and/or combination leather and Gore-Tex or corduroy nylon. All fabric shall be black in color.
- Shoes shall not extend beyond the ankle when worn with shorts.

Shoes equipped with a safety toe are not authorized.

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5.420.70 Jacket

Jackets described in sections 5.700 of this volume may be worn with the Class D Uniform.

5.430. Maternity Uniform: Safety Members

Pregnant safety members, who have been assigned a temporary modified duty position in which a uniform is required, may wear a Maternity Uniform.

The Maternity Uniform shall be either the Class A or Class B uniform, depending on the member's temporary assignment, and shall conform to the following guidelines:

1. Pants may be altered by adding a black elastic panel to the front waistline area.
2. Uniform shirts may be worn un-tucked, with the lower edge hemmed to an even length.
3. The uniform shirt shall be of sufficient size and length to ensure that the black panel in the waistline of the pants is completely covered when the member is standing.

5.440 Class E Uniform

Deputy Coroners shall wear either the Class A Uniform, Professional Business Attire as outlined in Section 6.230. or the Class "E" Uniform.

At the discretion of the Station/Division commander or their designee, detectives may also wear the Class "E" uniform.

The Class "E" Uniform is described in this section.

5.440.10 Class E Shirt

At the discretion of the station/division commander or their designee, either of the two Class E shirts may be worn.

Long-or short-sleeve pullover, polo-type, wash and wear, black in color and having the following features:

1. Polyester blend
2. Moisture wicking
3. Traditional three button placket
4. No-roll collar with flexible collar stays

Long-or short-sleeve TDU-type shirt, black in color and having the following features:

1. Poly/cotton Ripstop fabric.

2. Teflon treated for stain and soil resistance.
3. No-roll collar with flexible collar stays.

5.440.15 Cloth Badge: Class E Uniform

The cloth badge worn on the Class E Uniform shirt shall be the Department-approved gold-colored twill seven-point star, three inches, point to point, with gold-colored lettering on a blue background surrounding the arrowhead.

The badge shall be embroidered on the shirt over the left breast.

The issued Sheriff's Department metal badge shall be displayed in a leather holder to the front on the belt.

5.440.20 Class E Name Tag

The member's first initial and last name shall be embroidered onto the shirt in gold-colored thread in one-half inch (1/2") "block" lettering on the right breast of the shirt.

The member's job title shall be embroidered onto the shirt in gold-colored three-eighths inch (3/8")"block" lettering, below the name tag.

5.440.25 Class E Undershirt

A plain, black, crew-neck style t-shirt shall be worn by all members when wearing the Class E uniform

5.440.30 Class E Trousers

Trousers for the Class E uniform shall be black BDU-type with the following features:

- The material shall be cotton/polyester twill-type.
- Keystone-style belt loops to accommodate up to a two inch (2") belt.
- Waistband shall have a secure closure and a French fly made of the same material as the trousers.
- The fly shall have a metal or plastic zipper and a zipper guard.
- There shall be two (2) inserted quarter top front pockets and two (2) back patch-type pockets with a flap and either one or two snaps or Velcro closures.
- Be hemmed with no cuff.
- The trousers shall be no longer than the bottom of the ankle and should touch the instep of the footwear without folding.
- Military style B.D.U. pant with bottom down fly is also authorized. This pant shall not be bloused.

5.440.35 Class E Belt

The belt shall be constructed of black leather or leather type material, stamped with basketweave design and be one and one-half inches (1 ½") wide. The belt shall have either a silver-colored metal buckle or be buckleless with a Velcro-type closure.

5.440.40 Class E Socks

Socks worn with trousers shall be black.

5.440.45 Class E Shoes

The shoes shall be all black in color, lace-type

The shoes shall be constructed out of leather and/or combination leather and Gore-Tex or corduroy nylon. All fabric shall be black in color

5.440.50 Class E Jacket

The duty jacket shall be black in color and have the following features:

- A water and stain repellent shell fabric.
- Cloth or embroidered name tag with black background and three-quarter inch gold, block lettering of the member's first initial and last name worn directly above and centered on the right breast pocket.
- The badge shall be the Department-approved 3" embroidered badge and shall be embroidered over the left breast.

5.500. Authorized Uniforms: Professional Staff Members

5.505. Professional Staff Member Uniforms

Autopsy Assistant: Members employed in this capacity shall wear the Class "2" uniform.

Aviation Mechanic: Members employed in this capacity shall wear the Class "5" uniform.

Crime Scene Specialist: Members employed in this capacity shall wear the Class "10" uniform.

Culinary Staff: Members employed in this capacity shall wear the Class "6" uniform.

Dispatcher: Members employed in this capacity shall wear the Class "1" uniform.

Forensic Laboratory Technician: Members employed in this capacity shall wear the Class "7" uniform.

Grounds Supervisor: Members employed in this capacity shall wear the Class "8" uniform.

Institutional Nurse: Members employed in this capacity shall wear the Class "7" uniform.

Maintenance Mechanic: Members employed in this capacity shall wear the Class "4" uniform.

Motor Pool Services Assistant: Members employed in this capacity shall wear the Class "3" uniform.

Sheriff's Civil Technician: Members employed in this capacity may wear either the Class "2" uniform or Class "9" uniform.

Sheriff's Custody Assistant: Members employed in this capacity shall wear the Class "8" uniform.

Sheriff's Custody Specialist: Members employed in this capacity shall wear the Class "8" uniform.

Sheriff's Fiscal Clerk: Members employed in this capacity shall wear the Class "8" uniform.

Sheriff's Service Specialist: Members employed in this capacity may wear wither the Class "2" uniform or Class "9" uniform.

Sheriff's Training Specialist: Members employed in this capacity shall wear the Class "8" uniform.

Stores Specialist: Members employed in this capacity shall wear the Class "4" uniform.

NOTE: Refer to specific section for details.

5.510. Class 1 Uniform

The following members are authorized to wear the Class "1" Uniform:

1. Dispatcher I
2. Dispatcher II
3. Dispatcher Supervisor

The Class "1" Uniform is the same uniform as the Safety Member Class "A". Modifications are noted:

1. BADGE: The issued Departmental badge shall be worn over the left breast.
2. POSITION PATCH: A position patch shall be worn centered on and immediately below the standard shoulder patch on each sleeve. The position patch is a forest green cloth patch measuring one inch by two and one-half inches (1" x 2-1/2") with a gold embroidered border. The word

3. "DISPATCH" shall be embroidered with block letters using gold colored thread in the center of the position patch.

The following optional items are authorized for wear with this uniform:

1. UNIFORM SWEATER: A cardigan style sweater, forest green in color, with two pockets and five buttons, black or tortoise green in color.

2. UNIFORM SKIRT: An A-Line style uniform skirt, forest green in color, with belt loops, and back or side zipper. The length of the skirt shall be no shorter than one inch (1") above the knee and no longer than one inch (1") below the knee.
3. UNIFORM JACKET: The standard Safety Member windbreaker jacket may be worn. There will be no cloth badge on the jacket and the position patch, as described, will be placed below the standard uniform patch.

5.515. Class 2 Uniform

The following members are authorized to wear the Class "2" Uniform:

- Sheriff's Civil Technician
- Autopsy Assistant

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5.515.20 Sheriff's Service Specialist (SSS) Uniform

The Sheriff's Service Specialist Uniform shall consist of the following items:

SHIRT: Long or short-sleeve pullover, polo-type, wash and wear, black in color and have the following:

- 100% Polyester
- Snag Free
- Traditional three button
- No roll collar
- Left sleeve pen pocket

BADGE: The badge worn on the SSS Uniform shirt shall be the department-approved gold and black colored "Star in Motion."

The badge shall be 2 1/2" X 4" embroidered on the shirt over the left breast.

NAMETAG: The member's first initial and last name shall be embroidered onto the shirt in gold-colored thread in one-half inch (1/2") "block" lettering on the right breast of the shirt

JOB TITLE: "SHERIFF'S SERVICE SPECIALIST" shall be embroidered onto the shirt in gold-colored thread in three-eighths inch (3/8") "block" lettering on the right breast of the shirt immediately above the nametag.

TROUSERS: Trousers for the SSS uniform shall be khaki in color and have the following:

- The material shall be micro-ripstop with a 65/35 polyester/cotton blend
- Two-way mechanical stretch material
- Stretch waist
- Side cargo pockets
- Be hemmed with no cuff
- The trousers shall be no longer than the bottom of the ankle and should touch the instep of the footwear without folding.

T-SHIRT: Black, crew neck.

SOCKS: Black.

BELT: Black, basket weave leather.

FOOTWEAR: Black, plain toe uniform shoes or boots.

UNIFORM JACKET: The duty jacket shall be black in color and have the following features:

- A water and stain repellent shell fabric.

NAMETAG: The member's first initial and last name shall be embroidered, or silk screened onto the jacket in gold color in one-half inch (1/2") "block" lettering on the right breast of the jacket.

JOB TITLE: "SHERIFF'S SERVICE SPECIALIST" shall be embroidered onto the jacket in gold-colored thread in three-eighths inch (3/8") "block" lettering on the right breast of the jacket immediately above the name tag.

BADGE: The badge worn on the SSS Jacket shall be the department-approved gold and black colored "Star in Motion." The badge shall be 2 1/2" X 4" embroidered on the shirt over the left breast.

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5.520. Class 3 Uniform

The following members are authorized to wear the Class "3" Uniform:

1. Motor Pool Services Assistant

The Class "3" Uniform shall consist of the following items:

1. SHIRT: A short-sleeved or long-sleeved, tan, cotton-polyester blend wash and wear shirt.
2. BADGE: The cloth badge shall be sewn onto the shirt over the left breast with gold colored thread.
3. NAME PATCH: A one inch by four-inch (1" x 4") patch with the member's first name shall be worn over the left breast pocket.

4. JOB DESCRIPTION PATCH: A two inch by four-inch (2" x 4") cloth patch bearing the employee's job title/division above the right breast pocket.
5. TROUSERS: Forest green, wash and wear, perma-pressed work pants.
6. T-SHIRT: White, crew neck.
7. BELT: Black uniform, basket weave leather.
8. FOOTWEAR: Black, plain toe shoes or boots.

The following optional items are authorized for wear with this uniform:

1. JACKET: A forest green nylon windbreaker with a removable liner may be worn. The name patch and job description patch, as described above for the shirt, may be worn.
2. HAT: Black baseball cap with commander's approval.

5.525. Class 4 Uniform

The following members are authorized to wear the Class "4" Uniform:

1. Maintenance Mechanic
2. Stores Specialist

The Class "4" Uniform shall consist of the following items:

1. SHIRT: A short-sleeve or long-sleeve, light gray, cotton/polyester blend wash and wear shirt.
2. SHOULDER PATCHES: The standard Department patch in gray on black.
3. NAME PATCH: One inch by four inch (1" x 4") black cloth patch with gray lettering showing the member's last name and first initial shall be worn over the left breast pocket.

4. JOB DESCRIPTION PATCH: A two inch by four inch (2" x 4") black cloth patch with gray lettering indicating job description.
5. TROUSERS: Dark gray, wash and wear, perma-pressed work pants.
6. T-SHIRT: White, crew neck.
7. SOCKS: Black.
8. FOOTWEAR: Black, plain toe safety shoes or boots.
9. BELT: Plain, black leather.

The following optional items are authorized to wear with this uniform:

1. JACKET: Gray, cotton work jacket, with no patches.
2. HAT: Black baseball cap with commander's approval.

5.530. Class 5 Uniform

The following members are authorized to wear the Class "5" Uniform:

- Aviation Mechanic

The Class "5" Uniform shall consist of the following items:

- SHIRT: A short-sleeve or long-sleeve, black, cotton polyester blend wash and wear shirt.
- NAME: The employee's last name shall be embroidered on the right chest.
- JOB DESCRIPTION: The employee's job description and unit worked shall be embroidered on the left chest.
- AMERICAN FLAG PATCH: An American flag patch shall be embroidered on the left shoulder of the uniform shirt. The

flag shall be one and seven-eighths inches in length by three and one-fourth inches in width (1-7/8" x 3-1/4").

- TROUSERS: Charcoal, wash and wear, perma-press work pants.
- T-SHIRT: Black, crew neck.
- SOCKS: Black.
- BELT: Black Rigger's safety belt.
- FOOTWEAR: Black, plain toe safety shoes or boots.

The following optional items are authorized for wear with this uniform:

- JACKET: Black, cotton work jacket, with no patches.
- HAT: Black baseball cap with commander's approval

5.535. Class 6 Uniform

The following members are authorized to wear the Class "6" Uniform:

1. Culinary Staff

The Class "6" Uniform shall consist of the following items:

1. SHIRT: A short-sleeve or long-sleeve, white, cotton/polyester blend, wash and wear shirt.
2. SHOULDER PATCHES: The standard Department patches (gold on green).
3. NAME PATCH: A one inch by four-inch (1" x 4") cloth patch showing the member's last name and the first initial shall be worn over the left breast pocket.
4. JOB DESCRIPTION PATCH: A two inch by four-inch (2" x 4") cloth patch indicating the job description and division worked is worn over the right breast pocket.
5. TROUSERS: Black, cotton-polyester, wash and wear, perma-pressed work pants.
6. T-SHIRT: White, crew neck.
7. SOCKS: Black.

8. FOOTWEAR: Black, plain toe safety shoes or boots.
9. BELT: Plain, black leather.
10. BADGE: If issued, the badge shall be worn on the belt with the badge holder.

The following optional items are authorized for wear with this uniform:

1. JACKET: Black, cotton work jacket with the same patches as worn on the work shirt.
2. HAT: Black baseball cap with commander's approval.

5.540. Class 7 Uniform

The following members are authorized to wear the Class "7" Uniform:

1. Institutional Nurse
2. Forensic Laboratory Technician

The Class "7" Uniform shall consist of the following items:

3. Appropriate civilian attire as described in section 6.230. and 6.235. of this manual.
4. A medical lab coat shall be worn over the civilian attire at all times.
5. The member's picture identification shall be fastened to the outside of the lab coat in the area of the left breast pocket.
6. Badge, if issued, shall be worn on a belt holder.

5.545. Class 8 Uniform

The following members are authorized to wear the Class "8" Uniform:

1. Sheriff's Custody Specialist
2. Sheriff's Custody Assistant
3. Sheriff's Fiscal Clerk
4. Sheriff's Training Specialist
5. Grounds Supervisor

The Class "8" Uniform shall be the Safety Member Class "B" Uniform with the modifications presented in this section:

1. BADGE: The Department issued badge shall be worn over the left breast.
2. JOB DESCRIPTION PATCH: A forest green cloth patch measuring one inch by two and one-half inches (1" x 2 1/2") bordered in gold colored thread and having the particular job description in two lines in gold colored lettering.
    1. CUSTODY SPECIALIST
    2. CUSTODY ASSISTANT
    3. FISCAL CLERK
    4. TRAINING SPECIALIST
    5. GROUNDS SUPERVISOR

The following optional items are authorized for wear with this uniform:

1. UNIFORM JACKET: The standard Safety Member green windbreaker-type jacket may be worn. There will be no cloth badge on the jacket and the appropriate job description patch shall be placed below the standard uniform patch.
2. HAT: Black baseball cap with commander's approval.
3. UNIFORM SWEATER: The standard cardigan style sweater (button front with two [2] waist pockets), forest green in color, may be worn.

5.550. Class 9 Uniform

The following members are authorized to wear the Class "9" Uniform:

- Sheriff's Civil Technician

The Class "9" Uniform shall consist of the following items:

- SHIRT: A uniform long or short-sleeve, dark olive-drab green, cotton/polyester permanent press shirt with epaulets. Standard Sheriff's shoulder patches and American flag shall be worn.
- BADGE: Pin-on badge as issued, worn on the shirt utilizing existing badge holder, or the cloth badge sewn onto the shirt over the left breast with gold colored thread.
- NAMETAG: A cloth nametag shall be gold-colored block lettering three fourths of an inch (3/4") high, and shall display the member's first initial and last name on a forest green cloth background.
- JOB DESCRIPTION PATCH: A forest green cloth patch measuring one inch by two and one half inches (1" x 2 1/2") bordered in gold thread and having the job description "SERVICE SPECIALIST," "FORENSIC SPECIALIST," or "CIVIL TECHNICIAN" in two (2) lines in gold lettering shall be worn immediately below the Department patch.
- TROUSERS: Standard uniform trousers, dark olive-drab green, cotton/polyester permanent press. The trousers shall also have cargo pockets on the outside of each leg,

positioned mid-thigh. The fasteners for the cargo pocket shall not be readily visible.
- T-SHIRT: White, crew neck.
- SOCKS: Black.
- BELT: Black, basket weave leather.
- FOOTWEAR: Black, plain toe uniform shoes or boots.

The following optional items are authorized for wear with this uniform:

- UNIFORM JACKET: The standard green windbreaker-type jacket may be worn. No cloth badge is authorized on the jacket. The appropriate job description patch shall be placed below the standard uniform patch.
- TURTLENECK PULLOVER SHIRT: During periods of cold weather a forest green pullover shirt having a turtleneck collar may be worn under the "Class 9" shirt. This shirt may be 100% cotton or polyester/cotton blend.
- HAT: Black baseball cap with the commander's approval.

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5.555. Class 10 Uniform

The following members are authorized to wear the Class 10 uniform:

1. Crime Scene Specialist Trainee
2. Crime Scene Specialist I
3. Crime Scene Specialist II
4. Crime Scene Specialist III
5. Lead Crime Scene Specialist
6. Supervising Crime Scene Specialist

The Class 10 uniform shall consist of the following items:

SHIRT: A uniform long-or short-sleeve black cotton rip-stop fabric or cotton/polyester blend rip-stop fabric shirt.

NAMETAG: The member's first initial and last name shall be embroidered onto the shirt over the right breast pocket with gold-colored thread in block lettering one half of an inch (1/2") high.

JOB TITLE: The letters "CSI" shall be silk screened or embroidered in gold-colored block lettering one and one quarter inch (1.25") high on the left chest area of the shirt. The letters "CSI shall be silk screened or embroidered in gold-colored block lettering three and one half inch (3 ½") high across the back of the shirt with the words "SAN BERNARDINO

SHERIFFS DEPARTMENT" silk screened or embroidered in gold-colored block lettering one inch (1") high centered below.

TROUSERS: Standard uniform trousers, dark olive-drab green, cotton/polyester permanent press or cotton/polyester blend rip-stop fabric. The trousers shall also have, at a minimum, one cargo pocket on the outside of each leg positioned at the mid-thigh. The fasteners for the cargo pocket shall not be readily visible.

T-SHIRT: Black, crew neck

SOCKS: Black or forest green

BELT: Black, basket weave leather

FOOTWEAR: Black, plain toe uniform shoes or boots.
The following optional items are authorized for wear with this uniform:

POLO SHIRT: Long or short sleeve pullover, polo-type, wash and wear, black in color and having the following features:

1. Pique knit that is polyester.
2. Front opening neckline with a three-inch (3") button closure. The top button shall remain open. The collar shall be approximately two and one half inches (2 ½") with rib knit construction.
3. The member's first initial and last name shall be embroidered in gold-colored block lettering one half of an inch (1/2") high on the right chest.
4. The letters "CSI" shall be silk screened in gold-colored block lettering one and one quarter inch (1.25") high on the left chest area of the shirt.
5. The letters "CSI" shall be silk screened in three and one half inch (3 ½") block gold-colored lettering across the back of the shirt with the words "SAN BERNARDINO SHERIFF'S DEPARTMENT" silk screened centered below in one inch (1") block gold-colored lettering.

UNIFORM JACKET: The jacket shall be black, waterproof, and stain repellent, consistent in manufacture with the jackets described in Department Manual sections 6.710, 6.710.10, or 6.710.15 and shall bear only the following items described below.

1. The member's first initial and last name shall be embroidered in gold-colored block lettering one half of an inch (1/2") high on the right chest.
2. The Letters "CSI" shall be silk screened or embroidered in gold-colored block lettering one and one quarter inch (1.25") high on the left chest area of the jacket.
3. The letters "CSI" shall be silk screened or embroidered in gold-colored block lettering three and one half inch (3 ½") high across the back of the jacket with the words "SAN BERNARDINO SHERIFF'S DEPARTMENT" silk screened or embroidered in gold-colored block lettering one inch (1") high centered below.

TURTLENECK PULLOVER SHIRT: During periods of cold weather a black or forest green pullover shirt having a turtleneck collar may be worn under the "Class 10" shirt. This shirt may be 100% cotton or polyester/cotton blend.

HAT: A black baseball style cap with "CSI" embroidered in one and one quarter inch (1.25") block lettering with gold-colored thread centered on the front of the hat.

WATCH-CAP: A black "beanie-style" watch cap with "CSI" embroidered in one and one quarter inch (1.25") block lettering with gold-colored thread on the front of the cap.
FOUL WEATHER CAP: the cap shall be a "trooper" style, forest green simulated fur cap, with forest green simulated fur ear flaps and having Dacron-type, insulated quilted lining.

5.560. Maternity Uniform: Professional Staff Members

Pregnant professional staff members, who have been assigned a temporary modified duty position in which a uniform is required, may wear a Maternity Uniform.

The Maternity Uniform shall be of the appropriate class as determined by the member's rank/classification and/or temporary job assignment, and shall conform to the following guidelines:

1. Pants may be altered by adding a black elastic panel to the front waistline area.
2. Uniform shirts may be worn un-tucked, with the lower edge hemmed to an even length.
3. The uniform shirt shall be of sufficient size and length to ensure that the black panel in the waistline of the pants is completely covered when the member is standing.

5.605. Departmental Issued Equipment

The County shall provide safety equipment, as provided in the current MOU, to each employee in a regular position, hired subsequent to June 30, 1979, required to have safety equipment issued by the Department as set forth in the current Memorandum of Understanding.

This section describes Departmental issued equipment and, in recognition of personal preference, identifies and sets forth options for items to be used in place of issued equipment.

5.608. Duty Belt

The standard service or duty belt for safety members, commonly referred to as either the "Sam Browne" (male) or the "Sally Browne" (female), shall be constructed of high-quality leather or leather-type material. It shall be black in color with a stamped basket weave design and have a width of two and one-quarter inches (2 1/4"). It shall have one of the following closure systems:

1. Silver-tone two-tongue metal buckle
2. Velcro-type closure system
3. Black plastic fastener

5.610. Standard Service Handgun

The Department's standard service handgun shall be designated/determined and approved by the Sheriff's Range (refer to SBSD manual section 2.608).

5.610.10 Standard Duty Holster

The standard duty holster is generally defined as that holster (typically issued by the Department) that is assigned and

intended to be worn by safety personnel in uniformed field assignments.

The standard duty holster shall be approved by the Sheriff's Range. It shall be made of top quality cowhide (or comparable material), black in color with a stamped basket weave design. The holster shall fit snugly on the standard "Sam Browne" or "Sally Browne" Belt, and shall be rated a minimum of Safety Level II.

Drop-down tactical-type holsters that attach to the leg with a strap or straps are not considered standard duty holsters and are not authorized for uniformed field assignments. The only exception to this policy is for personnel currently assigned to the Narcotics Division, the Aviation Division, and active members of the Department Special Weapons and Tactics Team (SWAT).

Personnel assigned to patrol division-level Gang, Multiple Enforcement Team (MET), Solution-Oriented Policing Team (SOP), and/or detective units are not authorized to wear drop-down tactical-type holsters.

5.610.12 Pancake Holster

A black pancake or "paddle" holster that has been issued or approved by the Sheriff's Range may be worn by uniformed safety members to carry an approved sidearm instead of the Standard Duty Holster on a "Sam Browne" or "Sally Browne" belt when that member is not engaged in a field patrol assignment.

Typical instances where use of the pancake holster may be appropriate include:

1. Administrative or Desk Assignments
2. Public Affairs or Community Events

A ranking member of the Department may determine the suitability of wearing the pancake holster for a particular event or occasion and direct its use or non-use at his discretion.

5.610.15 Optional Standard Duty Holster

Uniformed personnel may elect to use a standard duty holster which is different from that issued by the Department.

Any holster intended for on-duty use by a safety member shall be specifically and individually approved by the Sheriff's Range before use, and shall comply with SBSD Manual section 5.610.10.

5.610.20 Duty Holster: Non-Uniformed Personnel

Safety personnel in non-uniformed assignments may elect to use a holster which is different from that issued by the Department.

Any holster intended for on-duty use by a safety member shall be specifically and individually approved by the Sheriff's Range before use.

Drop-down tactical-type holsters that attach to the leg with a strap or straps are not authorized for non-uniformed field assignments, except as provided in SBSD Manual section 5.610.10.

5.615. Speedloader Case/Magazine Case

The speedloader case or magazine case shall be black leather with stamped basketweave design, having a slotted back to fit on the Sam Browne belt. Speedloader, speedloader case, magazine case, and magazines must be authorized or approved by the Sheriff's Firearm Training Center commander.

5.620. Standard Baton

All uniformed safety personnel shall carry a baton while on duty. A safety member is required to successfully complete a course of instruction in the use of a baton, provided by the Department Training Center/Range, before it may be carried in the field.

The standard Department baton shall be the twenty-six inch (26") expandable baton. No modification or alteration in the manufacturer's design or configuration of the baton is authorized.

No baton is authorized that does not conform to specifications set forth by the Department's Training Center/Academy.

5.620.10 Standard Baton Holder

The standard holder for the twenty-six inch (26") expandable baton shall be black leather (or synthetic leather), with a stamped basket weave design. The holder shall be open at both ends.

No baton holder is authorized that does not conform to specifications set forth by the Department's Training Center/Academy.

5.620.15 Wooden Baton

Members may elect to purchase and carry a twenty-six inch (26") wooden baton as an alternative to the standard (expandable) baton. This baton shall be black in color, rounded at both ends, with a diameter of one and one-quarter inches (1 1/4").

No modification or alteration in the manufacturer's design or configuration of the baton is authorized. No baton is authorized

that does not conform to specifications set forth by the Department's Training Center/Academy.

A safety member is required to successfully complete a course of instruction in the use of this baton, provided by the Department Training Center/Range, before it may be carried in the field.

5.620.20 Side-Handle Baton

Members may elect to purchase and carry a side-handle, also known as the PR-24, baton as an alternative to the standard (expandable) baton. This baton shall be black in color, rounded at both ends, and made of either plastic or aluminum.

No modification or alteration in the manufacturer's design or configuration of the baton is authorized. No baton is authorized that does not conform to specifications set forth by the Department's Training Center/Academy.

A safety member is required to successfully complete a course of instruction in the use of this baton, provided by the Department Training Center/Range, before it may be carried in the field.

5.620.25 Baton Ring

The baton ring used with the optional wooden or side-handle baton shall be belt loop style, three-quarters of an inch (3/4") wide and four and one-half inches (4 1/2") long. It shall be black leather (or synthetic leather), with a stamped basket

weave design. It shall have a chromium-plated steel ring approximately two inches (2") in diameter.

No baton holder is authorized that does not conform to specifications set forth by the Department's Training Center/Academy.

5.624.10 Load Bearing Vest

Department personnel from the rank of detective and above may be issued a Department-owned load bearing vest, also known as an external carrier or detective vest. Safety members may elect to use personally-owned load bearing vests if they meet the following requirements:

All load bearing vests and equipment pouches must be olive drab in color, except for the taser holster and digital recorder pouch, which may be black in color. If the Taser is carried in a holster affixed to the vest, it must be configured in a cross-draw position. The Taser shall not be carried on the same side as the deputy's service handgun. Load bearing vests shall only be equipped with the items authorized to be carried on a Sam Browne, with the addition of a Department approved medical pouch and pockets for three single stack Mini 14 rifle magazines.

All load bearing vests shall display "SHERIFF" in three-inch gold block lettering on the back, "SHERIFF" in one-inch gold block lettering on the front right chest, and the authorized gold cloth badge on the front left chest.

In compliance with Penal Code 830.10, safety members utilizing the optional load bearing vests shall wear a badge on their belt or nametape in lieu of "SHERIFF" on the right front chest which clearly designates the member's name or identification number. The nametape shall be a one-inch by five-inch Velcro-style nametape displaying the first letter of the deputy's first

name and their last name in gold embroidered block lettering. No other patches are authorized on the load bearing vest.

Safety members assigned to patrol and court service operations who are required to wear the standard Class A field uniform outlined in Section 5.405. may not wear the load bearing vest. Members assigned to duties which do not require the Class A field uniform may wear a personally-owned load bearing vest so long as it meets the above requirements.

5.625. Handcuffs

The issued handcuffs shall be designated by the Sheriff's Training Center and shall have heat treated internal parts, nickel-plated or bluish finish. Handcuffs shall have a double locking feature on each cuff. Handcuffs shall be furnished with two (2) keys.

5.625.10 Handcuff Case

The handcuff case shall be constructed of leather, dyed black and molded to accommodate modern standard handcuffs. It shall have a slotted back to fit on the Sam Browne or Sally Browne belt. The flap of the case shall have a chromium-plated steel snap fastener and have a stamped basketweave design.

5.625.15 Optional Handcuffs

Members may elect to purchase and utilize a second set of handcuffs. Handcuffs shall be of modern, construction and meet or exceed the specifications set forth for the handcuffs issued by the Department. They shall be chromium, or nickel-plated, stainless steel, or blue steel finish.

5.625.20 Optional Handcuff Case

Members may elect to purchase and wear a double handcuff case capable of carrying two (2) sets of handcuffs. The case

shall have the stamped basketweave design equipped with either a chromium snap or "Velcro" fastener.

NOTE: Members may elect to carry an additional single handcuff case in lieu of a double handcuff case.

5.630. Issued Hand-Held Chemical Agent - Oleoresin Capsicum (oc)

The Training Center shall be responsible for testing and evaluating the chemical agent that shall be authorized for use. Additionally, the Sheriff's Training Center shall bear the responsibility for issuing and documenting Department-approved and issued hand-held chemical agents. Only Department approved and issued hand-held chemical agents are authorized for use by Department members.

5.630.10 Chemical Agent Leather Case

The case shall be constructed of black leather with stamped basketweave design. The case shall be cylindrical in shape with a stitched or metal snap belt loop.

The leather case for hand-held chemical agents issued by the Department shall be the only holder authorized for use. It is prohibited to modify or change the issued holder in any fashion.

5.635. Key Ring Holder

The key ring holder shall be constructed of black leather with a stamped basketweave design and a chromium-plated clip.

5.640. Protective Vest

The issued protective vest shall be designated by the Sheriff's Training Center.

5.640.10 Optional Protective Vest

Members may elect to purchase and wear, at their own expense, a protective vest other than that issued by the Department. This vest must meet or exceed the specifications set forth for the vest issued by the Department.

5.645. Helmet

The basic design shall be a one (1) piece outer shell, with the visor an integral part of the shell, and an energy absorbing inner liner. Color is to be beige with forest green trim, having a non-gloss, flat paint finish.

5.650. Rain Gear

The raincoat shall be of the yellow, law enforcement-type, fastened with chrome plated steel snaps, and having a badge tab attached to the center of the left breast area.

5.650.10 Optional Rain Gear

Other than the rain gear issued by the Department, members may elect to wear a clear plastic rain jacket and/or trousers in lieu of the issued yellow rain gear.

5.655. Saps

No member shall carry any form of sap or wear any glove with sap-type modifications.

5.660. High-Visibility Reflective Safety Vest

The Department's High-Visibility Reflective Safety Vest (HRSV) shall conform to the following specifications:

- Lightweight synthetic fabric, lime green with silver reflective stripes.
- "Tear-away" features at shoulders, sides, and front.
- The word "SHERIFF" on front and back panels in silver lettering
- Zippered front, with no tuck-in tails.
- Meets or exceeds ANSI-ISEA 207-2006 standards.

The vest shall provide for full freedom of movement when worn over the member's uniform or clothing, and shall allow full access to equipment carried on the member's belt.

5.705. Approved Optional Uniform Articles

The articles of uniform clothing and equipment specified in this section have been approved as optional items which may be possessed and worn by members at their own expense.

5.710. Car Duty Jacket

The car duty jacket shall be forest green and have the following features:

- Pile collar.
- A water and stain repellent Cordura/Taslan nylon shell fabric.
- Zip out Thinsulate liner.
- Detachable pile collar.
- Set in, two-piece sleeve construction with leather trimmed hems.
- Knit wristlets.
- Automatic return bi-swing back.
- Delrin high impact front zipper.
- Double entry patch pockets with pencil slot.
- Ten inch (10") side vent zipper with tab closures (optional).
- Detachable military style epaulets.
- Department standard shoulder patches, gold colored cloth badge, and American flag.
- Cloth name tag, forest green cloth with gold block, three-quarter inch (3/4") lettering of the member's first initial and last name, worn directly above and centered on the right breast pocket.

Rank insignia shall be displayed on the car duty jacket, as described in section 5.315 of the Department Manual.

5.710.10 Hip-Length Coat

The hip-length coat, also known as the "Gortez Cruiser Jacket" shall be forest green and have the following items:

- A Cordura/Taslan outer shell.
- Waterproof, breathable, Gore-Tex liner.
- Zip-out Thinsulate liner (200-gram torso and 100 gram sleeves, quilted to nylon taffeta).
- Ten inch (10") side zipper with snap tabs.
- Double storm flaps, snap front with full length high impact Delrin zipper.
- Flapped, double entry pockets.
- Insulated high neck collar with knit neckband.
- Military style epaulets.
- Large zippered inside pockets.
- Elasticized bi-swing back in outer shell and lining.
- Pit zips.
- Departmental standard shoulder patches, gold colored cloth badge, and American flag.
- Cloth name tag, forest green cloth with gold block, three-quarter inch (3/4") lettering of the member's first initial and last name, worn directly above and centered on the right breast pocket.

Rank insignia shall be displayed on the hip-length coat, as described in section 5.315 of the Department.

5.710.15 Windbreaker

A windbreaker-style jacket, also known as the "Chill Chaser," shall be forest green and have the following features:

- Two (2) pleated patch pockets with flaps.
- Two (2) front panel inset pockets.
- Buttoned sleeve cuffs.
- Zippered front closure.
- Department standard shoulder patches, cloth badge, and American flag.
- Forest green cloth name tag with three-quarter inch (3/4") gold-colored block lettering of the member's first initial and last name, worn directly above and centered on the right breast pocket.
- Zip-in liner.

Rank insignia shall be displayed on the windbreaker or "Chill Chase" jacket, as described in section 6.315 of the Department Manual.

5.710.20 Raid Jackets

The Department Raid Jacket shall be forest green in color and have the following features:

- The Department authorized standard shoulder patches shall be silk screened or heat pressed onto the shirt sleeves.
- The word "SHERIFF" shall be silk screened or heat pressed onto the back of the jacket in gold colored three and one-half inch (3 1/2") block letters.
- The Department approved gold colored twill seven-point star, three inches point to point, shall be silk screened or heat pressed over the left breast.

The Raid Jacket shall be worn by plain-clothed members in situations where immediate identification as a law enforcement officer may be necessary.

5.712. Cold Weather Gear

In extreme cold and/or snowing conditions the following cold weather gear may be worn at the discretion of the station/division commander or their designee:

BOOTS:
Waterproof rubber-soled, with leather uppers black or brown in color, similar to the Sorel Men's Caribou Boot.

JACKET:
Forest green (Olive Drab/Sheriff Green) in color waterproof shell with an interior fleece liner. The outer shell of the jacket will have two side pockets, one on each side, along with two breast pockets. The outer shell will have sewn on patches to include: Standard department shoulder patches, American flag and nametape with first initial and last name on forest green cloth with 3/4" lettering worn directly above and centered on the right breast pocket. Above the left breast pocket will be the standard Department gold-colored 3" cloth badge.

TROUSERS:
Forest green (Olive Drab) colored snowboard-style pants with 2" belt loops. The outer shell will be waterproof in nature. The pants will be worn over the boot with waterproof elastic gators. The trousers shall have two pockets in the rear and a cargo pocket on each leg.

5.715. Turtleneck Pullover - Shirt

During periods of cold weather, a forest green pullover shirt having a turtleneck collar may be worn under the Class "A" or Class "9" shirt. This shirt may be 100% cotton or cotton/polyester blend.

5.715.10 Dickey

During periods of severe cold weather, a forest green Dacron/polyester dickey may be worn under the Class "A" shirt.

5.720. Scarf

During periods of severe cold weather, a forest green, wool scarf may be worn.

5.725. Gloves

Gloves are authorized for field and correctional facility use. They shall be black leather with full fingers, no alterations, and are not to interfere with the use of Departmental weapons. Saps or weighted gloves are not permitted.

Correctional facility commanders may authorize the use of other types of gloves as dictated by the needs of their facilities.

5.730. Levi-Style Trousers

The trousers shall be forest green, wash and wear, similar to the Levi, Lee or Wrangler style brands.

NOTE: The Levi-style trousers may be worn only during extremely adverse weather conditions, (i.e., flooding, snowstorms, etc.), and then only with the approval of the station commander.

5.735. Dress Hat

All uniformed safety and reserve personnel may wear the Class "A" dress hat as optional apparel with the standard Class "A" field uniform. The hat may be worn with either the long or short-sleeve Class "A" shirt.

- OPTION I: The dress hat cover shall be forest green and made of all wool elastique or a polyester/rayon blend. The black patent leather visor shall be attached to the frame of the hat at a forty-five (45) degree angle.
- Detective/Corporal and above shall wear a gold chin strap.
- OPTION II: The dress hat cover (campaign style) shall be forest green and made of straw with a gold color hat cord and acorns. The hat shall not be modified from its original shape.

The campaign hat shall be a "Stratton" brand, model #S40DB, forest green color, and made of straw.

Personnel assigned to contract cities may wear the campaign hat only upon authorization of the Sheriff as approved for that contract city.

The gold metal Department issue hat piece shall be mounted on the front center of the hat. The bottom tip of the hat piece shall be one-fourth of an inch (1/4") above the brim of the

hat. Any uniformed safety or reserve member electing to wear this hat shall be issued a hat piece by the Office of the Sheriff.

During inclement weather, a plastic cover may be worn over the hat.

NOTE: For major Department functions or ceremonial events, the official Department dress hat shall be the all wool elastique or a polyester rayon blend dress hat described in Option I.

5.735.10 Foul Weather Cap

During periods of extreme cold or adverse weather conditions, the following caps may be worn by members at the approval of the station/division commander or his designee:

A "trooper" style, forest green, simulated fur cap with forest green, simulated fur ear flaps and having Dacron-type, insulated quilted lining.

A "watchman's" style cap may also be worn. This cap shall be black in color, knit, and plain with no writing or insignia.

These caps shall not be worn with the Class "C" Uniform.

5.735.15 Cap

A baseball-type cap may be worn by safety members. The cap shall be:

- Fitted or stretch fitted with a closed back.
- Female members may wear an optional open back cap to accommodate longer department approved hairstyles. Open back caps are limited to a snapback or Velcro fastening system.

- The word "SHERIFF" shall be embroidered on the front of the cap in capital letters. The stitching shall be block-style (Block 2 font), three-fourths of an inch (3/4") in size.
- The member's initial of their first name, followed by their last name (i.e. J. SMITH) may be embroidered on the back of the cap, centered on the cap's rear panels and in line with the sweatband. The stitching shall be capitalized block style (Block 2 font), three-eighths of an inch (3/8") in size. (The first initial and last name option is prohibited for snapback caps).
- Cotton or wool blend on all panels.
- Structured fit.
- Curved bill.
- All caps shall be worn in a traditional manner. Caps shall be worn forward facing, exposing the entire ear and shall be free of stains.

Due to the diverse functions within the Department and the alternate uniforms required to perform those functions, the color of the cap used will be dependent on the member's uniform of their assignment:

- Specialized Enforcement & Emergency Operations Divisions alternate uniforms – Olive green cap embroidered with black colored lettering.
- Training Division alternate uniform – Black cap embroidered with red lettering (Rapos thread color #115 or Madeira thread color #1481).
- All other safety uniforms – Olive green cap embroidered with gold colored lettering (Rapos thread color #206 or Madeira thread color #1069).

Wear shall be limited to the following circumstances with the approval of the station/division commander:

- Outdoors only, barring any officer safety issues.
- During daylight hours.

- Nighttime during cold weather or rain/snow conditions.

The cap shall not be worn with the Class "C" Uniform.

5.740. Longevity Stars

A regularly employed, full-time member of the Department who qualifies for Longevity Stars may wear them as described in this section.

One Longevity Star is earned for every five (5) years of continuous service with the Department.

The Longevity Star shall be a five-point gold embroidered star, three-fourths of an inch (3/4") in diameter, sewn on the sleeve with gold colored thread. Longevity Stars shall only be worn on a long-sleeve Class "A" Uniform shirt and/or an Eisenhower Jacket.

Class A Uniform: The location of the star shall be on the left sleeve, one-half inch (1/2") above the cuff, centered on the top of the wearer's wrist. Two (2) points of the star shall be parallel to the cuff seam. All subsequent Longevity Stars shall be sewn one-quarter of an inch (1/4") toward the button hole, parallel to the first Longevity Star.

The Eisenhower Jacket: The location of the star shall be the left sleeve, one-half inch (1/2") above the sleeve stripe, centered on the top of the wearer's wrist. Two points of the star shall be parallel to the sleeve stripe. All subsequent Longevity Stars shall be sewn one-quarter of an inch (1/4") to the right of the first star (as viewed when the wearer is standing at attention), parallel to the first Longevity Star.

5.745. Epaulets

Epaulets are uniform adornments intended to identify members in specific assignments, assigned a specific ancillary duty or members who have achieved specified status. Epaulets may be worn by authorized members with the following uniform types/articles:

- The Class "A" Uniform
- The Class "C" Uniform
- The Eisenhower Jacket
- The Car-Duty or "Tuffy" Jacket
- The Hip-Length Duty Jacket

The authorized epaulet is a forest green circular cloth patch bordered with gold-colored thread, measuring two and one-quarter inches wide and five and three-eighths inches long (2 1/4" x 5 3/8") when pressed flat. Epaulets shall be embroidered as indicated below.

- Canine Officer Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead "K-9" shall appear in red thread.
- Correctional Training Officer Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the letters "CTO" shall appear in red thread.
- Field Training Officer Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the letters "FTO" shall appear in red thread.
- Honor Guard Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the words "HONOR GUARD" shall appear in red thread.
- Longevity Epaulet: Worn on the left shoulder, this epaulet shall be embroidered with the Roman numeral

representing 20, 25, or 30 years of service. Oak leaves, interlocking at the base, shall encircle the Roman numerals. The oak leaves and Roman numerals will be sewn in gold-colored thread.

- Major Accident Investigation Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the letters "MAIT" shall appear in red thread.
- Mounted Enforcement Unit Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the letters "MEU" shall appear in red thread.
- Training Division Epaulet: Worn on both shoulders, this epaulet shall be forest green with no embroidery.
- Underwater Search and Recovery Team Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an "International Divers Flag" measuring one by one and one-half inch (1 x 1 1/2"), red with a white diagonal stripe running from the upper left corner to the lower right corner.
- Marine Enforcement Unit Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with a fouled anchor in gold-colored thread.
- Specialized Enforcement Division Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. Extending from the arrowhead, four lightning bolts shall be embroidered in gold-colored thread. In the center of the arrowhead, the letters "SBSD" shall appear in gold-colored thread. The word "SHERIFF'S" shall appear above the arrowhead and the word "SWAT" shall appear below the arrowhead, both words shall appear in black thread.
- Crisis Intervention Team Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center

of the arrowhead the letters "CIT" shall appear in gold-colored thread.

- Specialized Investigations Division Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with a five-pointed star encompassed by a circle in gold thread. In the center of the star the numbers "60" shall appear in red thread.
- Drug Recognition Expert Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead the letters "DRE" shall appear in red thread.
- Recruitment Team Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with the word "RECRUITER" spelled horizontally across the center of the epaulet in red thread.
- Coroner Division Supervisor Epaulet: Worn on the right shoulder, this epaulet shall be embroidered with an arrowhead outlined in gold-colored thread. In the center of the arrowhead, the number "70" shall appear in red-colored thread. The word "SUPERVISOR" shall be centered below the arrowhead in red thread.

Excluding the Longevity Epaulet, the listed epaulets shall only be worn when a member is currently assigned to an associated division or ancillary duty. The Drug Recognition Expert (DRE) epaulet shall only be worn if the member has current DRE certification.

5.750. The 10851 Pin

Members who have been awarded the "10851" Pin may wear it on the Class "A" Uniform shirt, centered on the right chest pocket flap one-fourth of an inch (1/4") below the pocket flap

seam. The pin that may be worn is the pin representing the member's highest level of achievement in this discipline.

The "10851" Pin is constructed of metal with gold plating, royal blue and gold (or white and gold), rectangular in shape, three-eighths of an inch (3/8") wide, three-fourths of an inch (3/4") long, and six-one hundredths (6/100") of an inch thick. The pin has two (2) military spring-back clutch fasteners. The word "CALIFORNIA" and the number "10851" shall be centered on the pin, and shall be gold, block-type lettering.

Members who qualify to wear both the 10851 Pin and the 23152 Pin shall only wear one of the pins on the Class "A" Uniform shirt at any given time.

5.750.10 The 23152 Pin

Members who have been awarded the "23152 Pin" may wear it on the Class "A" Uniform shirt, centered on the right chest pocket flap one-quarter of an inch (1/4") below the pocket flap seam.

The "23152 Pin" is constructed of metal with gold plating, red and black, rectangular in shape, three-eighths of an inch (3/8") wide, one and three-eighths of an inch long (1 3/8"), and six-one hundredths of an inch (6/100") thick. The pin has two military spring-back clutch fasteners. The number "23152" shall be centered on the pin, and shall be black, block-type lettering with red background.

Members who qualify to wear both the 10851Pin and the 23152 Pin shall only wear one of the pins on the Class "A" Uniform shirt at any given time.

5.750.15 FBI National Academy (FBINA) Service Bar

Members who have graduated from the Federal Bureau of Investigation National Academy may wear the FBINA Service Bar on the Class "A" uniform shirt, centered on the left breast pocket below the badge, with the bottom of the service bar touching the top seam of the pocket flap.

In addition to the FBINA Service Bar, if a member chooses to wear one or more Department Service and Award Ribbons, they shall be affixed to the Class "A" uniform in accordance with Department policy section 5.755. In all instances, the FBINA Service Bar shall be affixed furthermost to the outside.

5.750.20 Command College Service Bar

Members who have graduated from Command College may wear the Command College Service Bar on the Class "A" uniform shirt, centered on the left breast pocket below the badge, with the bottom of the service bar touching the top seam of the pocket flap.

In addition to the Command College Service Bar, if a member chooses to wear one or more Department Service and Award Ribbons, they shall be affixed to the Class "A" uniform in accordance with Department policy section 5.755. In all instances, the Command College Service Bar shall be affixed furthermost to the outside.

5.750.25 Senior Management Institute for Police (SMIP) Service Bar

Members who have graduated from the Senior Management Institute for Police may wear the SMIP Service Bar on the Class "A" uniform shirt, centered on the left breast pocket below the

badge, with the bottom of the service bar touching the top seam of the pocket flap.

In addition to the SMIP Service Bar, if a member chooses to wear one or more Department Service and Award Ribbons, they shall be affixed to the Class "A" uniform in accordance with Department policy section 5.755. In all instances, the SMIP Service Bar shall be affixed furthermost to the outside.

5.750.30 Executive Leadership Institute at Drucker School of Management (ELI)

Members who have graduated from the Executive Leadership Institute (ELI) at the Claremont Graduate University's Drucker School of Management may wear the ELI service bar on the Class "A" uniform shirt, centered on the left breast pocket below the badge, with the bottom of the service bar touching the top seam of the pocket flap.

In addition to the ELI service bar, if a member chooses to wear one or more department service and award ribbons, they shall be affixed to the Class "A" uniform in accordance with Department policy section 5.755. In all instances, the ELI service bar shall be affixed to the furthermost outside.

5.755. Department Service and Award Ribbons

Members who have received a Department award for valor, meritorious service, lifesaving, Inland Regional Center Responder, physical fitness, and/or marksmanship are encouraged to wear the authorized ribbon for that award on

their Class "A", "B", "C", "1", "2", "3", "4", "5", "6", "8", or "9" Uniform.

When a single ribbon is worn, it shall be centered on the left breast pocket below the badge, with the bottom of the ribbon touching the top seam of the pocket flap.

Members having multiple award ribbons, shall use a sliding ribbon holder. Members shall only place a maximum of three of their highest award ribbons in the holder. The sliding ribbon holder shall be centered on the left breast pocket below the badge, with the bottom of the holder touching the top seam of the pocket flap. The ribbons shall be placed in order of merit: with the highest award on the inside, and lower awards placed to the outside in declining order.

If a member receives the same award more than once, the second and each subsequent award shall be indicated by a small bronze star centered on the ribbon.

The Public Affairs Division shall be responsible for distributing the sliding ribbon holders. The Division is also responsible for distributing all Department award ribbons: Sheriff's Medal of Valor, Sheriff's Medal for Meritorious Service, Sheriff's Medal for Lifesaving, the Inland Regional Center Responder Award, the Department's Physical Fitness and the Department's Marksmanship award ribbons.

5.755.10 Department Awards: Order of Merit

The following is the order of merit for Department awards:

- Frank Bland Medal of Valor
- Sheriff's Medal of Valor
- Frank Bland Medal for Meritorious Service
- Sheriff's Medal for Meritorious Service
- Sheriff's Medal for Lifesaving
- Inland Regional Center Responder
- Department Physical Fitness Award
- Department Marksmanship Award

5.760. Black Mourning Band

During periods of mourning, a black band may be worn around the badge. This band shall be one-half inch (1/2") wide, three and one-half inches (3 1/2") long, sewed together at the ends. The band shall be braided elastic material. The band shall be worn horizontally over the badge, between the two side points of the badge.

5.760.10 Black Mourning Ribbon

During periods of mourning, a black ribbon may be worn upon the outer clothing of a professional staff member. This black ribbon shall be one-fourth of an inch (1/4") wide and eight inches (8") long, looped and crossed at the mid-point, and shall be worn pinned at the crossed point, loop up, with a Sheriff's Department logo lapel pin. The ribbon and pin are to be displayed on the outer clothing area near the left lapel or above the left top pocket area.

5.760.15 Mourning Band and Ribbon: Display

The black mourning band and ribbon shall only be authorized to wear under the following condition:

1. Immediately upon the notification by the Office of the Sheriff of the death of a California peace officer killed in the line of duty or any member of the Department killed in the line of duty, the mourning band and ribbon may be worn from the time of the death until 2400 hours on the day of the funeral.

5.765. Sweater

Professional staff members who are authorized to wear the Class "1", Class "2", or Class "9" Uniform may wear a sweater as optional outerwear. The sweater shall have the following features:

- Shall be acrylic/polyester blend.
- Forest green in color.
- Long sleeves.
- Two (2) front pockets.
- Five (5) front buttons.
- No patches.

5.770. Eisenhower (Ike) Jacket

This is an optional item of apparel the Department prefers be worn by members appearing in the Class "C" Uniform.

The jacket shall be forest green stock dyed and have the following features:

- 100% wool or 100% polyester.
- Metal badge over left breast.
- Standard shoulder patches.
- American flag one and one-eighths inch (1-1/8") above and centered on the right breast pocket.
- Bright gold-colored metal name plate above the right breast.
- Shall have a collar and lapels.
- Shall be semi-dress style with coat sleeves.
- The front of the jacket shall close with a brass finish metal zipper, from the bottom of the jacket to the base of the lapels.
- Golf pleats extending for the shoulder seam shall be located on side of the back.
- Shall have a half belt stitched down in back at the approximate waistline.
- The full-length sleeves shall have a Departmental strip sewn three inches (3") above the bottom of the sleeve halfway around the sleeve.
- Shall have two (2) outside breast patch pockets, sewn closed.
- Each pocket shall have a three-point flap.
- Shall have two (2) adjustment straps which shall be sewn down.
- All buttons shall be polished brass "S" buttons.
- Shall be tailored so as to fit loosely and hang straight down over the gun belt and accoutrements.

5.770.10 Rank Insignia on Eisenhower (Ike) Jacket

Members having attained the rank of detective/corporal, or higher, shall wear the following insignia on the Eisenhower Jacket:

Detectives/Corporals shall wear a two-bar cloth chevron. The chevron shall be a forest green background having a gold-colored border and bars. Sergeants shall wear a three-bar cloth chevron. The chevron shall be a forest green background having a gold-colored border and bars.

The chevrons for detectives/corporals and sergeants shall be worn on each sleeve of the jacket. The chevrons shall be sewn so that the upper-most portion of the chevron is one-half inch (1/2") below and centered on the lower portion of the shoulder patch.

Lieutenants shall wear a single gold bar measuring three-fourths of an inch by one-fourth of an inch (3/4" x 1/4"). The bar shall be placed on each epaulet of the jacket with the long edge one-half inch (1/2") above and parallel to the shoulder seam and centered on the epaulet.

Captains shall wear a double gold bar, each measuring three-fourths of an inch by one-fourth of an inch (3/4" x 1/4") which parallel each other. The bar shall be placed on each epaulet of the jacket with the long edge one-half inch (1/2") above and parallel to the shoulder seam and centered on the epaulet.

Deputy Chiefs shall wear a single metal five-point gold colored star, measuring three-eighths of an inch (3/8") high. The star shall be centered on each epaulet of the jacket with the top point of the star pointing toward the rear and the outside point of the star one-half inch (1/2") above the shoulder seam.

Assistant Sheriff's shall wear two (2) metal five-point gold colored stars, each measuring three-eighths inch (3/8"). The stars shall be centered on each epaulet of the jacket with the

top two points of the stars pointing toward the rear and the outside point of the outside star one-half inch (1/2") above the shoulder seam. The stars will be parallel to the outside edges of the epaulet.

The Under Sheriff shall wear three (3) metal five-point gold colored stars, each measuring three-eighths inch (3/8") high. The stars shall be centered on each epaulet of the jacket with the top three points of the stars pointing toward the rear and the outside point of the outside star one-half inch (1/2") above the shoulder seam. The stars will be parallel to the outside edges of the epaulet.

The Sheriff shall wear four (4) metal five-point gold colored star, each measuring three-eighths inch (3/8") high. The stars shall be centered on each epaulet of the jacket with the top three points of the stars pointing toward the rear and the outside point of the outside star one-half inch (1/2") above the shoulder seam. The stars will be parallel to the outside edges of the epaulet.

5.775. Flashlight

Members may purchase a flashlight, at their own expense, or use a flashlight provided by the Department. Flashlights shall not exceed eighteen inches (18") in length, nor have a diameter larger than two inches (2"). The construction may be plastic or alloy.

5.780. Knives

Members may elect to carry a folding knife with a locking blade.

The knife shall not have a blade exceeding four and one-half inches (4 1/2").

5.785. Service Handgun Flashlight System

Members may purchase, at their own expense, and use a Department approved flashlight system that mounts on their service handgun. The light shall be constructed to mount on the service handgun. The mounted flashlight system shall be inspected and approved by the Sheriff's Range staff prior to use.

Members wishing to use a mounted flashlight system shall successfully complete training in the proper use, operation, and maintenance of the flashlight, as approved by the Training Division.

Members shall purchase, at their own expense, a holster approved by the Sheriff's Range staff to accommodate the mounted flashlight system.

Generally, the service handgun flashlight system shall not be used as a primary source of light.

Note: Batteries for personally owned service handgun flashlight systems will be supplied by the Department.

5.785.10 Laser-Aiming Device System

Members may purchase, at their own expense, and use a Department approved laser-aiming device that mounts on their service handgun. Prior to use the Sheriff's Range staff shall inspect and approve the mounted laser-aiming device. Members wishing to use a mounted laser-aiming device shall successfully complete training in the proper use, operation, and

maintenance of the mounted laser-aiming device as approved by the Training Division.

Members shall purchase, at their own expense, a holster approved by the Sheriff's Range staff to accommodate the mounted laser-aiming device.

NOTE: Batteries for personally owned laser-aiming device systems will be supplied by the Department.

5.790. Brush Coat

The Brush Coat may be worn during catastrophic events such as fires, earthquakes or other types of natural disasters at the discretion of the station commander or his designee.

The Brush Coat shall be yellow in color and made of 100% Indura cotton, chemically treated to be fire resistant. The coat shall have a four inch (4") high wrap around collar with Velcro fasteners. The front of the coat shall have an HT pocket over the left breast with Velcro fasteners, with the Sheriff's star sewn to the flap.

The coat shall have three (3) additional cargo pockets: one (1) pocket over the right breast, and one (1) under each of the breast pockets on the front of the coat.

The coat shall have the Sheriff's star sewn to the front flap of the left breast pocket, and "Sheriff" silk-screened in black five inch (5") lettering on the back.

5.805. Honor Guard Uniform

The Honor Guard Uniform shall consist of the full dress Class "A" uniform, along with the forest green Eisenhower Dress Jacket, with the gold-colored aiguillette (shoulder cord), white cotton gloves, Dress Hat Option I (refer to section 6.735.), and white

ascot. Department leather stripped of all equipment with the exception of the duty weapon and holster, shall be worn by all members of the Honor Guard.

MODIFIED HONOR GUARD UNIFORM: The modified Honor Guard's Uniform shall consist of the full dress Class "A" Uniform, along with gold aiguillette (shoulder cord), white cotton gloves, white ascot, dress cap, two and one-fourth inches (2 1/4") white web belt with brass buckle.

The modified Honor Guard Uniform may be utilized at the direction of the Honor Guard Sergeant.

5.805.10 Aiguillette (Shoulder Cord)

The aiguillette shall be of green and yellow colored nylon cord, three sixteenths of an inch (3/16") in diameter. The cord(s) shall be braided so as to measure approximately thirty and one-half inches (30 1/2") in length in one (1) piece, each end equipped with a metal hook to fit a three sixteenths of an inch (3/16") eye. A single cord eight and one-fourth (8-1/4") inches in length, consisting of one and one-half inches (1 1/2") of cord, a bend of one and three-fourths inches (1 3/4") in length, a cord two inches (2") in length, and a yellow metal ferrule to be attached to one (1) end of the braided cord. The knot shall be stitched with matching thread to connect the braided cord of the aiguillette so as to lay toward the body of the wearer.

The aiguillette shall be placed around and under the right arm with the hooks at the opposite end of the cord engaging the eyes under the right shoulder strap of the Eisenhower Jacket.

5.805.15 White Gloves

The gloves shall be plain, white, cotton (or cotton/nylon blend).

5.805.20 Honor Guard Bagpipe Uniform

The Honor Guard Bagpipe Uniform shall consist of:

- A forest green with gold trim class "A" Honor Guard Piper Jacket. The jacket shall have a high collar and a cutout in the front for the sporran.
- A gold-colored single loop braided shoulder cord.
- A kilt using the "San Bernardino County Sheriff's Department Honor Guard" tartan.
- A black glengarry with hat shield.
- A full military horsehair sporran with gilt cantle.
- Black piper's hose with flashes using the "San Bernardino County Sheriff's Department Honor Guard" tartan.
- Black patent leather shoes with white spates.

Additionally, a patent (or Clarino) black leather jacket belt, duty sidearm holster, and sidearm shall be worn by all sworn members of the Honor Guard Bagpipe Band. Non-sworn members shall wear the patent (or Clarino) black leather jacket belt only.

5.805.25 Badge

The Honor Guard badge is a standard Deputy Sheriff badge with the words "HONOR GUARD" appearing on a banner located on the top portion of the badge. Members of the Honor Guard shall wear the badge only when wearing the Honor Guard uniform, whether it is on the Eisenhower Dress Jacket or the Class "A" uniform in the case of the Modified Honor Guard Uniform or the Honor Guard Bagpipe Uniform.

5.805.30 Honor Guard Service Pin

Members of the Honor Guard may earn service pins for participating in Honor Guard events.

50 EVENTS PIN: Members of the Honor Guard who have served in no less than 50 events over the course of their time with the team shall be eligible to wear the 50 Events Honor Guard Service Pin.

The Honor Guard Service Pin will be a set of gold plated crossed rifles below the words "HONOR GUARD," which will also be gold plated. The rifles and "HONOR GUARD" images are set over a nickel-plated wreath. Below the crossed rifles will be an outline of the Sheriff's badge inside a black circle. The height of the pin will measure 1.0" and the width of the pin will measure 0.765."

100 EVENTS PIN: Members of the Honor Guard who have served in no less than 100 events over the course of their time with the Honor Guard shall be eligible to wear the 100 Events Honor Guard Service Pin.

The Honor Guard Service Pin will be a set of gold plated crossed rifles below the words "HONOR GUARD," which will also be gold plated. The rifles and "HONOR GUARD" images are set over a gold-plated wreath. Below the crossed rifles will be an outline of the Sheriff's badge inside a black circle. The height of the pin will measure 1.0" and the width of the pin will measure 0.765."

The service pin shall be worn just below the top edge, at the center, of the right breast pocket of the High-Collar Dress Coat. The Honor Guard Service Pin shall only be worn on the Honor Guard High-Collar Dress Coat during authorized Honor Guard events.

5.820. Training Facility Uniform

A Training Facility Uniform is authorized for the training staff to wear when approved by the division commander. Employee

Resources Division members may wear the Facility Uniform at the Training Center when conducting physical agility testing for new applications. The Facility Uniform is described in this subsection.

5.820.10 Training Facility Uniform: Belt

The belt shall be constructed of black leather, stamped with basket weave design, and be one and one-half inch (1 1/2") wide. The belt shall have either a silver colored buckle measuring two and one-eighth inches by one and seven-eighths inches (2 1/8" x 1 7/8") long or be buckleless with a Velcro closure.

5.820.20 Training Facility Uniform: Footwear

Black, plain toe, above the ankle boots shall be worn with long trousers. Black athletic-type shoes shall be worn with short pants during defensive tactics training.

5.820.25 Training Facility Uniform: Shirt

The shirt is short or long sleeved, red in color, polo-type, constructed of fifty percent cotton/fifty percent polyester. The shirt shall be embroidered with the following:

- The words "TRAINING CENTER STAFF" with the member's first and last name shall be over the right breast in black, seven-sixteenth of an inch (7/16") block letters.
- The Sheriff's star shall be embroidered in gold over the left breast. The star shall be three inches (3") in diameter. An arrowhead that is silver in color shall be in the center of the star. The arrowhead shall be bordered by a ring that is one-quarter of an inch (1/4") in width and royal blue in color. In the ring, at the top, shall be the word "DEPUTY." On the lower half of the ring shall be the words "SAN BERNARDINO COUNTY." The words in the ring shall be

three-sixteenths of an inch (3/16") in height. Additionally, the words "SAN BERNARDINO COUNTY SHERIFF" shall be embroidered in black lettering and shall encompass the outside of the star. These letters shall be seven-sixteenths of an inch (7/16").

5.820.30 Training Facility Uniform: Socks

Black in color for boots. White socks are to be worn with the black athletic shoes during the defensive tactics training.

- Socks worn with trousers shall be black.
- Socks worn with shorts shall be crew or quarter crew-style, all white in color without stripes or designs.

5.820.35 Training Facility Uniform: Trousers

The trousers for the Facility Uniform shall be black Battle Dress Uniform (BDU) style. Pants shall be bloused over black boots.

Black BDU shorts may be authorized for wear by the division commander.

5.820.40 Training Facility Uniform: Undershirt

An undershirt is not required when wearing the authorized Training Facility Uniform shirt. However, members wanting to wear an undershirt for extra warmth may do so. The undershirt shall be crewneck, black in color.

5.820.45 Training Facility Uniform: Jacket

The jacket shall be predominantly red with black accent panels (to insure the higher visibility of staff members, instructors, or safety officers by students) and constructed of one hundred percent (100%) polyester laminated with Gore-Tex membrane,

having a nylon and polyester lining and a roll up attached hood.

A black Velcro cloth nameplate shall be worn over the right breast area, measuring four and one-half inches (4 1/2") in width and two and one-half inches (2 1/2") in height. The Velcro base shall be black and attached to the back panel of the jacket. The cloth nameplate shall display the words "ACADEMY STAFF" and below it the staff member's name. The letters shall be in bold, block capitals in red, and three-fourths of an inch (3/4") in height. The staff member's name shall contain the first letter of the first name followed by the last name.

5.825. Trainee Uniform

The standard trainee uniform shall be the Class "B" Uniform with the modifications presented in this section.

- BADGE: The sponsoring department's issued badge shall be worn over the left breast. Pre-service trainees shall not display a badge; the badge holder eyelets shall be removed from the shirt.
- SHOULDER PATCHES: The shoulder patches worn on the trainee uniform will be the shoulder patches of the sponsoring department. Pre-service trainees will wear shoulder patches designated by the Training Center. All shoulder patches shall be sewn onto the uniform sleeves with thread matching the border of the patch.
- NAMEPLATE: Pre-service trainees shall wear a nameplate that is a bright gold colored metal bar having the first initial and last name of the trainee engraved thereon in black, block letters. The bar shall be two and one-half inches by one-half inch (2 1/2" x 1/2"). The nameplate shall be centered above the right breast pocket with the lower edge of the plate touching the upper edge of the pocket seam.

5.825.10 Physical Training Uniforms

This section describes the Physical Training Uniform. The uniform shall consist of:

- A medium gray t-shirt. The trainee's last name shall be centered on the back of the shirt eight inches
- (8") below the neck seam. The letters shall be two inch (2") high, black, block letters.
- Black compressions shorts shall be worn beneath black nylon running shorts.
- Appropriate socks to be determined by staff assigned to the Basic Academy.
- Any good quality low quarter running shoes.

5.830. Gang Team/SMASH Uniform

The following is the approved Gang Team/SMASH uniform for all members engaged in gang enforcement operations:

- SHIRT: Short-sleeve or long-sleeve polo-type, forest green in color, and have the following features:
    1. Polyester material.
    2. Front opening neckline with a five-inch (5") placket, three (3) button closure.
    3. The Sheriff's star shall be gold in color and sewn on the upper left side of the shirt, approximately four inches (4") below the shoulder seam and centered between the placket and sleeve seam.
    4. The word "SMASH" shall be silkscreened in one-inch (1") gold lettering and centered between the placket and sleeve seam just below the badge.
    5. The "SMASH" logo patch shall be affixed on the upper right side of the shirt and approximately four inches (4") below the shoulder seam and centered between the placket and sleeve seam.

6. The safety member's first initial and last name shall be embroidered onto the shirt in black thread in one-half inch (1/2") letters on the right breast of the shirt, centered directly below the SMASH logo.
7. The word "SHERIFF" shall be silkscreened in three and one-half inch (3 ½") gold lettering across the back of the shirt approximately five inches (5") below the neck seam.
8. The Sheriff's shoulder patches and appropriate chevrons shall be silkscreened in gold lettering on each sleeve.

- JACKET: Long-sleeve, nylon, windbreaker-type, forest green color. The jacket shall meet the same specifications as that of the SMASH shirt.
- TROUSERS: Shall be tactical style, black in color, and shall have the following features:
  1. The material shall be of cotton/polyester twill-type, Rip-Stop.
  2. There shall be two (2) inserted quarter top front pockets and two (2) back patch-type pockets with a flap.
  3. There shall be two (2) cargo-type pockets on the side of the leg. Each pocket having a flap.
  4. The trousers shall be no longer than the bottom of the ankle and should touch the instep of the footwear without folding.
  5. The trousers shall not be bloused.
- BOOTS: Military style black boots with plain toes are permitted. Boots with black Gore-Tex fabric on and above the ankles are permitted.
- DUTY BELT: The standard service or duty belt for safety members, commonly referred to as either the "Sam Browne" (male) or the "Sally Browne" (female), shall be constructed of high-quality leather or leather-type material. It shall be black in color with a stamped basket weave design and have a width of two and one-quarter

inches (2 ¼"). The belt shall be equipped with the standard patrol equipment.

1. Drop down holsters are not permitted.

On certain occasions, the mission of a Gang team may require plain clothes, which shall be decided by the team supervisor on a case-by-case basis.

5.835. Special Weapons and Tactics (SWAT) Team Uniform

The SWAT Uniform shall be worn by all members assigned to the unit only when actually engaged in an operation or in training.

5.835.10 SWAT Team Shirt

The shirt shall be long sleeved and waisted, olive drab green in color, having two (2) breast and two (2) side pockets. The pockets shall have velcro tab closures and front of the shirt shall have button closures. The shoulder patches and cloth patches shall be subdued in color.

5.835.15 SWAT Team Trousers

Trousers shall be olive drab green in color, having drawstring ties at the ankles. The trousers shall have a quarter-cut side pocket, blouse-type legs, front and rear pockets that close with velcro tabs.

5.835.20 SWAT Team Boots

Due to the wide range of weather and terrain conditions encountered throughout the county, boots worn by SWAT Team members while in uniform shall be mission specific and

appropriate styles chosen at the discretion of the Specialized Enforcement Division Commander.

5.840. Aviation Uniform

The Aviation Uniform is the duty uniform for Department members assigned to helicopter flight duties. The Aviation Uniform is a one-piece coverall-type garment constructed to military specifications. It is sage green in color and constructed of fire retardant material that meets or exceeds the standards of Nomex 2 or 3.

Civilian clothing, Class "A" and the Class "D" Uniforms are alternate duty uniforms and may be worn at the discretion of the commander.

5.840.10 Aviation Uniform: Badge, Shoulder Patches, and Name Tags

The subdued cloth badge shall be worn on the Aviation Uniform.

The badge shall be sewn onto the uniform horizontally centered above the left breast pocket with the bottom of the badge one and one-half inches (1 1/2") above the upper edge of the left breast pocket seam.

The subdued shoulder patches shall be worn on the Aviation Uniform.

A two-inch by four-inch (2" x 4") cloth name tag shall be attached by Velcro to the Aviation Uniform. The tag shall be sage green in color with a black thread boarder.

The name tag shall have Departmental flight wings embroidered in black thread across the top with the member's rank and name, respectively, on the middle line, and "SHERIFF'S

AVIATION" on the bottom line. The lettering shall be one-quarter inch (1/4") high and embroidered with black colored thread. The name tag shall be horizontally centered one inch above the right breast pocket.

5.840.15 Aviation Uniform: Flight Jacket

Aviation Unit members may wear one of the following two styles of flight jackets when engaged in flight operations:

STYLE NUMBER ONE:

- Sage green in color.
- Continuous filament Nomex twill outer shell with Nomex lining.
- Front pockets with diagonal flaps.
- Pen/pencil pocket on the left sleeve.
- Velcro patch above the left front pocket.
- Nameplate worn on Velcro patch.

STYLE NUMBER TWO:

- Black.
- Full flam resistant (Nomex).
- Fleece lined.
- Waterproof.
- Front zipper with wind flap.
- Left forearm utility pen pocket with flap.
- Adjustable cuffs with waist draw cord.

Department shoulder patches shall not be worn on any flight jackets.

5.840.20 Aviation Uniform: Flight Wings

The Department flight wings, manufactured by the Sun Badge Company of San Dimas, California, are a suntone set of military-style flight wings measuring two and one-half inches (2 1/2") in length. There is a miniature replica of the Department badge centered between the wings. The arrowhead in the center of the badge is set in white enamel. The arrowhead of the Emergency Services Division command staff members' flight wings is set in red enamel.

The flight wings may be worn on the flight suit nameplate. Currently assigned Aviation Unit safety members may wear the Department flight wings on their Class "A" Uniform or Eisenhower Jacket.

- When worn on the Class "A" uniform, the Department flight wings shall be pinned below the badge, horizontally centered on the left breast pocket, with the tips of the wings even with the upper edge of the pocket seam.
    - When worn on the Eisenhower Jacket, the Department flight wings shall be pinned below the badge, horizontally centered on the left breast pocket, with the tips of the wings even with the upper edge of the pocket seam.

5.840.25 Aviation Uniform: Undershirt and Turtleneck

A plain, black, crew-neck style t-shirt shall be worn by all members when wearing the Aviation Uniform.

A black cotton turtleneck undershirt may be worn during periods of cold weather.

5.840.30 Aviation Uniform: Boots

The following styles of boots are acceptable for wear with the Aviation Uniform:

- Black leather, military style boots with rubber soles, a smooth toe cap and heel in either all-leather or a combination nylon and leather upper.
- Sage colored suede-leather, military style boots with rubber soles, and a combination nylon and suede leather upper.

5.840.35 Aviation Uniform: Hat

A black, baseball-type hat may be worn. The word "SHERIFF" shall be embroidered on the front of the hat. The stitching shall be block-style in three-fourth inch (3/4"), yellow letters.

5.840.40 Aviation Uniform: Safety Equipment Exceptions

The following safety equipment may be worn in lieu of the full leather requirements:

- Dress belt may be worn in lieu of the Sam Browne.
- Alternate-duty weapon and holster (including shoulder holster) may be worn in lieu of the duty weapon and holster. Handcuffs and extra ammunition shall be worn.
- A black Load Bearing Vest may be worn in lieu of the Sam Browne belt. The vest shall accommodate an on-duty or alternate-duty firearm/holster, portable hand-held radio, handcuffs and extra magazines.

The Load Bearing Vest shall consist of the following:

- Black, stiffen mesh material with side panel coverage.
- Molle gear attachment function.
- Adjustable in length and girth.
- YKK zipper.
- High-impact plastic clips.

5.840.45 Optional Apparel

These items are optional when wearing the Aviation Uniform. (See Section 5.700.)

- Hat
- Turtleneck Undershirt
- Flight Jacket

5.845. Marine Enforcement Unit Uniform

Safety members and Boating Officers assigned to Marine Enforcement duties are authorized to wear the Class "D" Uniform with the following modifications:

- Forrest green BDU-type shorts.
- Black deck shoes of all-leather or leather/canvas construction; with black crew or quarter-crew style socks (no color stripes or designs).
- Light tan baseball-type cap.
    1. Fitted or stretch fitted with a closed back.
    2. Female members may wear an optional open back cap to accommodate longer department approved hairstyles. Open back caps are limited to a snapback or Velcro fastening system.
    3. Curved bill
    4. Cotton or wool blend on all panels.
    5. Structured fit.
    6. The word "SHERIFF" shall be embroidered on the front of the cap in capital letters. The stitching shall be block-style (Block 2 font) in three-fourths of an inch (3/4"), forest green colored letters (Rapos thread color #525 or Madeira thread color #1390).
    7. The member's initial of their first name followed by the last name (i.e. J. SMITH) may be embroidered on the back of the hat, centered on the cap's rear panels and in line with the sweatband. The stitching

shall be capitalized block style (Block 2 font) in three-eighths of an inch (3/8") forest green colored lettering (Rapos thread color #525 or Madeira thread color #1390). (The first initial and last name option is prohibited for snapback caps).

- Black, all-weather nylon web gear may be worn.

5.845.10 Marine Enforcement Unit Uniform: Extra Help Boating Officer

Non-sworn members who participate in marine enforcement duties as Boating Officers are authorized to wear the following uniform:

- Forrest green BDU-type shorts
- Class "D"-type stone-colored polo-style uniform shirt.
    - The words "BOATING OFFICER" shall be embroidered on the left upper chest area, in three-eighths of an inch (3/8"), black, block-style lettering.
    - Above the words "BOATING OFFICER" there shall be the Department "Forward Star" insignia.
    - Above the Department "Forward Star" insignia shall be the abbreviation "SBSD-MEU" in three-eighths of an inch (3/8"), black, block-style lettering.
    - The Boating Officer's first initial and last name shall be embroidered in one-half inch (1/2"), black, block-style lettering on the right upper chest area.
- Black deck shoes of all-leather or leather/nylon construction; with black crew or quarter-crew style socks (no color stripes or designs).
- Light tan baseball-type cap. The word "SHERIFF" shall be embroidered on the front of the cap, in block-style,

three-fourths of an inch (3/4") high lettering, forest green in color.
- Black, nylon tactical style or leather belt with basket weave design.

5.850. Bicycle Uniform

Members assigned to bicycle enforcement are authorized to wear the Class "D" Uniform with the following modifications:

  - When wearing long trousers, the legs shall be bloused or secured from mid-calf to ankle to prevent interference from bicycle pedals, chains, and/or sprocket.
  - When wearing shorts, black padded bicycle shorts are to be worn underneath.
  - When wearing shorts, the socks shall be white, quarter crew.
- Black, all-weather resistant nylon web gear:
- Two-inch (2") tactical belt with fastex belt buckle, Velcro-lined.
- Tactical Velcro belt liner.
- High-rise duty holder, with thumb break retention system.
- Double magazine pouch or speedloader case.
- Handcuff case.
- Flashlight ring.
- Baton ring.
- Belt keepers (4).
- Silver whistle with black nylon lanyard attachment.
- Black riding gloves, half fingers.
- Department of Transportation (D.O.T.) approved safety helmet, adjustable fit, white in color. Marked with the word "SHERIFF" or "POLICE" and the designated contract city

name in one and one-half inch (1 1/2") black and gold lettering centered on each side.

NOTE: The safety helmet described is required to be worn while riding a bicycle.

5.855. Motorcycle Patrol Uniform

Members assigned to motorcycle patrol are authorized to wear one of two uniforms while operating Department motorcycles; the Motorcycle Patrol Uniform and, during specified circumstances, the Class "D" Uniform. This section describes the Motorcycle Patrol Uniform and equipment and sets out the circumstances dictating uniform selection for motor deputies.

5.855.10 Motorcycle Wing Patch

The motor wing patch is a forest green, cloth patch measuring two and one-half inches by one inch (2 1/2" x 1"). The patch is embroidered with a winged wheel and bordered in gold-colored thread. The patch shall be sewn onto the sleeves with gold colored thread.

5.855.15 Motorcycle Shirt

The shirt worn by members assigned to motorcycle patrol shall be the Class "A" Uniform shirt with the addition of motor wing patches sewn onto the sleeves immediately below the shoulder patches.

5.855.20 Motorcycle Trousers

The motorcycle trousers for the everyday patrol uniform shall be forest green, styled and constructed for on-road motorcycle riding. The trousers shall have the following features:

- A 1/2" gold safety stripe running the full length of each pant leg. Synthetic Kevlar-Lycra blend material, similar to the Motoport Police Pants or Air Mesh Kevlar.
- Keystone-style belt loops.
- The trousers shall have velcro closures at the waist and the outside of the boot.
- Motorcycle trousers shall be worn over the boot.

The motorcycle trousers for the Motorcycle Special Assignment Uniform (5.855.40) shall be forest green, styled and constructed in the English riding style. The trousers shall have the following features:

- Bloused and cropped at the calf.
- Black and gold safety stripes down the outside of each pant leg.
- Double layer construction at the seat, front knee, inner thigh and upper front leg area.
- Keystone-style belt loops.
- The fly shall have a metal zipper and zipper guard.
- Motorcycle trousers shall be tailored and worn inside the top of the motorcycle boot.
- Pleated at the inner front knee.
- Double stitched seam across the middle front thighs.

5.855.25 Motorcycle Trouser Safety Stripe

The motorcycle trouser safety stripe on the Motorcycle Special Assignment Uniform is black braid bordered, with gold-colored thread on both sides and measuring five-eighths of an inch (5/8") across when pressed flat. The motorcycle trouser safety

stripe on the everyday patrol uniform shall be a one half-inch (1/2") gold-colored safety stripe.

The stripe will be double-stitched the full length of each leg along the outside seam, starting below the waistband and ending at the bottom of each pant leg.

5.855.30 Motorcycle Boots

The motorcycle boots for the everyday patrol uniform shall be black with leather uppers and a Gore-Tex waterproof membrane, a Velcro closure system, composite inner sole, internal ankle and toe protection and a nylon shin plate, similar to the Sidi On-Road Boot.

The motorcycle boots for the Motorcycle Special Assignment Uniform (5.855.40) shall be smooth, highly-shined black leather. Motorcycle boots will be English riding style with a silver buckle on the adjustment strap located at the top of the boot stack. Motorcycle boots shall be worn on the outside of the motorcycle trousers.

5.855.35 Motorcycle Patrol Uniform: Issued Equipment

All personnel assigned to the Motorcycle Unit shall be issued the following approved uniform and safety clothing/equipment.

- Gloves (1 winter).
- Motorcycle Trousers (3 each), one Special Assignment, two everyday patrol.
- Motorcycle Boots (2 pair), one Special Assignment, one everyday patrol.
- Kevlar-Lycra Motorcycle Patrol Jacket (1 each).
- D.O.T. approved motorcycle helmet (1 each), beige with forest green trim.
- Forest Green Turtleneck Sweater or Dickey (1 each).
- Safety Glasses (1 shaded, 1 clear).

5.855.45 Motorcycle Training Uniform

Personnel assigned to the Motorcycle Patrol Unit shall wear the Department-approved Class "D" Uniform, with long trousers, during motorcycle training exercises.

All personnel operating Department motorcycles and attending unified training shall wear the same uniform and safety equipment.

5.855.50 Motorcycle Uniform Jacket

The motorcycle patrol jacket shall be forest green, styled and constructed for on-road motorcycle riding, and have the following features:

- Waist cut, with two (2) zippered front pockets.
- Synthetic Kevlar-Lycra blend material, similar to the Motoport Air Mesh Kevlar Police Jacket.
- Velcro sleeve cuffs.
- Zippered front closure.
- Department standard shoulder patches, cloth badge, and American flag.
- Forest green cloth name tag with three-quarter inch (3/4") gold-colored block lettering of the member's first initial and last name, worn directly above and centered on the right breast pocket.

Rank insignia shall be displayed on the motorcycle patrol jacket, as described in section 6.315 of the Department Manual.

5.860. Off-Highway Vehicle (OHV) Enforcement Units: Safety Helmet

Deputies assigned to Off-Highway Vehicle Enforcement Units shall wear a D.O.T.-approved motorcycle safety helmet while engaging in off-highway vehicle enforcement and patrol activity.

The helmet shall:

- Be solid white in color.
- Have a full-face design.
- Have an attached visor.
- Be marked on both sides with the Department star logo.

The division commander shall ensure that all members of their Off-Highway Enforcement Unit are equipped with, and wear,

the same type of helmet, with the same markings, while engaging in off-highway vehicle enforcement and patrol activity.

5.865. Color Guard Uniform

The Color Guard Uniform worn at any public ceremonial event shall consist of the same basic items of apparel, identification, and equipment as the standard field uniform with the "dress hat".

In all cases, the long sleeve shirt, with the black "four-in-hand"-style tie, shall be worn.

The Eisenhower Jacket shall be worn by Color Guard members as deemed necessary for the ceremonial occasion.

Ceremonial events include, but are not limited to, the following:

- Funerals of peace officers and public officials.
- Award and dedication ceremonies.
- Any other functions deemed appropriate by the Department.

Volume 6 Volunteer Units and Members

6.100. Utilizing Volunteer Members

The County of San Bernardino and the Office of the Sheriff recognizes the need for the Sheriff's Department to continue in the utilization of volunteer members. Without this vital resource, the Department would be hard-pressed to provide the present level of service. The Department, therefore, encourages citizens of this County to actively join us in our fight against crime and in our efforts to protect life and property. Limited positions of volunteer service are offered throughout the Department.

6.101. Department Policy Provisions for Volunteer Forces

The provisions of the Volunteer Forces section of this manual become effective when approved by the Sheriff. All entry-level standards set forth shall be required of all volunteer applicants. Attendance, participation and certification requirements shall be met by all volunteers, regardless of length of service.

All previous volunteer manuals, orders, and other regulations of the San Bernardino County Sheriff's Department pertaining to volunteers are hereby revoked. However, orders, guidelines, and procedures established by commanders for their respective stations or divisions shall remain in effect when they

do not conflict with the provisions of the Department manual or the Volunteer Forces program manuals.

6.102. Department Volunteer Programs

The Sheriff recognizes the value of the volunteer programs to the community and the Department. The Sheriff has established four distinct volunteer programs; Reserve Deputy Sheriff, Search and Rescue, Citizen Volunteer and Explorers. Therefore, policies and procedures have been established to provide the best service to the citizens of San Bernardino County.

6.103. New Volunteer Programs

Volunteer programs may be developed at the division level; however, the programs must comply with guidelines set forth by the Volunteer Forces Unit. Such programs shall be approved by the division commander, Volunteer Forces Unit, and the Board of Deputy Chiefs before implementation.

6.104. Legality of Volunteer Forces

The San Bernardino County Sheriff's Department Volunteer Programs are in accordance with existing County ordinances and state law governing the organization, training and use of volunteers:

- Penal Code section 832.6, "Persons Deputized: Training and Duties"
- Penal Code section 830.6, "Reserve or Auxiliary Personnel"
- Penal Code section 832, "Training Course Required"
- California Government Code section 26614, "The Board of Supervisors may authorize the Sheriff to search for and

rescue persons who are lost or are in danger of their lives within or in the immediate vicinity of the County."
- County Code 12.0511, "Search and Rescue"

6.105. Sheriff's Authority

The Sheriff has unconditional authority over all Department volunteer members. Division commanders are charged with and accountable for providing appropriate supervision, direction and control of volunteer members within their jurisdiction.

6.106. Supervision of Volunteers

Volunteers representing or acting on behalf of the Department require an appropriate level of supervision. The division commander is responsible for an adequate level of volunteer supervision at each assignment or event.

The division commander shall ensure unit coordinators attend and provide supervision at all volunteer functions including, but not limited to, the following:

- Meetings
- Trainings
- Call-Out Missions
- Pre-Planned Events

6.107. Volunteer Forces Unit Commander Responsibilities

The responsibilities of the commander of the Volunteer Forces Unit include, but are not limited to, the following:

- The Sheriff's representative for California Region VI law enforcement mutual aid
- Department liaison for search and rescue to the Governor's Office of Emergency Services
- Liaison to the county Emergency Operations Center (EOC) and the Sheriff's
- Department Operations Center (DOC)
- Overall management of existing and new Department volunteer programs
- Supervise the staff, assignments and projects of the Volunteer Forces Unit
- Liaison between the division commanders for mutual aid and emergencies
- Ensure consistency of policy and procedure concerning volunteer programs

6.108. Volunteer Forces Unit Program Coordinator

The duties of a coordinator assigned to the Volunteer Forces Unit include, but are not limited to, the following:

- Management of assigned volunteer programs
- Staff positions at the Department Operations Center
- Train division-level coordinators for their assigned volunteer programs
- Development of new volunteer programs
- Review and conduct updates to existing volunteer program policy and procedure
- Liaison and mentor the division-level unit coordinators for program management, member selection, specialized training, and policy dissemination
- Collect and maintain statistical information on all volunteer units
- Duties as assigned by the sergeant and commander of the Volunteer Forces Unit

6.109. Division Level Volunteer Unit Supervisor

A division commander shall appoint a sergeant-level supervisor to provide operational-level supervision to all volunteer units under their command. The supervisor shall have a general supervisory responsibility of the volunteer unit coordinators. The supervisor shall ensure an adequate level of supervision is present at each of the volunteer unit's events. The supervisor is also responsible for ensuring that each member of the volunteer unit is meeting the minimum standards of the program.

6.110. Division Level Volunteer Unit Coordinator

The division-level volunteer unit coordinator is member of the Department appointed by the division commander to supervise one or more volunteer units. The coordinator has the responsibility for the direct supervision of the volunteers within the assigned unit(s). The volunteer unit coordinator shall be

trained in volunteer program supervision and management by the sergeant-level supervisor and Volunteer Forces.

The duties of the division-level volunteer unit coordinator may include, but are not limited to, the following:

- Management and supervision of the volunteers assigned to the unit
- Provide for the safety and well-being of volunteers at the unit's activities
- Forward copies of all volunteer annual training calendars, updated unit rosters, administrative forms and certificates to Volunteer Forces
- Coordinate the timely response of the volunteer unit during call-outs
- Attend the volunteer unit meetings, trainings and functions
- Disseminate policy and procedure
- Process volunteer applicants; (background, oral interview and application packet)
- Maintain station files on the individual personnel, unit finance and unit training
- Process volunteer injury paperwork
- Meet regularly with the volunteer unit commander to ensure the Department and division goals and objectives are being achieved
- Ensure the unit's membership report is kept updated
- Review the unit "membership report" frequently to ensure each member's compliance with the program's minimum standards
- Ensure unit statistics are properly recorded and forwarded to the Volunteer Forces Unit

6.111. Volunteer Member Discipline

Discipline of volunteer members shall be at the direction of the division commander with the concurrence of the Bureau Deputy Chief.

6.112. At-Will

A volunteer has no vested property right in their position with the Department. A volunteer may be terminated or released at any time without right of appeal.

6.113. Resignation

Volunteer members may resign at any time upon notification in writing to their unit coordinator.

6.114. Volunteer Member Retirement

Volunteer members may become eligible for retirement after serving a minimum of ten years active service. Retirement shall be granted upon the approval of the division commander and shall be based on recommendation of the member's unit coordinators. Volunteer members may receive retirement status upon confirmation of their eligibility by the Volunteer Forces Unit.

6.115. Volunteer Member Separation Procedures

When a volunteer member's service with the Department is terminated, "at-will" or otherwise, the division commander shall cause the member's identification card, badge, and Department-owned equipment, to be returned. Department-owned property includes slimline badge, building pass, administrative and financial documents, as well as all other issued equipment.

A completed volunteer separation form with the member's identification card, badge and station personnel file shall be

forwarded to the commander of the Sheriff's Volunteer Forces Unit.

Reserve deputy sheriffs separating from the Department do not have the continuation of confidentiality with the Department of Motor Vehicles (DMV). Reserve deputy sheriffs that have ever filed for DMV confidentiality shall complete and sign a DMV confidentiality form, removing the confidentiality when separating from service with the Department.

Volunteer Forces members that are terminated "at-will" shall be separated from service without right to appeal or review. Any display of credentials by a volunteer after the notice of separation, written or oral, may be considered "impersonation of an officer," a criminal offense.

6.116. Department Volunteer Badges

The Sheriff's Volunteer Forces Unit is the custodian of all volunteer metal badges. All badge purchases, issuance, repair, return after service, and requests for retirement mounting shall be completed at and through the Sheriff's Volunteer Forces Unit.

All badges are issued under the authority of the Sheriff by the Volunteer Forces Unit and shall remain the property of the Department. The volunteer member is financially responsible for its maintenance or replacement as a result of damage or loss. The loss or theft of a Department badge requires the filing of a law enforcement report with the jurisdictionally appropriate agency and a copy submitted to the division commander and the Volunteer Forces Unit.

The citizen volunteer and explorer badge is a seven-point gold tone metal star badge with the word "Volunteer" appearing on a banner located at the bottom portion of the badge. This badge may be issued to citizen volunteers and explorers with a

one-time fee. Badges returned to Volunteer Forces that are not mounted for retirement shall remain in a cache assigned to the badge purchaser's volunteer unit and available for use without additional cost to that unit.

Reserve deputy sheriffs shall be issued the Department-authorized Deputy Sheriff metal badge. Reserve deputy sheriffs are initially issued a badge without a fee. However, if the badge is requested to be mounted for retirement, a purchase of the badge will be required at that time.

Upon separation, termination, resignation or retirement, the volunteer member shall return their issued badge to the Sheriff's Volunteer Forces Unit.

6.117. Retired Volunteer Badges

A volunteer meeting the requirements of retirement may be eligible to have their metal badge presented by their unit as a permanent memento of their honorable service with the San Bernardino County Sheriff's Department. The badge shall be mounted on a plaque or encased in plastic and designed to ensure the badge cannot be removed.

The cost of the mounting shall be the responsibility of the presenting unit. Badges requiring repair before retirement are the financial responsibility of the retiring volunteer member.

Citizen Volunteer badges are initially purchased by the member and only require the payment of mounting. Citizen volunteers qualifying for retirement that have never purchased a badge may purchase a metal badge for the sole purpose of their retirement plaque or encasement. Reserve deputy sheriff

badges require the purchase of the badge at the time of the retirement request for the mounting or encasement.

Notification of the intention to mount or encase a retirement badge shall be directed to the Volunteer Forces Unit by the division commander. The retired member's badge shall be delivered to the Volunteer Forces Unit for preparation at least 30 days in advance of the intended presentation date.

6.118. Volunteer Injuries on Duty

Volunteer personnel shall immediately report all on-duty injuries to their supervisor. Volunteers shall be provided all necessary emergency medical treatment for injuries received while on-duty.

6.119. Serious Injury or Death

If a volunteer member is seriously injured or killed while on duty, the supervisor shall immediately notify the division commander. The division commander shall make the appropriate notification to the member's family and provide the required assistance.

6.120. Volunteer Unit Inspections

All volunteer unit equipment and administrative files are subject to inspection by the unit coordinators, division commander and the Volunteer Forces Unit.

6.121. Administrative Audit

The Volunteer Forces Unit shall conduct an annual audit of all volunteer units' local personnel folders. This audit shall be scheduled in advance with the unit coordinator.

6.122. Record of Volunteer Duties

Unit coordinators shall maintain records of all duty and training assignments including the names of participating members, date, time, type of event, and the number of hours worked. Sign in-out forms and/or roll call shall be utilized at each volunteer event or activity.

All volunteer members shall document their duty and training hours on an individual participation worksheet. Each volunteer must submit their individual participation worksheet to the unit's secretary or coordinator at the conclusion of each month.

Unit coordinators shall cause a month-end report to be prepared of the entire unit's monthly participation. Unit coordinators shall securely maintain a file of their month-end reports for two calendar years.

A copy of each monthly report shall be forwarded to the Volunteer Forces Unit no later than the fifth day of the following month.

6.123. Volunteer Unit Membership Report

All volunteer units shall complete and maintain a current membership report. Volunteer units must utilize the current and approved membership report published by Volunteer Forces.

The Department's volunteer membership reports are available in formats of the four volunteer programs; Citizen Volunteer, Search and Rescue, Reserve Deputy Sheriff and Explorer Scout. The membership report matches the tracked categories of the individual statistic reports submitted monthly by each volunteer.

The unit coordinator shall ensure the volunteer unit's membership report is updated monthly. Information to complete the report shall be obtained from individual monthly

statistics forms, meeting, functions and training roll calls sheets and submitted certifications. The tracking of hours on the report should be utilized to submit the monthly unit statistic report to Volunteer Forces.

The unit coordinator should also utilize the membership report to evaluate the unit and its members for effectiveness and compliance with the volunteer program's requirements.

On or before December 31 of each year, every volunteer unit shall submit a completed membership report to the division commander and Volunteer Forces.

6.124. Station Personnel File

The station personnel file is a volunteer member's temporary working file and shall be maintained by the division having jurisdiction of the unit where a volunteer is assigned. Appropriate security measures shall be followed to maintain the confidential nature of the file.

Unit coordinators shall create a station personnel file for each volunteer with a copy of an applicant's completed application folder, (excluding background investigation). Copies of all certifications and/or documents shall be placed in the station

personnel file with a copy sent to Volunteer Forces for the member's permanent personnel file.

The station personnel file shall contain the following information:

- Certification and training certificates
- Member evaluation reports
- Current personnel reports
- Records of required specialty training and/or certification
- Emergency Information Sheet

Upon the separation of every volunteer member, the unit coordinator shall forward their station personnel file to the Volunteer Forces Unit. Appropriate care shall be taken during the transfer of documents due to the file's confidential nature.

6.125. Permanent Personnel File

The Volunteer Forces Unit shall maintain a permanent personnel file for all volunteers in the Citizen Volunteer, Search and Rescue and Explorer Scout Programs.

The Internal Affairs Division maintains the permanent personnel file for all Reserve Deputy Sheriffs. All documents for a Reserve Deputy Sheriff's permanent personnel file shall be forwarded to Internal Affairs.

The member's permanent personnel file shall contain the member's confidential background information, citizen complaints, disciplinary actions, positive personnel reports, certifications, and any other pertinent information as deemed appropriate by the division commander.

6.126. Department Volunteer Program Manuals

The Volunteer Forces Unit shall create and maintain Department volunteer manuals for each of Department's

volunteer programs; Reserve Deputy Sheriff, Search and Rescue, Citizen Volunteer and Explorer Scouts. Each manual will detail the current policy, procedure and responsibilities for the volunteer programs.

Each Manual shall be posted on Starlink and at least one hard copy shall be kept at each division that supervises volunteers.

Volunteer Forces shall initiate an annual review of each volunteer manual. Volunteer Forces will update the manuals as necessary in consultation with the bureau Deputy Chief.

6.127. Responsibility to Follow Volunteer Manuals

Members shall follow the policy and procedures outlined in the Department volunteer program manuals in order to ensure accuracy and consistency in the Department's volunteer programs. If a conflict occurs between the Department manual and the content of the volunteer manuals, the Department manual shall be followed.