PREFACE
The Alhambra Police Department Policy Manual provides the framework to perform our law enforcement mission and service to the community. These policies have been established as a result of ever-changing processes, standards and the assimilation of legal and best practice principles in the law enforcement profession. These policies provide you with the tools to carry out your law enforcement responsibilities.

All members of this department are held to the highest standards by the citizens we serve and adherence to these policies is one of the requirements of these standards. The specific goals and priorities which we establish within the limits of our legislatively granted authority are determined to a large extent by community desires. These desires are transmitted to us through the community and the governing body of the City of Alhambra. We conscientiously strive to be responsive to these desires, knowing full well that we exist not to serve ourselves, but to serve and protect others, and as such, department personnel are accountable to the people for their decisions.

It is incumbent upon us to constantly be aware of these policies, our values, our mission, our principles, our Code of Ethics, and our Oath of Office as we carry out our duties each and every day. By doing so we can be confident that our mission will be carried through and our character will shine for other to emulate.

Timothy K. Vu

Chief of Police
Alhambra Police Department
LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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

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

ALHAMBRA POLICE DEPARTMENT
MISSION STATEMENT

THE MISSION OF THE ALHAMBRA POLICE DEPARTMENT IS TO PREVENT CRIME, TO PROTECT LIVES AND PROPERTY, PRESERVE THE PEACE AND ORDER OF THE COMMUNITY AND BUILD A POSITIVE RELATIONSHIP WITH THE COMMUNITY WE SERVE.

VALUES

TRUSTWORTHINESS
RESPECT
RESPONSIBILITY
FAIRNESS
CARING
CITIZENSHIP
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Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Alhambra Police Department to perform their functions based on established legal authority.

100.2 POLICY
It is the policy of the Alhambra Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate the abuse of law enforcement authority.

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

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE ALHAMBRA POLICE DEPARTMENT
The arrest authority within the State of California is as follows (Penal Code § 830.1):

a. As to any public offense committed or which there is probable cause to believe has been committed with the jurisdiction of the Alhambra Police Department.
b. Where the peace officer has the consent of the Chief of Police.
c. As to any public offense committed or which there is probable cause to believe has been committed in the officer's presence and there is immediate danger to a person or property, or of the escape of the perpetrator of the offense.
d. Arrest pursuant to a warrant.

1. For out-of-county warrants, the arresting officer shall inform the arrestee, in writing without delay, of the right to be taken before a magistrate in this county (Penal Code § 821; Penal Code § 822):

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE ALHAMBRA POLICE DEPARTMENT
The arrest authority outside the jurisdiction of the Alhambra Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person committed a felony.

(b) When the officer has probable cause to believe the person has committed a misdemeanor in the presence of the officer and the officer reasonably believes there is immediate danger to person or property or of escape.
Law Enforcement Authority

(c) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized even if not committed in the presence of the officer such as certain domestic violence offenses and there is immediate danger to person or property or of escape or the arrest is mandated by statute.

(d) When authorized by a cross jurisdictional agreement with the jurisdiction in which the arrest is made.

(e) In compliance with an arrest warrant.

On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed with the City or while assisting another agency.

On-duty officers who discover criminal activity outside the jurisdiction of the City should when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

100.3.3 TIME OF MISDEMEANOR ARRESTS
Officers shall not arrest a person for a misdemeanor between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day unless (Penal Code § 840):

(a) The arrest is made without a warrant pursuant to Penal Code § 836 which includes:
   1. A misdemeanor committed in the presence of the officer.
   2. Misdemeanor domestic violence offenses (See the Domestic Violence Policy).

(b) The arrest is made in a public place.

(c) The arrest is made with the person in custody pursuant to another lawful arrest.

(d) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

100.3.4 OREGON AUTHORITY
Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles from the California-Oregon border (ORS 133.405). Such authority shall only apply when officers are acting:

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life, and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents or other similar public safety situations, regardless of whether an Oregon law enforcement official is present at the scene of the incident.
Law Enforcement Authority

Alhambra Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

100.4 INTERSTATE PEACE OFFICER POWERS
Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters an adjoining state in close or fresh pursuit of a person believed to have committed a felony (ARS § 13-3832; NRS 171.158; ORS 133.430).

The person arrested out of state must be taken without unnecessary delay before a magistrate of the county in which the arrest was made (ARS § 13-3833; NRS 171.158; ORS 133.440).

100.5 CONSTITUTIONAL REQUIREMENTS
All members shall observe and comply with every person’s clearly established rights under the United States and California Constitutions.
Chief Executive Officer

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

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

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

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

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

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

102.4 MAINTENANCE OF RECORDS
The oath of office shall be filed as prescribed by law (Government Code § 3105).
Policy Manual

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

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

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

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

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

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

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).
CHP - The California Highway Patrol.
City - The City of Alhambra.
Non-sworn - Employees and volunteers who are not sworn peace officers.
Department/APD - The Alhambra Police Department.
DMV - The Department of Motor Vehicles.
Employee - Any person employed by the Department.
Juvenile - Any person under the age of 18 years.
May - Indicates a permissive, discretionary or conditional action.
Member - Any person employed or appointed by the Alhambra Police Department, including:
  • Full- and part-time employees
  • Sworn peace officers
  • Reserve, auxiliary officers
  • Non-sworn employees
  • Volunteers.
Officer - Those employees, regardless of rank, who are sworn peace officers of the Alhambra Police Department.
On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.
Order - A written or verbal instruction issued by a superior.
POST - The California Commission on Peace Officer Standards and Training.
Rank - The title of the classification held by an officer.
Shall or will - Indicates a mandatory action.
Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.
Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.
The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

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

**USC** - United States Code.

### 103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### 103.5.1 MANUAL ACCEPTANCE

As a condition of employment, all employees are required to read and should obtain necessary clarification of this department's policies. Employees with questions about the Policy Manual may direct them to their respective supervisor for clarification. All employees are required to sign a statement of receipt acknowledging that they have received a copy, or have been provided access to the Policy Manual and understand they are responsible to read and become familiar with its contents.

### 103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

### 103.7 REVISIONS TO POLICIES

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

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

Each Assistant Chief will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Assistant Chiefs, who will consider the recommendations and forward them to the command staff as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

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

200.2  DIVISIONS
The Chief of Police is responsible for administering and managing the Alhambra Police Department. The Chief of Police has the ultimate responsibility for the discharge of all duties imposed on the Department by law and is the final authority in matters regarding Departmental policies, procedures, rules and regulations.

Professional Standards Unit - Reports directly to the Chief of Police and is responsible for Internal Investigations and Pitchess Motions.

There are two sections in the Police Department as follows:

- Support Services Section
- Field Services Section

200.2.1  SUPPORT SERVICES DIVISION
The Support Services Assistant Chief is charged with directing the work of personnel assigned to the Division and has the responsibility for developing plans and procedures, instituting administrative controls and maintaining a liaison with both public and private organizations in matters of mutual interest. The Support Services Division is commanded by an Assistant Chief whose primary responsibility is to provide general management direction and control, and for conducting follow-up investigations, prosecute criminal offenders and administrative functions within the Department. The Support Services Division consists of the following assignments:

Detective Section - is responsible for conducting investigations, providing investigative services, arresting criminal offenders, and recovering property. The Detective Section consists of investigators assigned to Crimes Against Persons, Crimes Against Families (including Youth Services Counseling), Crimes Against Property, and Crime Analysis.

- **Detectives**: Criminal Investigations is responsible for the follow-up investigations of all cases except those assigned to the Community Oriented Policing Section.
- **Case Assignments**: are divided into three categories; crimes against persons, crimes against property, and narcotic/vice investigations.
- **Juvenile Crimes**: investigates all reports involving juveniles as victims of crimes, such as sexual or physical abuse.
- **Property and Evidence**: is responsible for the administration and safekeeping of incoming evidence and property. Responsibilities also include the security, records keeping, chain of custody of property and evidence seized by Department personnel.
Organizational Structure and Responsibility

- **Crime Analyst**: determines crime trends based upon reported crimes occurring within the community; identifies suspects involved in criminal activity; develops and distributes crime analysis bulletins reflecting trends and suspect information.

Special Enforcement Unit (SEU) - is responsible for the investigation of Vice, Intelligence Gathering, Narcotics and Alcohol related crimes and Gang activity.

- **West Covina Special Enforcement Team**: a police detective may be assigned to this regional crime suppression team comprised of sworn personnel throughout Los Angeles County, along with State and Federal agencies. This assignment is at the discretion of the Chief of Police.

- **Street Enforcement Team**: is responsible for the gathering of intelligence and investigation of street level crimes, directed enforcement and assists in the prosecution of the associated cases.

Personnel and Training Section - is responsible for the selection and background investigations of prospective personnel, METR (Managing Employee Training Records), and the oversight of police recruits in training (including police reserve officers). It is also responsible for the maintenance of the Department's range and firearms training, the issuance and maintenance of department equipment and Personnel Files.

- **Communications Section**: dispatchers are responsible for receiving and transmitting requests for service to police and fire personnel.

Records and Information Technology Section - is responsible for compiling, maintaining, and disseminating information regarding crimes, arrests, and incidents. Manages APD's warrant information and the Department's records, prepares statistical reports, and develops Department forms. The Records Manager is designated as the Department's Custodian of Records.

- **Department's Custodian of Records**: is the Records Manager.

Administrative Finance - prepares the Police Department's fiscal and accounting records, and is responsible for facilitating all purchases, requisitions and payments.

Jail Services Section: oversees the care and custody of all persons arrested and detained at the Department. Contract personnel in jail services regulate and enforce jail facility security measures and the processing of persons booked and detained in the facility.

200.2.2 FIELD SERVICES DIVISION
The Field Services Assistant Chief is charged with directing the work of personnel assigned to the Division and has the responsibility for developing plans and procedures, instituting administrative controls and maintaining a liaison with both public and private organizations in matters of mutual interest. The Field Services Division commanded by an Assistant Chief whose primary responsibility is to provide general management direction and control for that Division. The Field Services Division consists of the following Sections:
**Organizational Structure and Responsibility**

**Patrol Section** - consists of uniformed personnel utilizing Community Oriented Policing philosophy and the application of thorough problem solving techniques, the Patrol Section has the primary responsibility for:

- Safeguarding the community through the prevention of crime
- Suppression of criminal activity
- Investigating crimes, allegations of criminal conduct and the submission of appropriate reports
- Identifying, arresting and assisting in the prosecution of criminal offenders, and
- Enforce traffic laws and investigate traffic collisions

**Traffic Unit** - provides investigations of traffic accidents, filing traffic related cases with the District Attorney's Office, traffic enforcement, and traffic control services. The Traffic Section also provides parking enforcement and crossing guard services. The Traffic Section Supervisor oversees the care and preventative maintenance of the Department's motor vehicle fleet.

**Field Training Officer Program** - introduces newly assigned officers to the personnel, procedures, policies, purposes and policing philosophies of the agency and the day-to-day duties of its personnel. New officers are assigned to Field Training Officers (FTO), who specially selected and trained for this assignment.

**Police Reserve Unit** - serve a very important part of a successful volunteer program. The Department seeks and encourages properly trained citizens who wish to volunteer their talents towards service to the community through law enforcement.

**Police Volunteers** - are utilized to supplement and provide an additional level of service to the public that may not otherwise be available. Volunteers may assist all Divisions of the Department.

**Crime Prevention** - coordinates the activities of the citizen volunteers as well as presenting seminars to the public. The Crime Prevention also coordinates neighborhood watch, abatement, children’s safety and other programs that promote crime reduction efforts in the city.

**Community Oriented Policing and Problem Solving (COPPS) Unit** - facilitates the Department and community efforts to solve problems and reduce crime by utilizing community policing strategies. The Community Policing Sergeant organizes various City departments and outside agencies to address criminal activities while building rapport between city government and the community we serve.

**200.3 COMMAND PROTOCOL**

**200.3.1 SUCESSION OF COMMAND**

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate an Assistant Chief to serve as the acting Chief of Police.
Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

(a) Support Services Assistant Chief  
(b) Field Services Assistant Chief  
(c) Watch Commander

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

200.3.3  DELEGATION OF AUTHORITY AND RESPONSIBILITY

(a) Commensurate authority accompanies the delegation of supervisory/command responsibility. Relief command personnel and acting supervisors assume the same responsibility and command the same respect and response to command as the regular supervisor. It is not mandatory that the supervisors always designate the senior employee as the acting commander/supervisor. The appointing authority should assign the employee he/she feels can best carry out the responsibilities of the position.

(b) If a supervisor/commander is absent without having made the appointment of an acting supervisor/commander and supervisory decision becomes necessary, the senior highest ranking employee assumes authority and becomes responsible accordingly.

(c) When delegating authority, each employee is fully accountable for his/her decision to delegate authority, and also for the failure to delegate authority.

200.3.4  SUPERVISORY ACCOUNTABILITY FOR EMPLOYEES
All assistant chiefs, commanders, managers, supervisors and coordinators, or those delegated to such responsibilities, are responsible for the performance of employees under their immediate control.

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

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

201.1.1 DEPARTMENT ORDER PROTOCOL
Department Orders will be incorporated into the manual as required upon approval of Staff. Department Orders will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

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

Any Department Orders issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number 01. For example, 16-01 signifies the first Department Order for the year 2016.

201.2 RESPONSIBILITIES

201.2.1 STAFF
The staff shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Department Order.

201.2.2 CHIEF OF POLICE
The Chief of Police shall issue all Department Orders.

201.3 ACCEPTANCE OF DEPARTMENT ORDERS
All employees are required to read and obtain any necessary clarification of all Department Orders. All employees are required to acknowledge in writing the receipt and review of any new Department Order. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Personnel and Training Manager.
Emergency Management Plan

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

202.1.1 DISASTER COUNCIL
(a) The Disaster Council is created per AMC § 2.20.030 and consists of the following members:
1. Mayor, chairman
2. City Manager, vice chairman
3. Fire Chief
4. Chief of Police
5. Assistant City Manager, Director of Public Works
6. Deputy City Manager
7. Director of Community Services
8. Director of Development Services
9. Police Captain
10. Deputy Fire Chief
11. Deputy Director of Public Works
(b) The Disaster Council is a standing committee whose duty is to review and recommend emergency and mutual aid plans and agreements for adoption by the City Council (AMC § 2.20.040).
(c) The City Manager is designated as the Director of Emergency Services/EOC Director.
(d) The Disaster Council is responsible for the continued development of the City of Alhambra's Multi-Hazard Functional Plan. The Multi-Hazard Functional Plan provides for the effective mobilization of all of the resources of the City, both public and private, to meet any condition constituting a local, state or federal emergency (AMC § 2.20.110).

202.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Management Plan or The Multi-Hazard Functional Plan can be activated on the order of the official designated by local ordinance.
Emergency Management Plan

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

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

202.3 LOCATION OF THE PLAN
The Emergency Management Plan is available in Support Services, the EOC and the Watch Commander's office. All supervisors should familiarize themselves with the Emergency Management Plan and the Alhambra Police Department's Multi-Hazard Functional Plan per AMC § 2.20.110. The Support Services supervisor should ensure that Department personnel are familiar with the roles police personnel will play when the plan is implemented.

202.4 UPDATING OF MANUALS
The Fire Department Chief or his/her designee shall review the Emergency Management Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any needed revisions.
Training Policy

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

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

203.3 OBJECTIVES
The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public
(b) Increase the technical expertise and overall effectiveness of our personnel
(c) Provide for continued professional development of Department personnel

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

• Critical Issues Training
• Legislative Changes
• State-Mandated Training
• POST Mandated Training
• Supervisor Leadership Institute (SLI)
• Departmental needs and objectives

203.5 TRAINING NEEDS ASSESSMENT
The Training Section will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.
203.5.1 IN-HOUSE TRAINING
The Personnel and Training Section will coordinate and implement all in-house training. The course record will include a roster of persons attending, the topic or course content (with lesson plans), and the performance or test results of each person.

Lesson plans will be developed for the job-related training courses and include the following elements:

- Emphasize the elements of the job-task analysis for the intended training
- A clear statement of the course objectives
- A basis for the evaluation of the participants and effectiveness of the training course

203.5.2 SPECIALIZED TRAINING
Specialized training is required for proficiency in a variety of assignments. The objectives of specialized training are:

- The development and/or enhancement of skills, knowledge, and abilities particular to the specialization or assignment
- The management, administration, supervision, and personnel policies of the assignment
- The performance standards of the assignment
- The agency's policies, procedures, rules and regulations. A period of supervised, on-the-job training may be incorporated into the training program

203.5.3 RECRUIT TRAINING
Police recruit trainees are required by law and POST regulations to attend a POST certified Basic Academy. Police recruit trainees will not be assigned general law enforcement duties until completion of academy training. Once assigned to attend the academy, police recruits are under the direct supervision of the academy staff. The Department Training Supervisor or his/her designee will serve as the immediate supervisor and liaison between the Department and the Academy.

A Police Officer Recruit is a non-sworn position. Upon completion of the basic academy, and with the approval of police management, the Police Officer Recruit will be placed into the classification of Police Officer.

203.5.4 CIVILIAN TRAINING
Upon employment with the APD, all civilian personnel will receive training provided by the City of Alhambra familiarizing them with their rights, responsibilities, and benefits.

In addition to any orientation training, employees assigned to specialized assignments will receive specific training for their duties. All civilian employees will receive additional or annual training as directed by legal mandates or Department policy.
203.6 TRAINING COMMITTEE
The Training Manager shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Administrative Services Division Commander, in consultation with the Training Manager, may remove or replace members of the committee.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

(a) Any incident involving the death or serious injury of an employee.
(b) Incidents involving a high risk of death, serious injury or civil liability.
(c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Training Manager to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Manager. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Manager will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

203.6.1 DEPARTMENT LESSON PLANS
All instructors conducting in-house training courses for Department personnel must have a lesson plan for each course of instruction. Instructors should utilize the POST Perishable Skills Program Overview and Implementation Guidelines available from the Training Officer; and/or other pertinent instructor development materials in the preparation of course outlines. Course outlines will be approved by the Personnel and Training Supervisor or his/her designee and should include the following:

(a) Lesson plans will be developed by certified instructors;
(b) Training objective, describing performance and job related relevance;
(c) Course outline and content of training;
(d) Hourly distribution of formal training;
(e) Safety policy, if required;
(f) Practical or written tests to be administered, if any.

Course outlines will include POST Guideline category and sub-category references for submittal to POST for course approval, if required. Submittal to POST for course approval will be completed by the Training Officer with the assistance of the instructor designing the course.

All primary instructors shall attend a POST approved instructor’s course for the particular subject matter to be instructed prior to conducting department training, if such instructor course is offered. Personnel may serve as assistant instructors under the direction of a POST trained instructor. All internal courses of instruction will have a certified instructor present during training.

203.7 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
   1. Court appearances
   2. First choice vacation
   3. Sick leave
   4. Physical limitations preventing the employee's participation.
   5. Emergency situations

(b) When an employee is unable to attend mandatory in-house training, that employee shall:
   1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
   2. Document his/her absence in a memorandum to his/her supervisor.
   3. Make arrangements through his/her supervisor and the Training Manager to attend the required training on an alternate date.

(c) When an employee is unable to attend scheduled outside training, that employee shall:
   1. Contact the Personnel and Training Section as soon as practicable.
   2. In their absence contact the Watch Commander as soon as practicable.
   3. When an employee is unable to attend an assigned training course, the Personnel and Training Section or Watch Commander will notify the employee's Division/Bureau Commander.

203.7.1 TRAINING REIMBURSEMENT

When an employee is assigned training outside the Department, the Department will reimburse the employee for expenses associated with the training. The Personnel and Training Supervisor or his/her designee, is responsible for coordinating travel arrangements, training expense advances
and reimbursement (if any) in compliance with the City of Alhambra Travel Reimbursement Policy guidelines. The decision to use a city vehicle for travel versus the payment of mileage reimbursement will be made by the employee with the approval of his/her supervisor. Mileage reimbursement rates will be determined by the guidelines established by POST.

203.7.2 TRAINING CERTIFICATES
The training manager or his/her designee will be responsible for the coordination of naming personnel to attend training, and maintain records of those attendees. The employee will submit certification of all completed training to the Personnel and Training Section who will update the employee's Training Files. Training Files are for Department use only, but may be released to other agencies with the appropriate waiver or court order.

203.7.3 REMEDIAL TRAINING
If assigned training is not completed satisfactorily or practical/written tests are not passed, remedial training shall be given as soon as practical. Remedial training should be provided until such time that the employee can satisfactorily pass the required training or test, or until he or she has demonstrated a failure to respond to the training provided. Remedial training may include a Performance Improvement Plan (PIP), if appropriate. If an employee refuses or fails to respond to remedial training, they may be subject to disciplinary action.

203.7.4 CALEA ACCREDITATION TRAINING
The Professional Standards Unit will ensure that all personnel are familiar with CALEA accreditation and its impact on the Alhambra Police Department. The purpose of this training is to familiarize department members in all areas of accreditation including, but not limited to, history and background, the agency’s involvement in the process including the self-assessment phase, the goals and objectives, and the impacts of accreditation on the organization. Agency personnel shall receive this training by the accreditation manager as follows:

(a) To all newly hired agency personnel within thirty days of their date of hire.
(b) To all agency personnel during the self-assessment phase associated with achieving initial accreditation.
(c) To all personnel prior to an on-site assessment.

Due to the specialized role, any agency personnel assigned to the role of accreditation manager shall receive specialized accreditation manager training within one year of appointment. The newly selected manager should also attend at least one CALEA Conference during the current award period for additional training as well as participate in available Police Accreditation Coalition (PAC) groups.

203.8 DAILY TRAINING BULLETINS
The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Alhambra Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Manager.
Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Manager. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log-off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

203.9 ALHAMBRA TRAINING CENTER

The Alhambra Training Center incorporates a cityscape scenario that can be added onto or changed. The Training Center consists of a system of sewer tunnels, a four story fire tower and several rooms that depict residential or commercial. Additionally, there are doors specifically designed for picking/prying and ramming. The doors for prying are designed to be reset with their existing hardware. The door for ramming requires a wooden or plastic dowel for each door breach (dowels can be obtained from the Watch Commander).

The guidelines for police personnel wanting to use the training center shall be as follows:

(a) Supervisory approval is required before conducting training at the facility.

(b) Notification via email to the AFD Battalion Chief assigned to manage the Training Center. The notification can be via e-mail or memorandum indicating the desired date and time of the proposed training, type of training to be conducted and the APD approving supervisor. The AFD Battalion Chief must approve the requested training.

(c) Upon receiving approval of the requested training, a supervisor (with a minimum rank of sergeant) must be present at during all aspects of the training. AFD personnel may assist with any set-up or changes we may desire.

(d) At the time of the scheduled training, a supervisor will check-in with the Watch Commander and obtain the card reader and key for the Training Center (key #46).

(e) Upon completion of the training, personnel shall ensure the Training Center is properly returned to its original condition.

(f) The supervisor assigned to manage the training session is responsible for the following:

1. Return the key to the Watch Commanders' Office
2. Report any injuries, damage or unusual occurrences to the Watch Commander and to their respective Division Commander
(g) Exception to the above listed guidelines would be when personnel opt to train on a spontaneous basis (i.e. graveyard officers, when another type of planned training was not available at the time, etc.). Prior to commencing a spontaneous training sessions, officers shall:

1. A supervisor (with a minimum rank of sergeant) has approved the proposed training and will be present at the Training Center for the duration of the session
2. Receive approval from the Watch Commander
3. Ensure that there is no scheduled training at the time and no one is currently utilizing the facility
4. An email is sent to the AFD Battalion Chief assigned to manage the Training Center
5. Abide by the protocols established in § 208.8(e) and (f), above

(h) Any questions or concerns should be directed to the Personnel and Training Section supervisor.
Use of Training Funds for Schools, Seminars, etc.

204.1 PURPOSE AND SCOPE
The City will reimburse employees for expenditures directly related to attendance at approved schools, seminars, conferences, meetings and etcetera. In order to establish uniformity in the use of City funds the following guidelines shall be used whenever possible.

204.2 APPROVAL
All requests for training shall be submitted on an Alhambra Police Department's "Request for Specialized Training" form and processed through the chain of command. Once the request has been approved, the Personnel and Training Section will notify the employee.

204.2.1 COORDINATION
During the approval process, the employee’s supervisor will schedule the employee for the training and before final approval will indicate whether or not overtime is needed. After final approval, the Personnel and Training Section will coordinate all reservations and preparation for attendance. Personnel will be provided with all of the necessary information prior to their attendance at the course.

204.3 REIMBURSEMENT
Personnel attending Department approved training will be reimbursed for expenses incurred in accordance with City and Department policy (also refer to Alhambra Municipal Code § 2.60). All necessary forms, receipts and mileage documentation when appropriate, shall be turned in to the Personnel and Training Section no later than five (5) working days following the employee's return from the training site. It is important to adhere to this "five day period" in order for the Personnel and Training Section to process timely reimbursement credits.

The cost of accommodations will be reimbursed or paid directly by the Department based upon POST standards.

204.4 TRANSPORTATION
Transportation to and from a school, seminar or conference will be reimbursed by the Department based on the following:

(a) The employee will secure the most economical mode of transportation in keeping with availability, convenience and propriety.

(b) When air travel is appropriate, coach class will be utilized whenever possible.

(c) A Department vehicle will be used when appropriate.

(d) A private automobile may be used when appropriate. Reimbursement for such use will follow POST standards.
Use of Training Funds for Schools, Seminars, etc.

204.4.1 VEHICLE TRANSPORTATION

(a) When a Department-owned vehicle is driven to a training/conference location, a fuel credit card will be provided to facilitate travel to the site.

(b) Employees may be required to use their personal vehicles and submit a claim for mileage. Mileage reimbursement will be at the current approved rate per POST standards.

1. Mileage will be approved between the police station and the lodging/training site, or from the employee’s residence and the lodging/training site, whichever is less.
   (a) If the employee must first come to the APD station, then mileage will be calculated from the police station to the lodging/training site.

2. Daily mileage is allowed between lodging site and the course site.

3. Personal business mileage is not allowed.

4. Required training materials, necessary transportation (i.e., taxi, bus, shuttle, or rental of vehicle) required to conduct city business will be reimbursed as separate items. Receipts must accompany these items.
   (a) Tips will not be reimbursed.

(c) Whenever two or more employees are attending the same training school or conference, and upon approval from the Support Services Division Commander, reimbursement of travel for more than one vehicle driven to the course is allowed. Carpooling is encouraged.

(d) In some cases, it may be more practical to fly rather than drive to a training site and in other instances driving may be better due to the remote location of the facility. In each case, the Support Services Division Commander will determine the appropriate mode of travel.
   (a) Employees who wish to travel by personal vehicle may do so; however, reimbursement will be made on the basis of airfare or mileage, whichever is less.

204.4.2 AIR TRANSPORTATION

All reservations for air transportation will be made by the employee in coordination with the Personnel and Training Section for accommodations consisting of coach class travel.

204.5 OVERNIGHT STAYS AT RESIDENT SCHOOLS

(a) When an employee is required to remain at the conference or training site for an entire day (24 hours), the Department will furnish the employee a hotel room at the currently approved per diem rate, as determined by POST standards. Receipts will be required.

(b) Whenever the employee is en route to, or returning from, a resident training program and the travel time continues through a meal period, purchase of that meal may be
claimed. No receipts are required. Travel time, if four hours or more the employee is entitled to one prorated meal. Travel time greater than eight hours, the employee is entitled to two meals.

(c) When meals are included as a part of the conference or seminar registration fee, the subsistence allowance will be prorated on meals not covered. No receipts are required.

204.5.1 COMMUTER TRAINING - LUNCH ALLOWANCE
"Commuter Training" is defined by POST as an individual who attends a training course and travels between his/her agency or station assignment or residence and the course site each day.

(a) Employees who fall under the definition of a commuter trainee will receive a flat allowance at the current City policy approved rate if the training is POST reimbursable.

(b) When lunch is provided as part of the training, the employee will not receive a lunch allowance.

204.5.2 LODGING

(a) When one employee requires lodging, only the single room rate will be reimbursed. The City will not reimburse employees for lodging expenses incurred by family members when an employee's family accompanies him/her, or for any charges above the single occupancy rate if the hotel charges more for additional guests in the same room. If such lodging is in connection with a conference, lodging expenses must not exceed the conference group single occupancy rate published by the conference sponsor, if such rates are available at the time of booking. If conference group single occupancy rates are not available, employees and officials should request the "Government Rate" when available. In the event that government rates are not available, the charges shall be based on the lowest single occupancy rates available.

(b) It will be necessary for employees to retain the lodging receipt and turn it in after completion of the training program.

204.5.3 NON-REIMBURSABLE EXPENSES
Unless having received prior approval from a Division Commander or his/her designee, items of a personal nature are not reimbursable including: alcoholic beverages, movies, entertainment, premium television services, snacks, dry-cleaning, spas, gyms, barber, magazines, shoeshine, travel insurance, supplemental insurance on rental cars, toiletries, loss of tickets, fines or traffic violations, excess baggage, lecture tapes or books, the incremental cost for spouse or guest accommodations, shipments from conference, non-essential toll roads fees, or other items of a personal nature.

204.6 MISCELLANEOUS

(a) Travel time to and from school locations is compensable time worked under the following provisions:
Use of Training Funds for Schools, Seminars, etc.

1. An employee attending a departmentally approved or required lecture, meeting or training program shall be compensated according to FLSA regulations. Travel time to and from the training site will be compensated according to the travel time/call back formula listed below.

   (a) **One-day trips** - Travel time is normally considered work time, unless between home and a public conveyance which is comparable to normal travel time and duty-free mealtime, need not be counted.

   (b) **Overnight trips** - Employees required to travel by the employer, as a passenger on a public conveyance or in an automobile is considered to be working (except for meal periods or sleep time). An employee, as a passenger, will be compensated for hours worked for travel time spent during normal working hours, whether or not the travel occurs on a work day or day off. An employee, who is required by the employer to drive, shall be compensated for all travel hours except for regular meal periods or sleep time.

1. **NOTE:** If approved by a supervisor, an employee will be compensated for travel time as hours worked for the shortest mode of transportation. Example, if an employee is required to work in San Francisco and air flight time is considered to be two hours. The employee will be compensated for two hours travel time worked even though he/she chooses to drive by automobile, it is approved, and it take him/her seven hours to drive.

(b) Employees will not be compensated for lectures, meetings, or training programs unless receiving prior approval from a supervisor.
Electronic Mail

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

205.1.1 DEFINITIONS
Electronic Mail (Email) - Email may include non-interactive communication of text, data, images or voice messages between a sender and designated recipient(s) by systems utilizing telecommunications links. It may also include correspondence transmitted and stored electronically using software facilities called "Email", "facsimile" or "Instant Messaging" system; or voice messages transmitted and stored for later retrieval from a computer system.

Public Record - Any record relating to the conduct of the public's business prepared, owned, used or retained by the City regardless of physical form or characteristics.

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

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

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

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

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or an Assistant Chief. Personal advertisements are not acceptable.
Electronic Mail

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

205.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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

205.4.1 RETENTION OF EMAIL

(a) No e-mails stored on the City's systems shall be considered by the City to be retained in the ordinary course of business, with the exception of e-mails containing content required to be retained by law.

(b) E-mails regarding policies, decision-making, contracts, direction to staff or consultants, which in the employee's judgment, could qualify as a Public Record should be retained. Employees with any question as to whether an e-mail should be retained shall consult with their supervisor or the City Attorney. Once it is determined that an e-mail is a Public Record, the employee shall print a hard copy of the Public Record, or save it in an electronic format outside of the Outlook Inbox file to a separate distinct e-mail folder or other computer project file.

(c) Any email older than 90 days will be automatically deleted from the system, unless it is saved under the Public Record folder. Storing in another database is a violation of City policy. This includes all messages in your Sent Items, Inbox, and Deleted Items folders. Contact Information Technology (IT) staff for further details.

(d) Litigation Holds: Notwithstanding anything to the contrary in this policy, upon direction from the City Attorney's office concerning a "litigation hold" all e-mails that fit the description in such litigation hold shall be retained by either printing or storing locally for the duration of the litigation hold.

205.4.2 USING E-MAIL ADDRESSES ON THE INTERNET

Because websites are routinely scanned for email addresses (looking for the "@" and extensions like ".org", ".gov", etc.) so they can be added to a distribution list, the City recommends that employees do not post complete email addresses on the Internet. Instead, the email address should be set up as a link from the employee's name. If the need to list an email address on the Internet is required, the email address should be spelled out (i.e., "john smith at city of alhambra dot org").
205.5 CHECKING OF E-MAIL WHILE ON-DUTY
It is important that all employees of this department check their respective e-mail messages at least twice a day during their assigned shift. It is recommended that the checks be made at both the beginning and again just prior to the end of your shift. Important messages, as well as general information, will be sent department-wide through the e-mail system. Therefore, all on-duty employees shall make it a daily habit to check for e-mail messages.

205.5.1 NONEXEMPT EMPLOYEES ACCESSING E-MAIL WHILE OFF-DUTY
Employees whose jobs are governed by the FLSA are classified as being either "exempt" or "nonexempt."

- **Nonexempt** employees are entitled to overtime pay.
- **Exempt** employees are not entitled to overtime pay.

Nonexempt employees are prohibited from using remote access to the City’s Technology Resources to conduct work during off-work hours outside their regularly scheduled or normal work hours. Nonexempt employees are permitted; however, on a very limited basis to voluntarily use remote access during non-work hours to check e-mail and/or other communication devices for messages and/or to exchange brief messages for informational purposes only and only for a duration not to exceed more than eight (8) minutes during any work day.

Also refer to Policy 1038 - Overtime Compensation Requests.
Administrative Communications

206.1 PURPOSE AND SCOPE
Administrative communications of this department are governed by the following policies.

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

206.2.1 DIVISIONAL ORDERS
Divisional Orders shall be used to disseminate the policies and procedures affecting a single Division, and shall apply only to the personnel within that particular command. Divisional Orders shall not duplicate or conflict with any higher level of written policy.

The Division Commander must receive prior approval from the Chief of Police prior to issuing a Divisional Order.

Divisional Orders shall be issued by the respective Division Commander and will be posted in an appropriate location within that Division.

206.2.2 MEMORANDUMS
Informational writings which include both paper format and electronic mail messages are necessary or desirable for the efficient operations of the Department. Memorandums may be initiated by any member of the Department and shall be directed through the Chain of Command. Memorandums shall bear the signature, or initials, of the originating member of the Department.

Memorandums shall not alter or conflict with any policy of the Department.

All memorandums disseminated within the agency shall receive prior approval by the employee's immediate supervisor.

206.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police or his/her designee.

All outside communication memorandums, prior to being disseminated, shall be approved by the Chief of Police or his/her designee.

206.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or an Assistant Chief.
206.5 MEMORANDUMS AND LETTERS OF RECOGNITION
Memorandums and Letters of Recognition for superior employee performances are not to be authored by anyone below the rank of sergeant.
Staffing Levels

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

207.2 MINIMUM STAFFING LEVELS
Watch Commanders will ensure that at least one field supervisor is deployed during each watch, in addition to the Watch Commander.

A ranking member at the level of sergeant or above shall be on-duty at all times.

Minimum staffing for a shift is six police officers, not including the Watch Commander and sergeant/officer in charge. The Watch Commander has the discretion to reduce staffing to five officers between the hours of 0600-0830 and 0400-0630.

Minimum staffing does not apply to night shift on the Fourth of July and New Year's Eve.

When a shift is scheduled at minimum staffing levels and an officer requests to take time-off from that shift, the guidelines will be as follows:

(a) When a written request for time-off is made at least 15 days prior to the affected shift:
   (a) The Department shall approve the request for time-off and is responsible for maintaining the minimum staffing levels for the shift.

(b) When a written request for time-off is made less than 15 days prior to the affected shift:
   1. The Department will compensate up to two replacement officers on an overtime basis.
      (a) When the Watch Commander is unavailable for a shift, the Department will generally approve to compensate one additional officer (three replacement officers in total) on an overtime basis.
   2. The officer is responsible for finding a replacement officer to work the requested shift.
   3. Since normally only two replacement officers can be compensated at an overtime rate, any additional replacement officers on the requested shift must agree to a straight swap or shift trade with the requesting officer.
      (a) In these instances neither the requesting officer or the replacement officer will be compensated on an overtime basis.

(c) When written notice for time-off is submitted solely for a recognized City holiday, it will be the responsibility of the employee to find a replacement officer to work the requested shift, otherwise the request for time off can be denied. The replacement officer on the requested shift must agree to a straight swap or shift trade with the
requesting officer. In these instances neither the requesting officer or the replacement officer will be compensated at an overtime rate.

207.2.1 SUPERVISION DEPLOYMENTS
In order to accommodate training and other unforeseen circumstances, a corporal may be used as a field supervisor in place of a field sergeant.

With prior authorization from the Field Services Assistant Chief, a corporal may act as the Watch Commander for a limited period of time.
License to Carry a Firearm

208.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory discretion to issue a license to carry a firearm to residents within the community (Penal Code § 26150; Penal Code § 26155). This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code § 26160, this policy shall be made accessible to the public.

208.1.1 APPLICATION OF POLICY
Nothing in this policy shall preclude the Chief or other head of a municipal police department from entering into an agreement with the Sheriff of the county or preclude the Sheriff of the county from entering into an agreement with the Chief of any municipal police department to process all applications and license renewals for the carrying of concealed weapons (Penal Code § 26150; Penal Code § 26155).

208.2 POLICY
It is the policy of the Alhambra Police Department that general requests for permits to carry a firearm be referred to the Los Angeles County Sheriff's Department. The Chief of Police may consider issuing concealed weapons permits to those qualified reserve officers serving with the City of Alhambra, or retirees from our agency. Also, refer to Policy 220 - Retired Police Officer and Separated Reserve Officer CCW Endorsements.

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

(a) Be a resident of the City of Alhambra (Penal Code § 26150; Penal Code § 26155).
(b) Be at least 21 years of age (Penal Code § 29610).
(c) Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
(d) Be free from criminal convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted.
(e) Be of good moral character (Penal Code § 26150; Penal Code § 26155).
(f) Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).
(g) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
(h) Provide proof of ownership or registration of any firearm to be licensed.
License to Carry a Firearm

(i) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).

(j) Complete required training (Penal Code § 26165).

208.4 APPLICATION PROCESS

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

208.4.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)

(a) Any individual applying for a license to carry a firearm shall first fully complete a California Department of Justice (DOJ) application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.

2. If an incomplete application package is received, the Chief of Police or authorized designee may do any of the following:
   (a) Require the applicant to complete the package before any further processing.
   (b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.
   (c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction, absence of good cause).

(b) At the time the completed application is submitted, the applicant shall submit a check made payable to the California Department of Justice for the required California DOJ application fee, along with a separate check made payable to the City of Alhambra for a nonrefundable 20 percent of the application fee to cover the cost of processing the application (Penal Code § 26190).

1. Additional fees may be required for fingerprinting, training or psychological testing, in addition to the application fee.

2. Full payment of the remainder of the application fee will be required upon issuance of a license.

3. Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).
License to Carry a Firearm

(c) The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use. No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 will be issued a license to carry a firearm. A license shall not be issued if the California DOJ determines that the applicant is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm (Penal Code § 26195).

(d) The applicant should submit at least three signed letters of character reference from individuals other than relatives.

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

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

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

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

(a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or authorized designee. During this stage, there will be further discussion of the applicant’s statement of good cause and any potential restrictions or conditions that might be placed on the license.

1. The determination of good cause should consider the totality of circumstances in each individual case.

2. Any denial for lack of good cause should be rational, articulable and not arbitrary in nature.

3. The Department will provide written notice to the applicant as to the determination of good cause (Penal Code § 26202).

(b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).
License to Carry a Firearm

(c) The applicant shall complete a course of training approved by the department, which complies with Penal Code § 26165. The applicant will not be required to complete and pay for any training courses prior to any determination of good cause (Penal Code § 26165; Penal Code § 26202).

(d) The applicant shall submit any firearm to be considered for a license to the Rangemaster or other department authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).

(e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, to be administered by the department Rangemaster, or provide proof of successful completion of another department-approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.

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

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

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

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

(a) The applicant physically spends a substantial period of working hours in the applicant’s principal place of employment or business within the City of Alhambra (Penal Code § 26150).

(b) Such a license will be valid for a period not to exceed 90 days from the date of issuance (Penal Code § 26220).

(c) The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).
License to Carry a Firearm

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

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

(a) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the firearm.
   1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
   2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.

(b) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions and other pertinent information clearly visible.
   1. Each license shall be numbered and clearly identify the licensee.
   2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.

(c) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).
   1. A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
   2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual’s conclusion of service as a reserve officer.

(d) If the licensee’s place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).

(e) The licensee shall notify this department in writing within 10 days of any change of place of residency.
208.6.1 LICENSE RESTRICTIONS

(a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

1. Consuming any alcoholic beverage while armed.
2. Falsely representing him/herself as a peace officer.
3. Unjustified or unreasonable displaying of a firearm.
5. Being under the influence of any medication or drug while armed.
6. Interfering with any law enforcement officer’s duties.
7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
8. Loading the permitted firearm with illegal ammunition.

(b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.

(c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

208.6.2 AMENDMENTS TO LICENSES

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

(a) Add or delete authority to carry a firearm listed on the license.

(b) Change restrictions or conditions previously placed on the license.

(c) Change the address or other personal information of the licensee (Penal Code § 26210).

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

208.6.3 REVOCATION OF LICENSES

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

(a) The licensee has violated any of the restrictions or conditions placed upon the license.

(b) The licensee becomes psychologically unsuitable to carry a firearm.
License to Carry a Firearm

(c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.

(d) The licensee engages in any conduct which involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.

(e) If the license is one to carry “loaded and exposed,” the license shall be revoked immediately upon a change of the licensee’s place of residence to another county (Penal Code § 26210).

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

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

208.6.4 LICENSE RENEWAL

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

(a) Verifying all information submitted in the original application under penalty of perjury.

(b) Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).

(c) Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).

(d) Paying a non-refundable renewal application fee.

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

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

208.7 DEPARTMENT REPORTING AND RECORDS

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

(a) The denial of a license

(b) The denial of an amendment to a license

(c) The issuance of a license
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(d) The amendment of a license
(e) The revocation of a license

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

208.8 CONFIDENTIAL RECORDS
The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner or judge contained in an application shall not be considered public record (Government Code § 6254(u)(2)).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant’s medical or psychological history or that of his/her family shall not be considered public record (Government Code § 6254(u)(1)).
Retiree Concealed Firearms

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

209.2 QUALIFIED RETIREES
Any 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” endorsement upon honorable retirement (Penal Code § 25455).

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

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

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

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

(b) This department is in possession of the retiree’s complete personnel records or can verify the retiree’s honorably retired status.

(c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

209.2.2 QUALIFIED SEPARATED RESERVE OFFICERS
Any sworn reserve police officer of this department, who was authorized to and did carry a firearm during the course and scope of his/her employment, shall be issued an identification card with a “CCW Approved” endorsement upon honorable separation from the Department (Penal Code § 26300).

(a) For the purpose of this policy, “honorably separated” includes all reserve police officers who have qualified for and accepted, a separated from service with this department on good terms. “Honorably separated” shall not include any reserve officer who separates in lieu of termination or fails to meet other requirements outlined in this policy.

1. Upon separation from the Department, the reserve officer must have accrued a minimum of 20 years of service as a Level I reserve police officer. Service as
a reserve officer, other than a Level I reserve officer prior to January 1, 1997, shall not count toward accrual of the required time (Assembly Bill 703).

(b) No “CCW Approved” endorsement shall be issued to any reserve officer separating from service because of a psychological disability (Penal Code § 26305).

209.3 MAINTAINING A CCW ENDORSEMENT
In order to maintain a “CCW Approved” endorsement on an identification card, the retired officer or qualified reserve officer shall (Penal Code § 26305(b)):

(a) Qualify annually with the authorized firearm at the APD’s range or at a range approved by the Personnel and Training manager, at the retired officer’s or qualified reserve officer’s expense.

1. The minimum range qualification requirement shall consist of 15 rounds at a target 22-feet away, utilizing a black B-29 target. Rounds are to be scored at face value, with a minimum passing score of 105 points out of a possible 150 points. The minimum passing score of 70% is the POST standard.

2. Failure to qualify shall be considered reason for revoking the CCW privilege.

(b) Remain subject to all department rules and policies as well as all federal, state and local laws.

(c) Only be authorized to carry a concealed firearm inspected and approved by the Department.

(d) Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Personnel and Training Section will maintain a record of the qualifications and weapons used.

209.4 CARRYING FIREARMS OUT OF STATE
Subject to 18 United States Code § 926C and the Firearms and Qualification Policy, qualified retired officers or reserve officers separated from this department may be authorized to carry a concealed weapon in other states.

209.5 IDENTIFICATION CARD FORMAT
The identification card issued to any qualified and honorably retired officer or reserve officer separated from service shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

(a) Photograph of the person.

(b) The person’s name and date of birth.

(c) Date of retirement or separation from service with the Department.

(d) Name and address of this department.
(e) A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed (not more than one year). In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

(f) If applicable, a notation that "This person is in compliance with 18 USC § 926C(d)(1)."

209.6 DENIAL OR REVOCATION OF STATE CCW ENDORSEMENT
The CCW endorsement under Penal Code § 25470 for any officer or qualified reserve officer separated from service with this department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 USC § 926C(d). The CCW endorsement may be immediately and temporarily revoked by the Chief of Police or his/her designee, or the Watch Commander when the conduct of a retired peace officer or separated reserve officer compromises public safety (refer to Policy Manual § 220.6.1 - Watch Commander Responsibility).

Good Cause - is violating any departmental rule, or state or federal law that, if violated by an officer or reserve officer on active duty, would result in that officer's or reserve officer's arrest, suspension, or removal from the agency (Penal Code § 26305(b)).

Good cause, if challenged, shall be determined in the following manner:

(a) In the event that a CCW endorsement is initially denied, the retired officer or separated reserve officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right (Penal Code § 26312(c)). The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

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

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.

2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).

3. The retiree or separated reserve officer shall be advised that they must surrender their CCW permit to the Field Services Division Commander or his/her designee prior to scheduling the hearing.

(a) The retiree or separated reserve officer should be issued a replacement identification card that indicates the retiree or separated reserve officer does not have a CCW endorsement.
(b) The retiree or separated reserve officer should be admonished that failure to return the CCW permit to the APD is grounds for the permanent revocation of their CCW endorsement.

4. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

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

1. The decision of such hearing board shall be binding on the Department and the retiree or separated reserve officer.

2. Any retiree or separated reserve officer who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."

3. After a retiree or separated reserve officer is denied or has his/her CCW privilege revoked at a hearing, he/she is not entitled to any subsequent hearings with the Alhambra Police Department or the City of Alhambra.

209.6.1 WATCH COMMANDER RESPONSIBILITY

Employees who have reason to suspect a retiree's or separated reserve officer's conduct has compromised public safety should notify the Chief of Police or his/her designee, or the Watch Commander as soon as practical. The Watch Commander should take the following steps in these instances:

(a) Take appropriate steps to promptly look into the matter.

(b) If warranted, contact the retiree or separated reserve officer in person and advise him/her in writing of the following:

1. The retiree's or separated reserve officer CCW endorsement is immediately and temporarily revoked.

2. The retiree or separated reserve officer will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.

3. The retiree or separated reserve officer will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree or separated reserve officer fails to respond to the notice of hearing within the 15-day period.

(c) A current copy of Penal Code §§ 26305, 26312 and 26315 should be attached to the written notice.

(d) In the event that personal contact with the retiree or separated reserve officer cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to
make the above notice of temporary suspension through another peace officer. For example, if a retiree or separated reserve officer was arrested or detained by a distant agency, the Watch Commander may request that a peace officer of that agency act as the Department's agent to deliver the written notification.

(e) Notification of the temporary suspension should also be promptly mailed to the retiree or separated reserve officer via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

(f) The Watch Commander should document in a memo the investigation, the actions taken, and, if applicable, any notification made to the retiree or separated reserve officer. The memo should be forwarded to the Chief of Police.
Chapter 3 - General Operations
Use of Force

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

300.1.1 DEFINITIONS
Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

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

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

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

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

300.2.1 DUTY TO INTERCEDE
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

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

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

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

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

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

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

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to officers or others (Penal Code § 835a).
(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
(d) The conduct of the involved officer (Penal Code § 835a).
(e) The effects of drugs or alcohol.
(f) The individual's apparent mental state or capacity (Penal Code § 835a).
(g) The individual's apparent ability to understand and comply with officer commands (Penal Code § 835a).
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(h) Proximity of weapons or dangerous improvised devices.
(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).
(k) Seriousness of the suspected offense or reason for contact with the individual.
(l) Training and experience of the officer.
(m) Potential for injury to officers, suspects, and others.
(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
(o) The risk and reasonably foreseeable consequences of escape.
(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.
(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
(r) Prior contacts with the subject or awareness of any propensity for violence.
(s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES
Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. When practical and if time permits, the officer should warn the subject that unless they immediately comply with the officer’s directions, pain compliance techniques will be used. Officers utilizing any pain compliance technique should consider:

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

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

300.3.4 CAROTID CONTROL HOLD
The use of the carotid control hold is suspended effective June 9, 2020.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE
In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers
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should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Alhambra Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS
If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.

(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

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

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

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES
Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

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

300.4.2 WARNING AND OTHER SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary and
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effective. They should not be fired except under the most compelling circumstances and if the officer reasonably believes shots can be fired safely in light of all the circumstances of the situation.

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

300.5.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.
(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of a TASER device or control device.
(f) Any application of a restraint device other than handcuffs, shackles or belly chains.
(g) The individual subjected to the force was rendered unconscious.
(h) An individual was struck or kicked.
(i) An individual alleges any of the above has occurred.

300.5.2 REPORT OF FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to the on-duty Watch Commander or his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Death policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
(b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

300.5.3 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Records Manager or the authorized designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code § 12525.2.

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

Based upon the officer’s initial assessment of the nature and extent of the subject’s injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

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

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

300.7 SUPERVISOR RESPONSIBILITY
When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. Interviewing a subject, who is in custody, after he/she has invoked their Miranda rights can potentially subject the agency to civil litigation. As such, if a subject is in custody and invokes their Miranda rights then no further interviews of the subject will be conducted.

(d) If the supervisor does obtain a statement from the person upon whom force was used the following shall apply:
   1. The content of the interview should be documented and summarized as part of any related Incident or Arrest Reports.
   2. The fact that a recorded interview was conducted should be documented in the Potential Claim Report.
   3. The recording of the interview should be documented within any Property Reports and distinctly marked for retention until all potential for criminal and civil litigation has expired.

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

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

(g) Review and approve all related reports.

(h) Determine if there is any indication that the subject may pursue civil litigation.
   1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

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

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

300.7.1 WATCH COMMANDER RESPONSIBILITY
The Watch Commander shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.
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300.7.2 ADMINISTRATIVE LEAVE
In any use of force or other employee action(s) resulting in serious bodily injury or death, the involved employee(s) will be placed on paid administrative leave or temporary reassignment from field duty pending an administrative review. The determination and length of administrative leave or temporary reassignment is ultimately at the discretion of the Chief of Police or his/her designee.

300.7.3 ADMINISTRATIVE REVIEW
All reviewable applications of force requiring a BlueTeam entry shall be documented and reviewed according to the procedures set forth by the Professional Standards Unit under the direction of the Chief of Police. The Professional Standards supervisor is responsible for providing an annual report and analysis of use of force to the Chief of Police no later than February for the preceding calendar year. The Chief of Police will review the analysis for patterns or trends that indicate training needs, equipment upgrades, and/or policy modifications.

300.8 TRAINING
Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.9 USE OF FORCE ANALYSIS
At least annually, the Field Services Assistant Chief should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

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

301.1 PURPOSE AND SCOPE
This policy establishes a process for the Alhambra Police Department to confer with the City Attorney's Office following a significant event involving an employee for the purpose of evaluating the policies, procedures, and training of the Alhambra Police Department.

The process employed by the Significant Event Review Board shall be separate and independent from any criminal or internal administrative investigation conducted regarding a significant event. All communications amongst the Significant Event Review Board shall be for the purpose of obtaining legal advice from the City Attorney's Office and shall be protected from disclosure by the attorney-client privilege and/or the attorney work product doctrine.

301.2 DEFINITIONS
For the purpose of this policy section, a "significant event" shall be defined as any of the following:

- An incident involving the discharge of a firearm at a person by an employee, consistent with the meaning of Penal Code section 832.7 (b)(1)(A)(i). Scenarios that fall within this definition shall include fatal officer-involved shootings, accidental discharges that result in a person being struck, and "no-hit" shootings in which an officer intentionally discharged a firearm at a person.

- An incident involving the use of force by an employee that results in the death or great bodily injury to another person, consistent with the meaning of Penal Code section 832.7 (b)(1)(A)(ii).

- An incident that results in death or great bodily injury of any person during the course of an employee's attempt to arrest or detain the person.

- A traffic collision involving an employee that results in death or serious injury.

- Any incident so designated by the Chief of Police.

301.3 REVIEW BOARD
The Significant Event Review Board will be convened by the Chief of Police or the Support Services Assistant Chief to conduct a review, solely for the purposes outlined in Section 392.1. It shall be the responsibility of the Assistant Chief or supervisor of the involved employee to notify the Support Services Assistant Chief of any qualifying event.

The Significant Event Review Board may be convened as soon as practical after a significant event. The policy contemplates that the Significant Event Review Board will convene before the conclusion of a criminal investigation or internal administrative investigation.

The Significant Event Review Board shall discuss what is currently known about a significant event and shall discuss (1) whether there is a need to revise the Department's policies or procedures, (2) whether there is a need for Department-wide training, (3) what investigative materials may
be disclosable pursuant to SB 1421 and AB 748 and under what timeline, and (4) any potential liability issues that may arise from the significant event.

The Significant Event Review Board shall obtain a briefing of the presently-known facts from an investigator with knowledge of the incident. All relevant reports, documents, and materials that are available shall be utilized.

301.4 COMPOSITION OF THE BOARD
The Support Services Assistant Chief, in consultation with the Chief of Police and the City Attorney's Office, will determine the participants in the Significant Event Review Board.

The City Attorney's Office Shall participate in all communications and meetings of the Significant Event Review Board.

Any employee who is subject of a criminal or internal administrative investigation regarding the significant event or any employee who has provided or who is expected to provide a witness statement as part of a criminal or administrative investigation shall not participate in the Significant Event Review Board.

301.5 WRITINGS
Except as explicitly provided in this section, all writings associated with the Significant Event Review Board shall either be prepared by the City Attorney's Office for the purpose of providing a legal opinion or prepared by a member of the Significant Event Review Board to the City Attorney's Office for the purpose of obtaining a legal opinion. All such writings shall be subject to the attorney-client privilege and/or the attorney-work product doctrine.

In consultation with the City Attorney's Office, the Significant Event Review Board may revise Department policies or may issue a Department-wide training bulletin. The final version of any such revised Department policies or Department bulletins shall not be subject to the attorney-client privilege and/or the attorney work product doctrine.

Any writing prepared in accordance with this section shall not be filed or maintained with an underlying criminal or internal administrative investigation.
Handcuffing and Restraints

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

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

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

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

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

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

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

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized
determination that such restraints are necessary for the safety of the arrestee, officers, or others (Penal Code § 3407; Penal Code § 6030).

302.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer, or damage property.

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

302.3.5 RESTRAINT OF HEARING IMPAIRED PERSONS
When in a controlled environment and a deaf or hearing impaired individual is detained or arrested and placed in handcuffs, officers should consider, safety permitting, placing the handcuffs in front of the body in order to allow the individual to sign or write notes.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

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

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

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

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

302.5 APPLICATION OF SPIT HOODS
Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.
Handcuffing and Restraints

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

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

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

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

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons, and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort, and mobility.

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

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

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

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.

(b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).
302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
The restraint device is designed to reduce the likelihood of injury to the restrained person or others, and to reduce the likelihood of property damage caused by the restrained person by preventing them from using his/her legs in a manner likely to result in injury or damage. The RIPP Hobble manufactured by RIPP Restraints, Inc., Orange City, Florida is the only restraint to be used to bind and immobilize a person's legs. Only those officers trained in the use of the restraint are authorized to employ it on any person. When applying leg restraints the following guidelines should be followed:

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

(b) Once the person's legs have been bound, the safety clip of the restraint may be attached to the chain of the handcuffs, insuring enough slack is left to allow the person to sit in an upright position.

(c) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(d) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe. The long lead of the restraint shall not be allowed to hang loose outside of the transport vehicle. When the person cannot be transported in a seated position he/she should be taken by ambulance/paramedic unit.

(e) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(f) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(g) When transported by ambulance/paramedic unit, the restrained person shall be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration). The transporting officer should inform medical personnel that positional asphyxia is a concern and that the person should remain in an upright position where practicable. If medical personnel determine that it is in the best interest of the restrained person to be transported while lying down, the person should be kept on his/her side or back with appropriate adjustments to restraints so that the person's arms are not pinned beneath them.
Handcuffing and Restraints

(h) Officers shall inform the jail or juvenile facility staff that a restraint device was used on the arrestee upon arrival at the jail.

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

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

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

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

302.8 REQUIRED DOCUMENTATION
If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

(a) The amount of time the suspect was restrained.
(b) How the suspect was transported and the position of the suspect.
(c) Observations of the suspect's behavior and any signs of physiological problems.
(d) Any known or suspected drug use or other medical problems.

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

(a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.

(b) Response to complaints of pain by restrained persons.

(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.
Control Devices and Techniques

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

303.1.1 WHEN DEVICES MAY BE USED
When a decision has been made to restrain or arrest a violent or threatening suspect, an approved control device may only be used when its use appears reasonable under the circumstances known at the time of the incident.

Nothing in this policy is designed to limit or preclude a member of the department's Special Response Team, when circumstances warrant, from using their training and experience in both weapons and tactics to achieve a legitimate law enforcement purpose.

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

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

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

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

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

303.4 RESPONSIBILITIES

303.4.1 WATCHCOMMANDER RESPONSIBILITIES
The Watch Commander may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.
Control Devices and Techniques

303.4.2 RANGEMASTER RESPONSIBILITIES
The Rangemaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

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

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

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Rangemaster for disposition. However, if the control device was deployed and failed to operate as designed and physical injury resulted, the device shall be booked into evidence. The malfunctioning device should not be altered or repaired prior to it being properly inspected and the results documented. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES
Impact devices are those devices that are held by an officer and whose striking action is designed to gain control of a subject. Impact devices generally include tools designed for this purpose (i.e., Monadnock, ASP, straight baton, riot baton, etc.), but, in certain limited situations, also include improvised tools (i.e., flashlight, radio, etc.).

Impact devices are authorized for use when, based upon the circumstances perceived by the officer at the time of the incident, such force reasonably appears justified and necessary to result in the safe control of the suspect.

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

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

Impact devices shall not be used in a striking action against subjects who are non-violent and are being passively resistant to arrest and/or legal detention.

303.6 TEAR GAS GUIDELINES
Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander (with the rank of sergeant or above) may
authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

(a) The Field Services Division Commander or his/her designee, and if unavailable the Support Services Division Commander, shall be consulted prior to the deployment of chemical agents.

(b) This authorization process shall also be followed when assisting another agency outside our city limits.

(c) Only officers or supervisors trained in the use of tear gas weapons should discharge such devices at the scene.

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

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

OC spray shall not be used against subjects who are non-violent and are being passively resistant to arrest and/or legal detention.

303.7.1 OLEORESIN CAPSICUM (OC) SPRAY
All trained/sworn personnel shall have in their possession a Department-issued canister while on-duty and performing functions where its use may be required. Uniformed personnel carrying OC spray shall carry the device in its holster, on their person. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

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

303.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense.
Information regarding the method of notice and the individuals notified should be included in related reports.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 DEPLOYMENT AND USE OF KINETIC ENERGY PROJECTILES
Only Department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option. Extended range, kinetic energy impact projectiles are approved by the department and are fired from 12 gauge shotguns or 37/40 mm launchers.

(a) Shotguns have been specifically designated for the discharge of kinetic energy projectiles. The stocks and fore ends of the designated weapons are fluorescent orange in color. The designated shotguns and less lethal ammunition are to be carried in the trunk of all patrol vehicles and inspected at the beginning of each shift. Under no circumstances shall these specifically designated less lethal shotguns be loaded with duty buckshot or slug ammunition.

(b) 40 mm launchers have also been specifically designated for the discharge of kinetic energy projectiles. The barrels are fluorescent green in color. The designated 40 mm launchers are to be carried in either the patrol unit gun rack or in the trunk of available patrol vehicles and inspected at the beginning of each shift.

(c) Whenever officers fire less lethal projectiles that strike anyone, they shall attempt to collect the spent projectile(s) and maintain them as evidence. Less lethal projectiles are designed to be effective within the certain minimum and maximum ranges. Officers should take appropriate care to ensure that they are within the projectile's effective range before firing at anyone.

(d) Kinetic energy projectiles shall not be used against subjects who are non-violent and are being passively resistant to arrest and/or legal detention.

(e) Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers should be considered along with assessing whether the use of force against subjects engaged in criminal or suicidal behavior is objectively reasonable.

(f) When practical, an officer who brings a Kinetic Energy Device (KED) to the scene of an incident should advise the other officers of its presence and/or availability.

(g) When practical, officers should make an announcement to other officers and the subject that a Kinetic Energy Projectile is about to be deployed, by announcing "less lethal, less lethal."

(h) Crowd control or riot control situations, when the crowd is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at people and/or officers.
It is recognized that riotous behavior is inherently dangerous and as such the use of KEDs is authorized:

1. Only a Watch Commander should consider the deployment of KEDs in a tactical operation in crowd control or riot control situations.
   (a) The authorization for the use of KEDs shall not be made by an officer below the rank of sergeant.
   (b) If a riot occurs, officers are authorized to deploy KEDs.
   (b) When assisting another agency outside our city limits, the authorization process should be via an Alhambra Police Department supervisor, who is not below the rank of sergeant.

2. If practical, the Field Services Division Commander should be consulted prior to the deployment of KEDs in crowd control situations.

3. When practical, paramedics should be alerted or summoned to assist in providing medical aid when KEDs are being deployed and the scene is safe.

(i) Circumstances appropriate for deployment include, but are not limited to, situations in which:
   (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
   (b) The suspect has made credible threats to harm him/herself or others.
   (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
   (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

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

(a) Distance and angle to target.
(b) Type of munitions employed.
(c) Type and thickness of subject's clothing.
(d) The subject's proximity to others.
(e) The location of the subject.
(f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.
Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

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

303.9.3 SAFETY PROCEDURES FOR KINETIC ENERGY DEVICES
Shotguns designated for the use of kinetic energy projectiles have the stocks and fore ends of the designated weapons painted fluorescent orange in color. 40 mm launchers designated for use with kinetic energy projectiles have fluorescent green barrels.

Officers will inspect the shotgun and/or 40 mm launcher and respective projectiles at the beginning of each shift to ensure that the shotgun and/or 40 mm launcher is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When not deployed, the shotgun and/or 40 mm launcher will be unloaded and properly and securely stored in the vehicle. When deploying a kinetic energy weapon, the officer shall visually inspect the kinetic energy projectiles to ensure that the proper ammunition is being loaded into the weapon.

303.9.4 MEDICAL TREATMENT AND OTHER RESPONSIBILITIES AFTER DEPLOYMENT OF KINETIC ENERGY PROJECTILE
Prior to booking or release, medical assistance shall be obtained for any person(s) who has sustained visible injury, expressed a complaint of pain, or who has been rendered unconscious. The subject should be examined by Alhambra Fire Department Paramedics, or other qualified medical personnel. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practical, should be witnessed by another officer and/or medical personnel. If an audio recording is made of contact or an interview with the individual, any refusal should be included, if possible.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, unusually high tolerance to pain or who require a protracted physical encounter with multiple officers to bring under control may be at an increased risk of sudden death and should be examined by Alhambra Fire Department Paramedics, or other qualified medical personnel, as soon as practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared prior to booking.

Individuals who have been struck by a kinetic energy projectile and who are also suspected of being under the influence of controlled substances and/or alcohol should be examined by paramedics or other qualified medical personnel as soon as practicable. Individuals suspected of
being under the influence of drugs/alcohol or exhibiting symptoms of excited delirium (e.g. nudity, profuse sweating, and irrational behavior) may be more susceptible to collateral problems and should be closely monitored following the deployment of a kinetic energy projectile until they can be examined by paramedics or other medical personnel.

303.10 TRAINING FOR CONTROL DEVICES
The Training Manager shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer’s training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency’s Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency’s Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.
304.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance TASER® devices (also referred to as a Conducted Electrical Weapon or CEW).

304.2 POLICY
The TASER® (hereafter referred to as TASER or CEW) device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

The TASER is an additional law enforcement tool and is not intended to replace firearms or replace other equipment, tools or techniques. The TASER should be used only when it is appropriate for the situation.

304.3 ISSUANCE AND CARRYING TASERS
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

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

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver’s compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift. When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

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

304.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the
circumstances. The operator of the TASER should make the verbal announcement by saying, "TASER ready, TASER ready," when unholstering the device. The purpose of the warning is to:

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

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

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

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

304.5 USE OF THE TASER
The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE TASER
The TASER may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or is physically resisting.

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Officers shall not deploy a TASER on a person based solely upon mere flight from the officer's presence without other known circumstances or factors.

Reasonable efforts should be made to minimize the number of TASER exposures. TASER users should use the lowest number of TASER exposures that are objectively reasonable to accomplish lawful objectives and should reassess the subject's behaviors, reactions and resistance level before initiating or continuing the exposure. If the subject is non-compliant after a number of TASER exposures, consideration should be given to whether alternative control measures in conjunction with or separate from the TASER are appropriate under the circumstances.
304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the TASER on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are obvious or believed to be pregnant.
   1. Pregnant females present the risk of secondary injuries to their person and the fetus when a TASER is utilized and/or should they fall on their stomachs.

(b) Children or obvious juveniles.
   1. If an officer should elect to apply a TASER to a child (17 years-old or younger) a greater justification will be required. The younger the child, the greater the justification that will be required for the use of a TASER.

(c) Obvious or known elderly, frail or infirm individuals.

(d) Individuals who are handcuffed or otherwise restrained.

(e) Individuals whose position or activity may result in collateral injury (e.g., falls from height, in or near swimming pools or deep bodies of water, etc.).

(f) Persons running (fleeing a lawful arrest or detention).
   1. The officer shall have articulable reasons to lawfully detain or arrest a subject who is running, which are not solely based on their fleeing.
   2. When a TASER is used on a subject, while they are running, it may expose them to secondary injuries as a result of their momentum when falling to the ground.
   3. Officers should avoid using a TASER when the subject is running on or nearby asphalt, concrete or other dangerous areas that may cause extensive injuries from a fall. In these instances, officers must weigh the suspected crime and/or circumstances for detaining the subject, and the potential injuries that the subject may incur as a result of deploying the TASER while they are running.

Because the application of the TASER in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised. The application in drive-stun mode should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions. When applying the drive stun mode, the officer should attempt to avoid the face, throat and groin areas of the body.

304.5.3 UNAUTHORIZED USES OF A TASER

(a) The TASER shall not be used to torture, psychologically torment, elicit statements, or punish any individual.
The TASER shall not be used against a subject who submits peacefully and complies with lawful commands.

Passively resisting subjects.
1. When individuals are involved in passive civil demonstrations (i.e. sit-ins, picketing, etc.), when there are no other extenuating circumstances.

The TASER shall not be used to compel a subject to surrender narcotics that they are holding in their mouth or attempting to swallow.

The TASER shall not be used on a person operating a moving vehicle or machinery.

The TASER shall not be used when the officer reasonably should know a subject has come into contact with flammable liquids, gases, other combustible substances or materials, or is in a flammable atmosphere.

The TASER shall not be used to awaken unconscious or intoxicated individuals.

The TASER shall not be deployed in simultaneous applications by two or more officers at the same time.

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

304.5.5 MULTIPLE APPLICATIONS OF THE TASER®
Officers should apply the TASER for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER, including:

(a) Whether the probes are making proper contact.
(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(c) Whether verbal commands, other options or tactics may be more effective.

Any repeated application of a TASER must be justified and articulable. An officer who utilizes multiple applications of the TASER on an individual must articulate the number and reasons for such deployment in their report.
Once the subject is restrained or has complied, the TASER should not be activated.

304.5.6 ACTIONS FOLLOWING DEPLOYMENTS
Officers shall notify a supervisor of all TASER discharges. Confetti or some of the paper AFIDS (Anti-Felon Identification Data) shall be collected and the expended cartridge, along with both probes and wire, shall be submitted into evidence. The cartridge serial number shall be noted and documented on the evidence paperwork. The evidence packaging shall be marked "Biohazard" if the probes penetrated the subject's skin.

Photographs should be taken of the area affected by the discharged probes or of any points where the discharged device made direct contact with the subject's skin. Photographs should also be taken of any other subsequent injuries that were a direct result of the application of a TASER. Such photographs should be booked into evidence.

304.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION
Officers shall document all TASER device discharges in the related arrest/crime report and the TASER device report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

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

(a) The type and brand of TASER and cartridge, and cartridge serial number.
(b) Date, time and location of the incident.
(c) Identification of all personnel firing TASERS.
(d) The reason for deployment. What precipitated the use of the TASER (include specific observations of the subject’s physical and physiological actions).
(e) Additional information available to the officer(s), such as knowledge of the subject’s past violent nature, expertise in martial arts or other unarmed defensive tactics, etc.
   1. Indications of drug use and/or alcohol intoxication
   2. Suicidal or mentally unstable subjects posing a threat to themselves or others
(f) Whether verbal and/or other warning was given, or reasons it was not given.
(g) Whether any display, laser or arc deterred a subject and gained compliance.
(h) The number of TASER activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.

(i) The range at which the TASER was used.

(j) The type of mode used (probe or drive-stun).

(k) Location of any probe impact.

(l) Location of contact in drive-stun mode.

(m) The observed results of the TASER’s utilization.

(n) Description of where missed probes went.

(o) Medical care provided to the subject, including medical personnel involved with the subject, the AFD Engine Company, involved hospitals, etcetera.

(p) Whether the subject sustained any injuries.

(q) Whether any officers sustained any injuries.

(r) Documentation of photos taken.

(s) The name and rank of the responding supervisor.

(t) Identification of all witnesses.

The Training Manager should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Manager should also conduct audits of data downloads and reconcile TASER report forms with recorded activations. TASER information and statistics, with identifying information removed, should periodically be made available to the public.

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel at a hospital should remove TASER probes from a person's body. Used TASER probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Officers should inspect the probes after removal to ensure that the entire probe and probe barb has been removed. In the event that a probe or probe barb has broken off, the officer shall notify medical personnel as soon as practical. Universal precautions should be taken.

All persons who have been struck by TASER probes or who have been subjected to the electric discharge of the device shall be medically assessed and cleared at a hospital, prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.
(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The TASER probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

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

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

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER.

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

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device’s onboard memory should be downloaded through the data port by a supervisor or Rangemaster and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

304.9 TRAINING
Personnel who are authorized to carry the TASER shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not
carried the TASER as a part of their assignment for a period of six months or more shall be recertified by a department-approved TASER instructor prior to again carrying or using the device.

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

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

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

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

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

The Training Manager should ensure that all training includes:

(a) A review of this policy.
(b) A review of the Use of Force Policy.
(c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.
(d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest and groin.
(e) Handcuffing a subject during the application of the TASER and transitioning to other force options.
(f) De-escalation techniques.
(g) Restraint techniques that do not impair respiration following the application of the TASER.
(h) Procedures after a TASER has been deployed.
Officer-Involved Shootings and Deaths

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

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

305.1.1 OFFICER-INVOLVED SHOOTING DEFINITIONS
Officer Involved Shooting: an officer involved shooting is an incident in which shots are fired by an officer resulting in an injury or death to any person; or shots fired by a suspect resulting in injury or death to the officer.

On-Duty: refers to the working hours during which an officer is on salary and actively pursuing the objectives of the Alhambra Police Department.

Off-Duty: refers to the non-working hours during which an officer is not on salary or actively pursuing the objectives of the Alhambra Police Department.

305.2 INVESTIGATION RESPONSIBILITY
The Alhambra Police Department defers to the Los Angeles County Sheriff’s Department, in conjunction with the Los Angeles District Attorney’s Office, for investigating Officer-Involved Shootings (OIS).

305.3 TYPES OF INVESTIGATIONS
Officer-involved shootings involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may relinquish its criminal investigation to an outside agency with the approval of the Chief of Police or his/her designee, if not available then the Support Services Assistant Chief.

(b) A criminal investigation of the involved officer(s) conducted by an outside agency.

(c) A civil investigation to determine potential liability conducted by the involved officer's agency.

(d) An administrative investigation conducted by the involved officer's agency, to determine if there were any violations of department policy.

305.4 JURISDICTION
Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer(s). If multiple crimes have been committed in multiple jurisdictions, identification
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of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings:

305.4.1 APD OFFICER WITHIN THIS JURISDICTION
The Alhambra Police Department is responsible for the criminal investigation of the suspect's actions, the civil investigation, and the administrative investigation. The criminal investigation of the officer-involved shooting will be conducted by the Los Angeles County Sheriff's Department. The Los Angeles County District Attorney's role in OIS investigations is only to investigate and determine whether any violation of criminal law may have occurred.

305.4.2 ALLIED AGENCY'S OFFICER WITHIN THIS JURISDICTION
The Alhambra Police Department is responsible for the criminal investigation of the suspect's actions. The primary responsibility for the criminal investigation of the officer-involved shooting will be conducted by the Los Angeles County Sheriff's Department. The officer's employing agency will be responsible for any civil and/or administrative investigation(s).

305.4.3 APD OFFICER IN ANOTHER AGENCY’S JURISDICTION
The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect(s) to another agency. If the jurisdictional agency declines to conduct the investigation, the Alhambra Police Department will contact the Los Angeles County Sheriff's Department to conduct the investigation. A liaison from the Department will be assigned to cooperate with the agency in whose jurisdiction the officer-involved shooting occurred to assist and to monitor the investigation. The Alhambra Police Department will conduct timely civil and/or administrative investigations.

305.4.4 LA COUNTY DISTRICT ATTORNEY RESPONSE TO OFFICER-INVOLVED SHOOTING: PROTOCOL
The Alhambra Police Department and the Los Angeles County District Attorney's Office recognize the importance of the independent review of officer-involved shootings. These two agencies have entered into a formal agreement (Involved Shooting Response Program - For Officer/Deputy-Involved Shootings and In-Custody Deaths) establishing a protocol for the immediate response of Los Angeles County District Attorney personnel to the scene of officer-involved shootings. The District Attorney's role in such investigations is only to investigate and determine whether any violation of criminal law may have occurred.

This agreement with the Los Angeles County District Attorney's Office does not negate the policy of the Alhambra Police Department to request the Los Angeles County Sheriff's Department to conduct independent investigations of officer involved shootings and serve as the lead investigative agency.
305.4.5 INVESTIGATION RESPONSIBILITY MATRIX
The following table identifies the possible scenarios and responsibilities for the investigation of officer-involved shootings:

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Criminal Investigation of Suspect(s)</th>
<th>Criminal Investigation of Officer(s)</th>
<th>Civil Investigation</th>
<th>Administrative Investigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>APD Officer in our Jurisdiction</td>
<td>APD Investigators</td>
<td>LASD and LACDA’s Office</td>
<td>APD Civil Liability Team</td>
<td>APD Professional Standards Unit</td>
</tr>
<tr>
<td>Allied Agency’s Officer in our Jurisdiction</td>
<td>APD Investigators</td>
<td>LASD and LACDA’s Office</td>
<td>Involved Officer’s Department</td>
<td>Involved Officer’s Department</td>
</tr>
<tr>
<td>APD Officer in another Jurisdiction</td>
<td>Agency where incident occurred</td>
<td>Decision made by agency where incident occurred</td>
<td>APD Civil Liability Team</td>
<td>APD Professional Standards Unit</td>
</tr>
</tbody>
</table>

305.5 THE INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 DUTIES OF INITIAL ON SCENE OFFICER
Upon arrival at the scene of an officer-involved shooting, the first uninvolved APD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

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

305.5.2 DUTIES OF INITIAL ON SCENE SUPERVISOR
Upon arrival at the scene of an officer-involved shooting, the first uninvolved supervisor should ensure completion of the duties as outlined above, plus:

(a) Attempt to obtain a brief overview of the situation from any non-shooter officer(s).
   1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
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(b) If necessary, the supervisor may administratively order any officer from this department to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.

2. Absent a voluntary statement from any officer(s), the initial on scene supervisor should not attempt to order any officer to provide other than public safety information.

(c) Provide all available information to the Watch Commander and Communications Section. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel.

(e) As soon as practical, shooter officers should respond or be transported (separately, if feasible) to the station for further direction.

1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.

2. When an officer's weapon is taken or left at the scene (e.g., evidence), the officer will be provided with a comparable replacement weapon or transported to the station by other officers.

305.5.3 WATCH COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Watch Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Assistant Chief.

All outside inquiries about the incident shall be directed to the Watch Commander.

305.5.4 NOTIFICATIONS

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

- Chief of Police
- Field Services Assistant Chief
- Support Services Assistant Chief
- Detective Section Supervisor
- District Attorney OIS roll-out team
- Professional Standards Section supervisor
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- Civil Liability Response Team
- Employee Assistance Program
- Coroner (if necessary)
- Officer representative (if requested)
- Press Information Officer (PIO)
- Counseling Team
- Chaplain

All outside inquiries about the incident shall be directed to the Watch Commander. All media requests shall be directed to the Press Information Officer (PIO).

305.5.5 INVOLVED OFFICERS

Once the involved officer(s) have arrived at the station, the Watch Commander should admonish each officer that the incident shall not be discussed except with authorized personnel or representatives. The following shall be considered for the involved officer:

(a) Any request for department or legal representation will be accommodated (Government Code § 3303(i)). Unless having the approval of the Chief of Police or his/her designee, no involved officer shall be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with department representatives (e.g., employee association) will be privileged only as to the discussion of non-criminal information however.

(d) A psychotherapist shall be provided by the Department to each involved officer, or any other officer, upon request.
   1. Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that the officer is or is not fit for return to duty.
   2. An interview or session with a licensed psychotherapist may take place prior to the involved officer providing a formal interview or report, but the involved officers shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.

(e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.
Detectives shall make reasonable accommodations to the officer's physical and emotional needs (Government Code § 3303(d)).

Each involved officer shall be given reasonable paid administrative leave following an officer-involved shooting. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

305.5.6 ADMINISTRATIVE LEAVE
Each involved officer shall be given paid administrative leave following an officer-involved shooting and it shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave. The Chief of Police or Assistant Chief will determine the appropriateness and duration of extended mandatory administrative leave, based upon the findings of the preliminary criminal investigation and the recommendation of the psychotherapist regarding the officer's readiness for field assignment, generally the length of administrative leave shall not exceed the time remaining in the employee's current scheduled work week. An employee may request additional administrative leave time subject to approval of the Chief of Police or Assistant Chief, based upon information provided to establish the need to grant the request.

The officer(s), upon being placed on administrative leave, will automatically be temporarily assigned to the Personnel and Training manager for the duration of administrative leave. During this time, the officer(s) shall maintain regular contact with the Personnel and Training manager. Regular contact will consist of once per week, unless other arrangements are approved or requested by the Assistant Chief. While the employee is off, their payroll hours will revert to Monday thru Friday, 8:00 am to 4:00 pm. Each employee will also be expected to remain available to the Department by phone during those hours.

If an employee has been on administrative leave for six months or longer, that employee must report to the Personnel and Training Office to ensure all policy and/or training mandates and weapons qualifications have been met prior to returning to full duty.

305.6 CRIMINAL INVESTIGATION
The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

(a) APD supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of APD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of each involved officer’s statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 DETECTIVE PERSONNEL
Once notified of an officer-involved shooting, it shall be the responsibility of the Investigations Section supervisor to assign appropriate detective personnel to handle the investigation of related crimes. Detectives will be assigned to work with investigators from the Los Angeles County Sheriff’s Department and may be assigned to separately handle the investigation of any related crimes not being investigated by the Los Angeles County Sheriff's Department.

All related departmental reports, except administrative and/or privileged reports, will be forwarded to the designated detective supervisor for approval. Privileged reports shall be maintained exclusively by those personnel authorized such access. Administrative reports will be forwarded to the appropriate Section Commander.

305.6.2 CRIMINAL INVESTIGATION
It shall be the policy of this department to utilize the Los Angeles County Sheriff's Department to conduct an independent criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, detective personnel from this department may be assigned to partner with investigators from the Los Angeles County Sheriff's Department so as to not duplicate efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators will be given the next opportunity to interview involved officers in order to provide them with an opportunity to give a voluntary statement. The following shall be considered for the involved officer:

(a) Supervisors and Professional Standards Section personnel should not participate directly in any voluntary interview of officers. This will not prohibit such personnel from monitoring such interviews or indirectly providing areas for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney, prior to speaking with criminal investigators. However, in order to maintain the integrity of each individual officer's
statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(c) Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative or other related investigations.

(d) Absent consent from the involved officer or as required by law, no administratively coerced statement(s) will be provided to any criminal investigators.

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

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

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

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

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

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
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(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.

1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Promptly contacting the suspect’s known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident.

305.7 ADMINISTRATIVE INVESTIGATION

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

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

(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer’s physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer’s statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).

4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Lybarger or Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.

6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.

7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 AUDIO AND VIDEO RECORDINGS
Any officer involved in an incident may be permitted to review available Mobile Audio Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

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

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

305.9 DEBRIEFING
Following an officer-involved shooting or death, the Alhambra Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING
A critical incident/stress debriefing should occur as soon as practicable. The Support Services Division Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.
The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other civilian members). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Section personnel.

305.9.2 TACTICAL DEBRIEFING
A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police or his/her designee should identify the appropriate participants.

This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.10 MEDIA RELATIONS
A single press release shall be prepared with input and concurrence from the supervisors and agency representatives responsible for each phase of the investigation. This release will be available to the Chief of Police, all Assistant Chiefs, Watch Commander and Public Information Officer in the event of inquiries from the media.

It will be the policy of this department to not release the identities of involved officers absent their consent, as required by law or at the direction of the Chief of Police. Moreover, no involved officer shall be subjected to contact from the media (Government Code § 3303(e)) and no involved officer shall make any comments to the press unless authorized by the Chief of Police or an Assistant Chief.

Law enforcement officials receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

305.11 REPORTING
If the death of an individual occurs in the Alhambra Police Department jurisdiction and qualifies to be reported to the state as a justifiable homicide or an in-custody death, the Field Services Assistant Chief will ensure that the Records Manager is provided with enough information to meet the reporting requirements (Penal Code § 196; Penal Code § 13022; Government Code § 12525).
Firearms

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

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

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

306.2 POLICY
The Alhambra Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.2.1 DUTY WEAPONS
The authorized departmental issued handgun is the Sig Sauer P320 chambered in .40 caliber.

The following additional handguns are approved for on-duty use:

(a) The following additional manufacturers and models of handguns are approved for on-duty use:

1. Heckler and Koch
5. Glock: 17, 19, 21, 22, 23, 26, 27, 30, and 36.
6. Officers may also select a single action 1911 style firearm including, but not limited to those manufactured by Colt, Kimber, Springfield Armory, Para Ordinance, or Wilson Combat.

(b) Specifications:

1. The handgun must be double/single action, or safe action with a slide or frame mounted decocking lever, or Glock “Safe-Action” trigger, or double action only, and, Magazine release located at rear of the trigger guard.
2. 9mm, .38, .40, or .45 ACP in caliber
3. Have a minimum barrel length of 3.9"
4. The magazine or ammunition capacity must hold six (6) or more rounds
5. The finish on the handgun must be blue, black, nickel or stainless.
6. The trigger pull weight must not be less than four (4) pounds on any pistol.

7. The firearm must be inspected by the Rangemaster or Department armorer prior to being carried.

(c) If an officer chooses not to use a departmentally issued firearm, the purchase of the weapon, magazines, magazine holders and holster shall be the responsibility of the officer.

(d) Any officer who carries a personally-owned handgun for on-duty purposes as permitted by this policy, as a condition of carrying the weapon expressly agrees to surrender the weapon to any supervisor for the purposes of conducting an investigation or inspection.

(e) The weapon must be registered to a member of this department through the Department of Justice.

(f) Additional firearms, meeting the listed criteria for service handguns, may be added to the list of approved models if recommended by a Department Rangemaster and approved by the Chief of Police. Officers requesting the addition of a weapon must submit a memorandum to the Administration Section manager. The memorandum will be forwarded to the Rangemaster(s) for review and action. Rangemasters may require a sample weapon for examination and testing prior to making a recommendation to the Chief of Police. The Rangemaster’s written recommendation shall be forwarded to the Chief of Police for final approval or denial.

(g) Officers who elect to carry an alternative firearm other than the departmentally-issued Heckler & Koch must return their issued H&K USP40 to the Rangemaster, so it may be returned to inventory for subsequent reissue.

(h) The firearm shall be in good working order and on the department list of approved firearms.

(i) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(j) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department-qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.

(k) Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

(l) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

(m) Officers shall only carry Department authorized ammunition in their duty firearm.

(n) Personally owned shotguns are not authorized.

306.2.2 AUTHORIZED SECONDARY FIREARM
In addition to the service handgun, officers desiring to carry a secondary firearm are subject to the following restrictions:
Firearms

(a) Specifications:

1. The handgun must be double action for first shot, single action for subsequent shots with a slide or frame mounted decocking lever, or Glock “Safe-Action” trigger, or double action only, and the magazine release located at rear of the trigger guard.
2. The manufacturer of the firearm must be approved by the Department’s Rangemaster and the Chief of Police.
3. 380 ACP, .38 Special, .357 Magnum, 9mm Parabellum, .40 Smith and Wesson or .45 ACP in caliber.
4. The magazine or ammunition capacity must hold five (5) or more rounds.
5. The finish on the handgun must be blue, black, nickel or stainless.
6. Have a minimum barrel length of 2”.
7. The trigger pull weight must not be less than four (4) pounds on any pistol.
8. The firearm must be inspected by the Rangemaster or Department armorer prior to being carried.

(b) The firearm shall be in good working order and on the department's list of approved firearms.

(c) Only one secondary firearm may be carried at a time.

(d) The purchase of the firearm and ammunition shall be the responsibility of the officer.

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

(f) The firearm shall not be carried in any manner that would restrict or impede an officer’s normal activities.

(g) The firearm shall be inspected by the Rangemaster or a department armorer prior to being carried and thereafter shall be subject to inspection whenever deemed necessary.

(h) Ammunition shall be the same as department issue. If the caliber of the firearm is other than department issue, the Chief of Police shall approve the ammunition.

(i) Prior to carrying the secondary firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.

(j) Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second firearm to the Rangemaster.

(k) Any officer who carries a personally-owned, concealed second handgun as permitted by this policy, as a condition of carrying the weapon, expressly agrees to surrender
the weapon to the Chief of Police or his/her designee for the purposes of conducting an investigation or inspection.

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

(a) The firearm shall be of good quality and workmanship and approved by the Department.

(b) The purchase of the firearm and ammunition shall be the responsibility of the officer.

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

(d) It will be the responsibility of the officer to submit the firearm to the Rangemaster for inspection prior to being carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.

(e) Prior to carrying any off-duty firearm, the officer shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(f) The officer will successfully qualify with the firearm prior to it being carried and thereafter once annually.

(g) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information. A complete description of the firearm shall be contained on the qualification record approved by the Rangemaster.

(h) If any member desires to use more than one firearm while off-duty, he/she may do so, as long as the officer meets all the requirements set forth in this policy for each firearm used.

(i) Officers shall only carry Department authorized ammunition.

(j) When armed while off-duty, officers shall carry their badge and department identification.

(k) An officer, who carries a firearm while off-duty, shall surrender the weapon to the Chief or his/her designee for the purposes of conducting an investigation or inspection. When the person requesting the firearm is not the Chief, that person must have received their instructions directly from the Chief or his/her designee.

The Administration Section will maintain an authorized list of approved off-duty firearms.
306.2.4 SHOTGUNS
The authorized department-issued shotgun is the Remington 870 12 gauge.

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

306.2.5 PERSONAL AR-15 UPON SEPARATION FROM EMPLOYMENT
If any employee separates employment from the Alhambra Police Department, whether by retirement or termination, their personally owned AR-15 style rifle shall be made compliant with state law in order to allow for their continued possession of the rifle. This compliance shall be confirmed by the Rangemaster or Department armorer upon the employee’s separation. Should the separated employee elect not to keep their AR-15 style rifle, it can be surrendered to the agency for destruction or appropriation. If an employee is employed by another law enforcement agency, they will need to obtain approval from their new agency in order to retain their AR-15 style weapon.

306.2.6 AUTHORIZED WEAPONS FOR SPECIAL ASSIGNMENTS
(a) Plain clothes officers assigned to investigative or administrative assignments may carry (as an alternative to those handguns listed in §§ 312.2.1 and 312.2.2) a .38/.357 caliber revolver with a 2" minimum barrel length or the compact version, double action semi-automatics made by any of the approved manufacturers, or in any of the calibers previously listed in Policy Manual §§ 312.2.1 and 312.2.2.

(b) All applicable sections of this procedure (approval, authorization, training, familiarization, ammunition, purchase by the officer of non-issued firearms, holsters, magazines, magazine holders, etc.) shall apply to all authorized approvals of "special assignment" firearms.

(c) All plain clothes officers (those not in a uniformed capacity or readily identifiable as a police officer) while on-duty, shall carry a handgun on their person when outside of the APD facility. The on-duty plain clothes officer shall also carry on their person at least one additional magazine or speed loader for their firearm, a pair of handcuffs and a badge. When in a public setting, these aforementioned items may be concealed by a sport coat, jacket, etcetera, unless special circumstances dictate otherwise.

1. The concealment of the firearm and badge is not necessary when a plain clothed officer is involved in an obvious police matter (at the scene of a crime, search for a suspect, etcetera, where the identification of the police officers is necessary.

2. Officers working specialized or undercover assignments may be excused from the possession and display requirements when directed by their Division Commander (also refer to § 1046.2.1 - Department Issued Identification).

306.2.7 OFF--DUTY RESERVE POLICE OFFICERS
(a) Reserve police officers shall not carry a concealed handgun while "off--duty" unless issued a CCW permit, in accordance with applicable state laws (refer to Policy 218 - License to Carry a Firearm).
Firearms

(b) All reserve officers must qualify in accordance with all the requirements specified by our Department.

306.2.8 AMMUNITION
Officers shall carry only Department-authorized ammunition whether on or off-duty. Officers shall be issued fresh duty ammunition in the specified quantity for all department issued firearms during the officer’s first scheduled qualification each year. Officers carrying personally owned authorized firearms of a caliber differing from Department issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed in accordance with established policy.

306.2.9 ALCOHOL AND DRUGS
Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drug or medication, or has taken any combination thereof that would tend to adversely affect the officer’s senses or judgment. Off-duty incidents involving firearms and the use of alcoholic beverages and/or drugs can result in blood and/or breath tests from the employee for administrative investigations (also refer to Policy 1012 - Drug and Alcohol-Free Workplace).

At times, special details within the Department will be assigned duties where the consumption of alcoholic beverages may be necessary. Officers consuming alcoholic beverages shall not carry a firearm unless the respective Division Commander has previously approved it. When an officer is armed and consuming alcoholic beverages, the officer should remain aware of the potential issues that can arise from such consumption and the affects of alcohol on their senses and judgment. In all instances when an assigned officer is consuming alcoholic beverages, there shall be coverage by an officer, who has not consumed and is not consuming any alcoholic beverages. The covering officer should be located in a position where they can respond to an emergency in a timely manner.

306.2.10 OPTICS OR LASER SIGHTS
Laser sights may only be installed on a weapon carried on or off-duty after they have been examined and approved by the Rangemaster.

(a) “Streamlight” and “Surefire” are the only Department approved laser sight shall be installed in strict accordance with manufacturer specifications.

(b) Once approved laser sights have been properly installed on any weapon, the officer shall qualify with the weapon to ensure proper functionality and sighting of the weapon prior to carrying it.

(c) Officers must qualify with and without the laser sight during monthly handgun qualifications.

(d) For officer safety reasons, handguns with a laser light attachment must be carried in a hard frame holster molded for the specific weapon system. Soft framed holsters made solely of nylon material are not authorized. These types of holsters tend to collapse once the weapon is removed, making it difficult to reholster the weapon.
Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

### 306.2.11 LIGHTS MOUNTED ON WEAPONS

(a) The department has authorized light-mounted weapons. Light-mounted weapons can be used in patrol, or during any special assignment position, which could expose the officer to low-light or other hazardous entry situations. Lights may be mounted on rifles, shotguns and handguns, and may be carried and deployed when the use of the light-mount will enhance the officer’s ability to safely perform their duties. Lights may only be installed on a weapon after they have been examined and approved by the department armorer.

1. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

(b) The light-mount is not intended to replace the officer’s handheld flashlight. A light-mounted on a weapon is a tool to be used as an aid during high-risk situations. For officer safety reasons, handguns with a light attachment must be carried in a hard frame holster, molded for the specific weapon system. The holster must be designed to carry the weapon with the light-mount still attached to the weapon. Soft framed holsters made solely of nylon material are not authorized. These types of holsters tend to collapse once the weapon is removed, making it difficult to reholster the weapon.

(c) A light-mounted weapon is not authorized if the light-mount must be removed from the weapon prior to holstering.

(d) Light-mounts for weapons, holsters and other related light-mounted equipment are considered optional equipment and must be purchased and maintained by the officer.

### 306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

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

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

### 306.3.1 SAFETY CONSIDERATIONS

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

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

(b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Officers shall not dry fire or practice quick draws except under Rangemaster supervision.

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

(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle.

(e) Officers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing a prisoner, but shall place all firearms in a secured location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the jail section with any firearm.

(f) Officers shall not use any automatic weapon, heavy caliber rifle, gas or other type of chemical weapon from the armory, except with approval of a supervisor.

(g) Any weapon authorized by the Department to be carried on- or off-duty, that is found by the officer to be malfunctioning or needing service, shall not be carried. It shall be promptly presented to the department or Rangemaster for inspection. Any weapon determined to be in need of service or repair during an inspection by the department Rangemaster, will be immediately removed from service. If the weapon is the officer’s primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is serviceable.

306.3.2 INSPECTION OF FIREARMS

(a) Handguns shall be inspected regularly and upon access or possession by another person.

(b) Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued.

1. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle.

2. All firearms shall be pointed in a safe direction or into clearing barrels.

(c) The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition.

(d) Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.3.3 STORAGE OF FIREARMS

Storage in a motor vehicle – All members shall, when leaving a handgun in an unattended vehicle, lock the handgun in the vehicle’s trunk, lock the handgun in a locked container and place
the container out of plain view, or lock the handgun in a locked container that is permanently affixed to the vehicle’s interior and not in plain view (Penal Code § 25140).

- A vehicle is considered to be unattended when a person is not within close enough proximity to the vehicle to reasonably prevent unauthorized access to the vehicle or its contents.

**Storage in a residence** - When a member knows or reasonably should know that a child, or a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law, is likely to gain access to the firearm that member shall not keep in that residence any firearm unless one of the following applies (Penal Code §§ 25100 and 25135):

- The firearm is maintained within a locked container.
- The firearm is disabled by a firearm safety device.
- The firearm is maintained within a locked gun safe.
- The firearm is locked with a locking device, which when applied renders the firearm inoperable (Penal Code § 16860).

**Locked Container** - means a secure container that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device (Penal Code § 16850).

### 306.4 FIREARMS QUALIFICATIONS

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

#### 306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member’s personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

### 306.5 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least
Firearms

annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least twice a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

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

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Assistant Chief or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

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

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

306.6.2 INJURED ANIMALS
With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)).

Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.
306.7  RANGEMASTER DUTIES
The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Manager after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-qualification.

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

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Manager documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Manager.

306.7.1  REPAIR OR MODIFICATIONS OF DUTY WEAPONS
The Rangemaster and Department armorers shall be the only person authorized to repair or modify any department-owned weapon. All repairs and/or modifications of department issued weapons not performed by the Rangemaster or Department armorer must be approved in advance by the Rangemaster and accomplished by a Department approved gunsmith.

Any repairs or modifications to the officer's personally owned weapon shall be done at his or her expense and must be approved by the Rangemaster or Department armorer.

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

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

(b) Officers must carry their Alhambra Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature
and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.
Vehicle Pursuits

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

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

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

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

307.1.2 ACCOUNTABILITY
Officers involved in vehicular pursuits will be held administratively accountable for the initiation or continuation of a pursuit when the information which the officer knew or reasonably should have known at the time indicated that the pursuit should not have been initiated or should have been discontinued. No officer or supervisor will be criticized or subject to any discipline for a decision to not initiate a pursuit or for terminating a pursuit based upon the risk involved.

Vehicle Code § 21055 specifies that in emergency situations the driver of an authorized emergency vehicle is exempt from the "Rules of the Road," as specified in Division 11 of the Vehicle Code, provided that the lights and siren of the vehicle are activated. However, Vehicle Code § 21056 specifies that this exemption "does not relieve the driver from the duty to drive
with due regard for the safety of all persons using the highway, nor does it protect him from the consequences of an arbitrary exercise of the privileges granted in Vehicle Code § 21055.

307.2 OFFICER RESPONSIBILITIES

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

307.2.1 WHEN TO INITIATE A PURSUIT

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

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

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

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

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

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

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

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

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

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

(i) Vehicle speeds.

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

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

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

307.2.2 WHEN TO TERMINATE A PURSUIT
Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

The factors listed in §314.2.1 - When to Initiate a Pursuit, of this policy are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term “terminate” shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed in When to Initiate a Pursuit of this policy, the following factors should also be considered in deciding whether to terminate a pursuit:

(a) Distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.

(b) Pursued vehicle’s location is no longer definitely known.

(c) Officer’s pursuit vehicle sustains any type of damage that renders it unsafe to drive.

(d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.

(e) There are hazards to uninvolved bystanders or motorists.

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(g) Pursuit is terminated by a supervisor.

307.2.3 SPEED LIMITS
The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:
Vehicle Pursuits

(a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.
(b) Pursuit speeds have exceeded the driving ability of the officer.
(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

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

307.3.1 MOTORCYCLE OFFICERS
A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

307.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT
Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit. Officers in such vehicles, however, may become involved in emergency activities involving serious crimes or life threatening situations. Those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles or any police helicopter. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

307.3.3 PRIMARY UNIT RESPONSIBILITIES
The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator’s vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to him/herself or other persons.

Notify Communications Section that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

(a) Reason for the pursuit.
(b) Location and direction of travel.
(c) Speed of the fleeing vehicle.
(d) Description of the fleeing vehicle and license number, if known.
(e) Number of known occupants.
(f) The identity or description of the known occupants.
(g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

307.3.4 SECONDARY UNITS RESPONSIBILITIES
The second officer in the pursuit is responsible for the following:

(a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit.

(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

307.3.5 PURSUIT DRIVING TACTICS
The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.

2. Pursuing units should exercise due caution when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:

1. Requesting assistance from an air unit.

2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.

3. Requesting other units to observe exits available to the suspects.
Vehicle Pursuits

(d) Notifying the California Highway Patrol (CHP) and/or other jurisdictional agency if it appears that the pursuit may enter their jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

307.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

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

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

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

307.3.7 PURSUIT TRAILING

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

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

307.3.8 AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit.

(a) Based on conditions, a supervisor can authorize units to “track” the pursued vehicle.

1. When tracking the pursued vehicle, the air unit will divert its spotlight and gain altitude.

2. The air unit will continue to call the pursued vehicle’s location and actions.

3. Ground units should disengage from direct pursuit of the suspect vehicle and remain out of the direct line-of-sight of the suspect(s).
Vehicle Pursuits

4. Ground units shall remain in Code Three operation (with operating red light and siren) while following the air unit's broadcast.

(b) When ground units are not within visual contact while "tracking" the pursued vehicle and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

307.3.9 PURSUITS INVOLVING A HOSTAGE
In any vehicular pursuit where there is suspected to be a hostage in the suspect vehicle, the safety and successful release of the hostage shall be the primary consideration in determining the tactics to be used by the officers in the course of the pursuit.

(a) Officer Responsibility: When an officer becomes aware that a hostage may be in a pursued vehicle, the dispatcher shall be advised immediately. All available information shall be reported, including a description of the hostage(s), manner of dress, and the location of the hostage(s) within the suspect vehicle.

(b) Communications: The dispatcher shall notify a supervisor and ensure that all hostage-related information is immediately broadcast. The fact that a hostage may be involved in a pursuit shall be periodically re-transmitted during subsequent pursuit status broadcasts. In instances where the taking of a hostage has not been confirmed, the dispatcher shall attempt to obtain additional information from the original reporting person via land line. If a callback number is not available, or the reporting person cannot be contacted, the dispatcher shall assign a unit to respond to the scene of the initial occurrence to verify the taking of a hostage.

307.4 SUPERVISORY CONTROL AND RESPONSIBILITY
It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

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

(a) Upon becoming aware of a pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
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(f) Ensuring that aircraft are requested if available.
(g) Ensuring that the proper radio channel is being used.
(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
(i) Controlling and managing APD units when a pursuit enters another jurisdiction.
(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

307.4.1 WATCH COMMANDER RESPONSIBILITY
Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.

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

307.5.1 COMMUNICATION CENTER RESPONSIBILITIES
Upon notification that a pursuit has been initiated, Communications Section will:

(a) Coordinate pursuit communications of the involved units and personnel.
(b) Notify and coordinate with other involved or affected agencies as practicable.
(c) Ensure that a field supervisor is notified of the pursuit.
(d) Assign an incident number and log all pursuit activities.
(e) Broadcast pursuit updates as well as other pertinent information as necessary.
(f) Notify the Watch Commander as soon as practicable.

307.5.2 LOSS OF PURSUED VEHICLE
When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.
307.6 PURSuits ENTERING INTO OTHER JURISDiCTIONS

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

(b) The Dispatcher shall notify the responsible agency that a vehicular pursuit is entering its jurisdiction, preferably prior to the pursuit entering that jurisdiction or as soon as practical after the pursuit has entered that agency’s jurisdiction.

307.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Alhambra Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this department, the CHP should relinquish control.

307.6.2 PURSuits ENTERING INTO THIS JURISDiCTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

(a) The original reason for the pursuit.

(b) The behavior of the suspect(s) during the pursuit, including any information known or suspected that would increase or lessen the need to continue the pursuit.

(c) Ability to maintain the pursuit.
Vehicle Pursuits

(d) Circumstances serious enough to continue the pursuit.
(e) Adequate staffing to continue the pursuit.
(f) The public’s safety within this jurisdiction.
(g) Safety of the pursuing officers.

As soon as practicable, a supervisor or the Watch Commander should review a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency’s pursuit.

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

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

The initiating agency will be responsible for handling the prosecution of the violation which caused the pursuit. If the pursuit is terminated within the initiating agency’s area of responsibility, or if the initiating agency has responded to the point the pursuit is terminated, the initiating agency generally should take custody of the violator. However, if non-traffic violations have occurred subsequent to the pursuit being taken over by this department, this department will be responsible for their prosecution.

The agency having or witnessing the most serious crimes should retain custody of the violator.

307.7 PURSUIT INTERVENTION
Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practicable.

307.7.1 WHEN USE IS AUTHORIZED
Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision.
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It is imperative that officers act within the bounds of legality, Department-approved training, good judgment and accepted practices.

307.7.2 DEFINITIONS

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

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

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

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

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

Spikes or tack strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

307.7.3 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.7.4 INTERVENTION STANDARDS

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

   (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers who have received training in such tactics after giving consideration to the following:
Vehicle Pursuits

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.

2. All other reasonable intervention techniques have failed or reasonably appear ineffective.

3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.

4. The target vehicle is stopped or traveling at a low speed.

5. At no time should civilian vehicles be used to deploy this technique.

(b) Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer’s disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.

2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.

3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

(e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
Vehicle Pursuits

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

307.7.5 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.

307.7.6 CONCLUSION OF THE PURSUIT

(a) **Officer Responsibilities:** The senior officer in the primary pursuit vehicle is responsible for maintaining control and directing activities at the point at which a vehicular pursuit concludes, specifically as it relates to the apprehension of the suspect and the use of force, unless relieved by a supervisor. Unless otherwise requested to the scene, officers in all other units shall remain clear of the point at which the pursuit concluded. Plainclothes personnel at the scene shall ensure that they are readily identifiable as law enforcement personnel by displaying proper identification on their outer garment.

(b) **Supervisor Responsibilities:** When a pursuit concludes, a Field Supervisor shall proceed to the point the pursuit concluded in order to provide the necessary supervision and to evaluate the pursuit. The supervisor at the scene is responsible for controlling law enforcement activity at the scene and for ensuring adherence to Department policies. This responsibility shall continue until the suspect is booked or released, or it is determined that the search for the suspect(s) should be abandoned and all reports are completed pursuant to Vehicle Code § 14602.1.

(c) **Watch Commander:** Shall enter the relevant information on the pursuit log and review the reports written by the initiating officer and the Field Supervisor. The Watch Commander shall complete a Pursuit Review Report and submit it to the Field Services Assistant Chief.
Vehicle Pursuits

It shall also be the responsibility of the Watch Commander to schedule a "pursuit debriefing." The purpose of the debriefing will be to review the progress of the pursuit, assess the areas of improvement and ensure that the proper reports are completed.

307.7.7 TRAFFIC COLLISION DURING A PURSUIT
If a pursuing unit becomes involved in a traffic collision, the accident should be investigated by the law enforcement agency having jurisdiction where the collision occurred. If the collision occurs within the City limits, and injuries are sustained, the accident should be investigated by the California Highway Patrol.

307.7.8 VEHICLE INSPECTIONS
Any vehicle involved in a high speed pursuit shall be inspected by a supervisor as soon as practical after the conclusion of the incident. The vehicle will also be inspected by one of the Department's repair service mechanics at the earliest opportunity. Vehicles, known or suspected to have been damaged, will not be returned to service until properly inspected and repaired.

307.8 REPORTING REQUIREMENTS
The following reports should be completed upon conclusion of all pursuits:

(a) The primary officer should complete appropriate crime/arrest reports.

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

(c) After first obtaining the available information, a field supervisor shall promptly complete a Supervisor's Log, briefly summarizing the pursuit, and submit it to his/her manager. This log should minimally contain the following information:

1. Date and time of pursuit
2. Length of pursuit
3. Involved units and officers
4. Initial reason for pursuit
5. Starting and termination points
6. Disposition (arrest, citation), including arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment
9. Name of supervisor at scene
10. A preliminary determination whether the pursuit appears to be in compliance with this policy and whether additional review or follow-up is warranted

307.8.1 REGULAR AND PERIODIC PURSUIT TRAINING
In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).

307.8.2 POLICY REVIEW
Each sworn member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member’s training file.

307.8.3 ANNUAL ANALYSIS
Annually, the Professional Standards Unit will conduct a documented analysis of all pursuits initiated or assumed by officers of this department. The report will be forwarded to the Chief of Police for review of patterns or trends that indicate training needs and/or policy modifications in addition to all other statistical information.

307.9 APPLICATION OF VEHICLE PURSUIT POLICY
This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the POST Vehicle Pursuit Guidelines.
Officer Response to Calls

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

308.1.1 DEFINITIONS
Code-1 - Designates a routine response. Officers shall proceed to the assigned location immediately, obeying all traffic rules and regulations.

Under no circumstances will officers use any combination of emergency lights/equipment to gain right of way when assigned a "Code-1" response. The response to calls for service without a threat to life or property shall be designated as a Code-1 response.

Code-3 - Designates an emergency response. Police units shall be driven with emergency lights and siren in operation, exercising due care for persons and vehicles. The response to incidents of an emergency nature, particularly where human life may be in jeopardy, may be designated as a "Code-3" response.

A Code-3 response often necessitates the violation of the right of way of non-emergency vehicles. Only a unit specifically authorized to respond Code-3 shall operate as an authorized emergency vehicle.

Unmarked Vehicles - Unmarked units are primarily used for investigations and supervisory purposes. The use of these units as emergency vehicles should be limited to circumstances where no other alternative is available.

Authorized Emergency Vehicle - Any publicly owned vehicle by an agency employing peace officers for use by those officers in the performance of their duties (Vehicle Code § 165). The Vehicle Code exempts an employee from liability for injury or death of any person or damage to property while operating an authorized emergency vehicle in response to an emergency call or when in immediate pursuit of a suspected or actual violator.

The Vehicle Code requires that authorized emergency vehicles be operated with due caution for other persons and property on the highway and in accordance with the provisions of the various sections of the Vehicle Code.

308.2 RESPONSE TO CALLS
Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055. The decision to continue a Code-3 response is at the discretion of the officer.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment...
Officer Response to Calls

without a red light and siren does not provide any exemption from the Vehicle Code. The Watch Commander and field supervisors should be continually monitoring the radio and have the discretion to cancel any Code-3 assignment.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required (please refer to § 316.4 - Officer Initiated Code-3 Response to an Assigned Call). Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. When a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Communications Section to cancel any follow-up units still responding Code-3.

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

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

308.4 OFFICER INITIATED CODE 3 RESPONSE TO AN ASSIGNED CALL

(a) If an officer believes a Code-3 response to any assigned call is appropriate, the officer shall notify Communications Section as soon as practical.

(b) Should any officer not assigned to the call believe a Code-3 response is appropriate; the officer shall immediately notify Communications Section.

(c) The Watch Commander or any supervisor may request additional officers to respond Code-3 when the incident dictates the need for additional units.

(d) Generally, only two units should respond Code-3 to any situation.

(e) The officer should base the discretionary Code-3 response on the following criteria:

1. Type of call
2. Safety of the public and responding officers
3. Vehicle and pedestrian traffic in the area
4. Weather conditions
5. Road conditions
6. The location of other responding officers
(f) The watch commander and field supervisors should be continually monitoring the radio and have the discretion to cancel any Code-3 responses.

308.5 RESPONSIBILITIES OF RESPONDING OFFICER(S)

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

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

Upon receiving authorization or determining a Code-3 response is appropriate, an officer should conduct all radio communications on the designated channel of the call for service, and shall immediately give the location from which he/she is responding.

308.5.1 ENTERING AND CLEARING INTERSECTIONS

To minimize risk to officers and the public when engaging in Code-3 (including pursuits) officers shall operate their emergency vehicle at a safe speed at all times and reduce their speed at all controlled intersections. Officers shall proceed with caution through intersections "lane-by-lane" while monitoring vehicular, pedestrian and bicycle traffic, and other potential traffic hazards.

The use of these operations is specific to officers assigned to an emergency call, and does not excuse officers from operating with due regard for the safety of all persons and property while operating an emergency vehicle in Code-3.

308.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall assign a Code-3 response when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance.

(b) Confirm the location from which the unit is responding.

(c) Notify and coordinate allied emergency services (e.g., fire and ambulance), as necessary.

(d) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

(e) Monitor the AVL CAD Map to help prevent a potential traffic collision between responding units.
(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Watch Commander or field supervisor.

(g) Immediately notify the Watch Commander of the Code-3 response.

308.7 SUPERVISORY RESPONSIBILITIES
Upon being notified that a Code-3 response has been initiated, the Watch Commander or the field supervisor shall verify the following:

(a) The proper response has been initiated

(b) No more than those units reasonably necessary under the circumstances are involved in the response

(c) Affected outside jurisdictions are being notified as practical

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

It is the Watch Commander and field supervisor's responsibility to terminate a Code-3 response that in his/her judgment is inappropriate due to the circumstances.

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

• Seriousness of the known or suspected crime or incident, and its relationship to community and/or officer safety

• Safety of the public in the path of the responding Code-3 vehicle(s), including the type of area, time of day, weather, and the amount of vehicle and pedestrian traffic

• Traffic and roadway conditions

• The location of the responding units

• Performance of the vehicle(s) responding Code-3, the driving ability of the involved officer(s), are there passengers in the involved police unit(s), quality of communications between responding units and the availability of other resources to more quickly respond to the scene

• This list is not exhaustive and it is recognized that there are situations where a Code-3 response is authorized but not listed in this policy

308.8 FAILURE OF EMERGENCY EQUIPMENT
If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify Communications Section of the equipment failure so that another unit may be assigned to the emergency response.
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309.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of canines to augment police services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

309.1.1 ORGANIZATION
Police patrol and Narcotic Unit canine handlers will be assigned to the Field Services Division under the direction of the on-duty supervisor.

309.1.2 PATROL CANINE TEAMS
The patrol canine teams are established to assist officers in the location and apprehension of suspected criminal offenders. The objectives of the patrol canine program are to:

(a) Minimize the criminal activity in the City of Alhambra.
(b) Minimize the number of burglaries in the City of Alhambra.
(c) Reduce injuries to police officers resulting from criminal attacks by timely response to incidents that manifest a high police officer hazard.
(d) Reduce the manpower needed to thoroughly search a building or structure.
(e) Reduce the time spent conducting a search of a building or a structure.
(f) Assist in apprehending suspects committing a criminal act.
(g) Deter aggression against police during lawful arrest.
(h) Promote community awareness and acceptance of the canine unit as an important crime prevention tool.
(i) To reduce the likelihood of resorting to deadly force when confronted by dangerous criminals.
(j) Assist in narcotics enforcement activity.
(k) The police canine shall not be used to prevent, deter, intimidate, or threaten any person or group of people gathered for the purpose of exercising their constitutional rights of assembly or expression in a lawful manner.
(l) Police canines shall not be used to escort or intimidate prisoners into or out of jail. The police canine shall not be permitted to enter the jail or booking area without the permission of the on duty watch commander.

309.1.3 NARCOTIC UNIT CANINE TEAM
The police Narcotic Unit Canine Team has been established primarily for narcotic enforcement duties. The objectives of the Narcotic Unit Canine Team are:

(a) The detection and discovery of narcotics.
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(b) When available, assist patrol officers, detectives, and outside agencies in the detection and discovery of narcotics.

(c) Promote community awareness and acceptance of the canine unit as an important crime prevention tool.

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

(a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any officer or the handler.

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Watch Commander. Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

309.2.1 PREPARATION FOR UTILIZING A CANINE

(a) Prior to the use of a canine to search for or apprehend any individual, the canine handler and/or the supervisor on scene shall carefully consider all pertinent information that is reasonably available at the time. The information should include, but is not limited to the following:

1. The individual's age or estimate thereof.
2. The nature of the suspected offense.
3. Any potential danger to the public and/or other officers at the scene if the canine is released.
4. The degree of resistance or threatened resistance the subject has shown.
5. The potential for escape or flight if the police dog is not utilized.
6. The potential for injury by the subject to officers or the public if the canine is not utilized.

(b) As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved personnel to minimize the risk of unintended injury.

(c) Before conducting the search the canine handler should complete the following:
   (a) 1. Contact the handling unit on scene
        2. Determine nature of call, crime, weapons, etc.
        3. Verify perimeter
        4. Determine if officers or other parties are still inside the perimeter
        5. Obtain suspect description(s)
        6. Last location of suspect(s)
        7. Coordinate tactics with back-up officers
        8. Make area announcement of intent to deploy police canine

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate, reasonable and within the guidelines of the Policy Manual. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.2.2 WARNINGS GIVEN TO ANNOUNCE THE USE OF A CANINE
Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. Other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.
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If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.2.3 USE OF NARCOTIC-DETECTION CANINES
A narcotic-detection-trained canine may be used in accordance with current law under the following circumstances:

(a) To assist in the search for narcotics during a search warrant service.
(b) To obtain a search warrant by using the detection canine in support of probable cause.
(c) To search vehicles, buildings, bags and any other articles deemed necessary.
(d) A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

309.2.4 REPORTING USE OF A CANINE
Whenever the police service dog is deployed, a Canine Utilization and Evaluation Report shall be completed by the handler and turned in to the Unit Supervisor in a timely manner.

This would include situations where the police canine played a direct or indirect role in effecting the apprehension of a suspect (where the mere presence of the police canine resulted in the suspect’s submission to police officers). Other reportable applications include building, area, evidence, missing persons, and narcotics searches, call-outs, as well as demonstrations and while assisting other officers in a “back-up” capacity.

309.2.5 GUIDELINES FOR NON-APPREHENSION USE
Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented, in need of medical attention, or victims of natural disasters). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

(a) Absent a change in circumstances that present an immediate threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
(c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
(d) Once the individual has been located, the canine should be placed in a down-stay or otherwise secured as soon as it becomes reasonably practicable.
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309.2.6 REPORTING CANINE USE, BITES AND INJURIES
Whenever a canine is deployed and intentionally bites or otherwise causes injury to a suspect, a supervisor shall be promptly notified and the injuries documented in a Canine Utilization and Evaluation Report. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by the canine during deployments, operations, training, presentations or under any other circumstances, either on- or off-duty, shall be promptly reported to the Watch Commander. The handler should also report such incidents to the Canine Unit manager or Canine Unit Sergeant. Unintended bites or injuries caused by the canine should be documented in an administrative report, not on a Canine Utilization and Evaluation Report.

The Canine Utilization and Evaluation Report should include, at a minimum, the following information:

(a) If the injury requires medical attention, the subject should be transported to an appropriate medical facility.

(b) In the event an in-custody suspect requires medical attention, an officer should stand-by with the suspect until treatment has been rendered.

(c) In all cases of bites or injury resulting from the use of a canine, after proper medical attention has been provided to the subject, primary CSI will respond and take photographs of any injuries. The photographs will be labeled "Canine Incident - Do Not Destroy," and then booked into evidence. The photographs shall be booked into evidence in accordance with departmental procedures.

(d) Documentation in the narrative section of the Canine Utilization and Evaluation Report will refer the reader to the Incident Report or the Supplemental Report for details of the incident.

(e) If a subject has been injured or alleges an injury that is not visible, notification shall be made to a supervisor as soon as is practical. It will be the supervisor’s responsibility to contact the subject, ensure that photographs are taken of the area of the alleged injury, and that any administrative reports regarding the incident are completed in a timely manner.

(f) Prior to going off-duty, the canine handler should complete all necessary reports associated with the use of a police service dog in an apprehension.

(g) Whenever a bite results, the Canine Unit Sergeant or Watch Commander shall notify the Animal Control Office in a timely manner.

(h) The Canine Unit Sergeant will maintain liaison with the Animal Control Department to ensure that information regarding canine bites is not retained by their office. Canines used by law enforcement agencies are exempt from impoundment and reporting requirements to the Animal Control Department (Food and Agriculture Code § 31609(b)).
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309.2.7 ASSIGNMENT OF CANINES
The canine teams shall be assigned to the Field Services Division to supplement and assist the Patrol Section.

Canine teams should function primarily as cover units; however they may be assigned by the Watch Commander to other functions based on the needs of the watch at the time.

Canine teams should not be assigned to incidents that will take them out of service for extended periods of time unless necessary and only with the approval of the Watch Commander.

The patrol canine team will assist in any pursuit initiated by an APD officer, with supervisor approval, to ensure officer safety and assist in the apprehension of fleeing suspects at the termination of the pursuit. The canine handler will obey all provisions of Policy 314 - Vehicle Pursuits.

(a) The patrol canine teams are subject to all of the following conditions:
1. Providing 24-hour a day emergency call-out service
2. Conducting building intrusion searches
3. Conducting searches for lost children or missing persons
4. Conducting suspect searches
5. Conducting evidence searches
6. Conducting preventive burglary and street robbery patrols
7. Providing for timely response to crimes in progress and officer assistance calls
8. Rendering assistance to outside agencies with the approval of the Watch Commander
9. Searching disaster scenes for victims or evidence
10. Protecting police officers and citizens from acts of violence
11. Providing for public relations appearances and demonstrations
12. Providing police assistance in any situation where the canine unit’s capabilities can be effectively utilized

(b) The Narcotic Unit Canine Team is subject only to those conditions denoted by an asterisk:
1. Conducting searches for lost children or missing persons
2. Conducting evidence searches
3. Rendering assistance to outside agencies with the approval of the Watch Commander
4. Searching disaster scenes for victims or evidence
5. Providing for public relations appearances and demonstrations
6. Providing police assistance in any situation where the canine unit’s capabilities can be effectively utilized

309.2.8 GENERAL SAFETY GUIDELINES

In the interest of safety, officers and professional non-sworn personnel shall observe the following rules when working near the canine.

(a) Do not run in front of the canine when he is responding to an assignment.
(b) Do not run after the canine handler if the canine is not with the handler but within view.
(c) Do not make any aggressive gestures toward the canine handler.
(d) Do not attempt to give the canine any command except in the event of an emergency.
(e) Do not feed the canine unless previously approved by the canine handler.
(f) Do not attempt to retrieve anything out of the canine vehicle if the canine is inside.
(g) Do not run away from the canine. In the event you are bitten, do not pull away; but, remain as still as possible until the handler arrives and orders the canine to release his hold.

309.2.9 INJURED HANDLER PROTOCOLS

All officers shall consider the following course of action in the event that a canine handler is injured and unable to command the canine. If the handler is downed, his/her canine in all probability will stand guard and prevent anyone from approaching.

(a) Do not rush towards the handler or the canine.
(b) Call to the handler. If possible the handler can call the canine off.
(c) If the handler does not respond, and the canine vehicle is near-by, position it close to the canine with all windows up, rear interior gage partition closed and either rear door open. Using an authoritative voice, call the canine by name and command to “auto” (get into the car). The canine will now be secure and safe to transport.
(d) Request the assistance of another canine officer immediately.
(e) Notify the Watch Commander and Canine Unit manager.
(f) The Canine Unit vehicle contains protective sleeves and additional leads in the trunk. If the canine cannot be called-off, the canine can be secured by allowing it to attack the protective sleeve. Once it has a grasp of the sleeve it will not let go. The canine can then be secured in the unit.
(g) In the event a canine is also injured, request that communications contact the veterinarian and advise him/her of the emergency. Request the assistance of another Canine Unit to transport the canine to the veterinarian.
(h) Non-handlers should only command the canine in emergency situations when no handler is present, and only if proper commands are known.
(i) The canine and handlers train together, and work together. The canine’s attitude will change if the handler is hurt or in danger.
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309.2.10 ARTICLE DETECTION
A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.3 REQUEST FOR USE OF CANINE TEAMS
Personnel within the Department are encouraged to freely solicit the use of the canines. Requests for a canine team from outside of the Patrol Section shall go through the Canine Unit Sergeant or the Watch Commander.

309.3.1 REQUEST FOR ASSISTANCE FROM OTHER AGENCIES
The Watch Commander or the Canine Unit Sergeant must approve all requests for canine assistance from outside agencies, subject to the following provisions:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.
(b) When being utilized by another agency, the handler has the ultimate authority to decide whether the canine should be used for any specific assignment.
(c) Canine teams shall not be called-out while off-duty or used outside the boundaries of the City of Alhambra unless authorized by the Watch Commander or the Canine Unit Sergeant.
(d) It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.
(e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.3.2 REQUEST FOR PUBLIC DEMONSTRATIONS
All public requests for a canine team shall be approved by the Canine Unit Sergeant prior to making any commitment.

Handlers shall not demonstrate any apprehension work to the public unless authorized to do so by the Canine Unit Sergeant.

309.3.3 CROWD CONTROL
Canines shall not be used for crowd control.

309.4 SELECTION OF CANINE HANDLERS
The following are the minimum qualifications for the assignment of canine handler:

(a) Alhambra Police Department officer currently off probation, with a minimum of three years patrol experience.
(b) Reside in an adequately fenced, single-family, residence (minimum five-foot high fence with locking gates).
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1. If renting, must have written permission of the owner of the house that the canine is permitted on the premises.

2. If cohabitating, must have permission of other adult(s) residing in the home to house the canine at the residence.

(c) Have a covered garage which can be secured and accommodate a canine unit.

(d) Live within a maximum of fifty (50) miles to the Alhambra Police Department.

(e) Must commit to 3 years of service, exclusive of promotional opportunities, and be willing to work flexible shifts as assigned. One year extensions may be authorized by the Chief of Police.

(f) Have a demonstrated history of using good judgment while performing police officer duties.

(g) Have a good attendance, performance, and reliability record (sick time, injuries, past and present physical record).

(h) Must assume “24 hour/day on-call, call-back” status.

(i) Must be willing to allow for placement and construction of a kennel at their personal residence (no cost to the employee). A portable kennel may be used.

(j) Possess an energetic and enthusiastic attitude with a demonstrated propensity toward detail and thoroughness.

(k) Must not be fearful of animals, in particular canines.

(l) The canine handler will have to work a modified shift that will be directed by the canine manager or his/her designee.

309.5 REQUESTS FOR CANINE TEAMS

Field Services Section members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Field Services Section shall be reviewed by the Watch Commander.

309.5.1 AVAILABILITY

The handler shall be available for call-out at any time or day of the week.

309.5.2 CARE FOR THE CANINE AND EQUIPMENT

The handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, exercise, medical care, affection, and living conditions. The handler will be responsible for the following:

(a) Unless required by a particular application, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.

(b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition and when not on-duty shall maintain the canine unit in a garage, secured from public view.
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(c) Handlers shall permit the Canine Unit Sergeant and or Canine Unit manager to conduct spontaneous on-site inspections of affected areas of their residence as well as the canine unit, to verify that conditions and equipment conform to this policy.

(d) Any changes in the living status of the handler which may affect the lodging or environment of the canine shall be reported to the Canine Unit manager as soon as possible.

(e) When off-duty, canines shall be maintained in kennels, provided by the City, at the homes of their handlers. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, canines may be let out of their kennels while under the direct control of their handlers.

(f) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.

(g) Under no circumstances will the canine be lodged at another location unless approved by the Unit Supervisor or Watch Commander.

(h) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the Canine Unit manager or Watch Commander.

(i) Whenever a canine handler anticipates taking a vacation or an extended number of days off, the assigned canine vehicle shall be maintained at the Police Department facility and it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the Canine Unit Sergeant so that appropriate arrangements can be made.

(j) Should the handler choose to leave for vacation and take the canine, the Canine Unit manager shall be notified. While away from the handler's primary residence, the same requirements established for housing the canine as outlined in § 318.5.2 will apply.

(k) The canine shall not be transported in a vehicle without being in a secured, divided cage or portable kennel.

(l) The canine handler shall report, as soon as practical, any unplanned police incidents, bites, injuries, disturbances, or other significant events involving the canine, while off-duty to the Canine Unit manager and the Watch Commander.

(m) Canine handlers shall always take special care when their canine is off-leash, unattended, in a public setting, in the vicinity of children, etc., so as to ensure the safety of the public, the canine and other animals.

(n) Prepare and file all appropriate reports and logs pertinent to the utilization and training of the police canine.

(o) Canine handlers shall not allow the breeding of the canine.

(p) If the E-Collar is available and working appropriately, the canine handler should consider having the canine wear the E-Collar anytime it is deployed. Handlers shall assess each deployment situation and consider the use of the E-Collar accordingly.
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309.5.3 CANINE IN PUBLIC AREAS
All canines shall be kept on a leash when in areas that allow access to the public. Exceptions would include specific police operations for which the canines are trained.

(a) Canines shall not be left unattended in any area to which the public may have access.

(b) When the canine unit is left unattended all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also insure that the unattended unit remains inhabitable for the canine.

309.5.4 HANDLER COMPENSATION AND WORK SCHEDULE
The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the dog as provided in the Fair Labor Standards Act.

Canine handlers will be assigned to a modified work schedule. The patrol canine handlers will be under the direction of the on-duty patrol supervisor. The handlers will be credited four additional hours per week to compensate them for the care and maintenance of the police canine.

309.5.5 UNATTENDED POLICE CANINES
As a general rule, canines shall not be left unattended, in a manner where they may have contact with the public or be placed in danger. When not under the immediate control of a canine handler, the canine is to be secured in a department approved enclosure or in the canine unit.

There will be instances when it may become necessary to leave the canine unattended for a short period of time. When this becomes necessary, the following rules must be followed:

(a) When leaving the canine in the designated canine unit the handler will secure and lock all doors. Adequate ventilation must be provided for the canine.

(b) Ensure that the police canine has an adequate supply of water.

(c) It is essential that the canine is checked at least every 20 minutes to ensure that it is not in distress or being agitated by any outside source.

309.5.6 EQUIPMENT
In addition to equipment maintained by the Department for collective use by canine teams such as training suits and training sleeves; each canine handler will be assigned and required to maintain the following equipment:

(a) Chain link kennel

(b) Chain link cover and locking gate

(c) Metal food dish

(d) Metal water bucket

(e) Pinch collar

(f) Leashes

(g) 18” traffic leash
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(h) Retractable long line
(i) Leather or nylon harness
(j) Muzzle
(k) 30’ web tracking leash
(l) Grooming brush
(m) Comb
(n) K-9 first aid kit
(o) Training dumbbell
(p) Personal protective bite sleeve
(q) Department cellular telephone
(r) Audio recorder
(s) Tactical low rise nylon holster, nylon duty belt and accessories
(t) Tactical level III ballistic vest

309.5.7 CANINE HANDLER UNIFORMS
See Policy 1046 - Uniform Regulations, for the uniform description pertaining to the canine handler position.

309.5.8 CANINE VEHICLE USE
See Policy 706 - Vehicle Use, for the policies and procedures related to department vehicles.

309.6 MEDICAL CARE OF THE CANINE
All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in Policy Manual § 318.6.2.

309.6.1 NON-EMERGENCY MEDICAL CARE
Non-emergency medical care will be coordinated through the Canine Unit Sergeant or, if unavailable, the Canine Unit manager. Depending on the severity of the illness or injury, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and canine are out of the area, the handler may use the nearest available veterinarian.

The Canine Unit Sergeant shall ensure the Canine Unit manager is advised in a timely manner.

Any indication that a canine is not in good physical condition shall be reported to the Canine Unit Sergeant and the Watch Commander as soon as practical.

All canine injuries or illnesses will be documented in a Canine Utilization and Evaluation Report. All records of medical treatment shall be maintained in the Canine File.
309.6.2 EMERGENCY MEDICAL CARE
The handler shall notify the Unit Supervisor and Watch Commander as soon as practicable when emergency medical care for the canine is required. All medical care will be coordinated through the Canine Unit Sergeant. The Canine Unit Sergeant or Watch Commander shall then notify the Canine Unit manager and Field Services Division Commander of the illness or injury to the canine in a timely manner.

Depending on the severity of the injury or illness, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian. All canine injuries or illnesses will be documented in a Canine Utilization and Evaluation Report. All records of medical treatment shall be maintained in the Canine File.

309.7 TRAINING
Before assignment in the field, each canine team shall be trained and certified to meet current POST guidelines. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives shall be trained and certified to meet current POST standards.

The Canine Unit Sergeant shall be responsible for scheduling periodic training for all department personnel in order to familiarize them with how to conduct themselves in the presence of department canines.

309.7.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to current POST guidelines on an annual basis. Additional training considerations are as follows:

(a) Canine teams shall receive training as defined in the current contract with the department's canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the Canine Unit Sergeant.

(c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to the policies of the Alhambra Police Department.

(d) All canine training shall be conducted while on-duty unless otherwise approved by the Canine Unit Sergeant or Watch Commander.

1. **Daily Training** - Handlers are encouraged to work their dogs daily to sharpen the dog's skills.

2. **Weekly Training** - Four hours per week will be utilized by canine teams to conduct routine regional cell training. In some instances, the canine teams may be on-duty and subject to calls during these training sessions. The handlers will notify the on-duty Watch Commander of the location where the training is
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being conducted. Canine teams should make every effort to attend these training sessions.

3. Monthly Training - Each month, canine teams shall be evaluated by the department approved police dog trainer

4. Annual re-certification - Each canine team shall attend a POST certified re-certification course once a year.

(e) Each patrol canine team shall attend E-Collar training and be issued an E-Collar. The handlers should train with and without the E-Collar, so that in the event of an E-Collar failure, the handler still has a reasonable amount of control over the canine. The canine handler shall not over use their E-Collar for training and shall use it consistent with the training they were provided. The patrol canine handler will still be required to pass the annual recertification test with his/her canine without the use of the E-Collar.

(f) All training shall be documented by the canine handler and/or the trainer. The training records will be maintained by the Canine Unit manager.

(g) It is the responsibility of the Canine Unit Sergeant to verify that all canine agitators, assisting in training exercises, have successfully completed an approved agitator course. Only certified agitators will be allowed to work with the canine.

(h) Canine handlers will immediately report any injury and/or non-training related bite to the Watch Commander and file the appropriate documentation. The handler will notify the Canine Unit manager and Canine Unit Sergeant about the incident as soon as possible.

(i) Failure to actively participate in training sessions or maintain established training standards may result in de-certification of the canine team. De-certification will be grounds for reassignment from the canine program.

309.7.2 FAILURE TO SUCCESSFULLY COMPLETE POST TRAINING
Any canine team failing POST canine certification and/or other recognized and approved certification standards shall not be deployed in the field until certification is achieved. When practical, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.7.3 TRAINING RECORDS
All canine training records shall be maintained by the Canine Unit Sergeant.

309.8 CANINE UNIT MANAGER RESPONSIBILITIES
The Canine Unit manager will be assigned to field services and appointed by staff and shall supervise the Canine Program. The Canine Unit manager is directly responsible to the Field Services Assistant Chief. The Canine Unit manager shall have the responsibility of managing and administering the program according to the guidelines established by the department. The Canine Unit manager will be assisted by a Canine Unit Sergeant responsible for the supervision of the unit’s operations and staff.
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The Canine Unit Sergeant will maintain files on each canine handler and their canine, which shall include all training documentation, daily activity logs, monthly canine use reports, and monthly and annual reports. The Canine Unit manager shall maintain copies of all canine utilization reports and supporting documents as well as the investigative reports prepared by the Canine Unit Sergeant. The files shall be indexed by the handler and shall be maintained for a period of five years. These files will be maintained in either hardcopy or electronic formats.

The Canine Unit manager shall also be responsible for, but not limited to, the following:

(a) Review all Canine Use Reports to insure compliance with policy and to identify training issues and other needs of the program.
(b) Maintain liaison with other agency canine coordinators.
(c) Maintain accurate records to document canine activities.
(d) Audit the contracts and purchases of equipment and services for the unit.
(e) Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams.
(f) Participate in the selection process of prospective police canine handlers.
(g) Assist in the selection process of all police canines.
(h) Contribute to canine handler’s annual evaluation respective to canine responsibilities.
(i) Monitor follow-up investigations on all canine bite incidents.

309.8.1 CANINE UNIT SERGEANT RESPONSIBILITIES

The Canine Unit Sergeant reports directly to the Canine Unit manager and shall be responsible for, but not limited to, the following:

(a) Review and approve Canine Utilization and Evaluation Reports, canine handler training logs, and other related documentation to insure compliance with policy and to identify training issues and other needs of the program. Forward all records to the Canine Unit manager.
(b) Maintain liaison with the vendor kennel.
(c) Maintain liaison with administrative staff and functional supervisors.
(d) Maintain liaison with other agency canine coordinators.
(e) Maintain accurate records to document canine activities.
(f) Recommend and oversee the procurement of needed equipment and services for the unit.
(g) Be responsible for scheduling all canine related activities; public relations appearances, demonstration requests, time-off requests, overtime budget, and training requests.
(h) Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams.
(i) Maintain liaison with the Animal Control Department to ensure that information regarding canine bites is not retained by their office. Canines used by law enforcement agencies are exempt from impoundment and reporting requirements to the Animal Control Department (Food and Agriculture Code § 31609(b)).

(j) Attend weekly and monthly trainings while making certain the handlers attend and actively participate in those training sessions.

(k) Participate in the selection process of prospective canine handlers.

(l) Assist in the selection process of all police canines.

(m) Continuously inspect and evaluate each canine team to ensure they meet the established standards and expectations set forth by the Department.

(n) Contribute to canine handler’s annual evaluation respective to canine responsibilities.

(o) Disseminate training and tactical information pertinent to the use of canines.

(p) Prepare a monthly activity report from the information compiled in the Canine Utilization and Evaluation Reports. The monthly recap report shall be forwarded to the Canine Unit manager at the end of each month.

(q) Conduct follow-up investigations on all canine bite incidents.

309.9 CONTROLLED SUBSTANCE TRAINING AIDS
Controlled substance training aids are required to effectively train and maintain drug detecting canines. Further, controlled substances can also be an effective training aid during training sessions for law enforcement personnel and the public.

Health & Safety Code § 11367.5 provides that any Sheriff, Chief Of Police, the Chief of the Bureau of Controlled Substance Enforcement, or the Commissioner of the California Highway Patrol, or a designee thereof may, in his or her discretion, provide controlled substances in his or her possession for training purposes:

(a) To any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency.

(b) Provided the controlled substances are no longer needed as criminal evidence.

(c) Provided the person receiving the controlled substances, if required by the Drug Enforcement Administration, possesses a current and valid Drug Enforcement Administration registration that specifically authorizes the recipient to possess controlled substances while providing substance abuse training to law enforcement or the community or while providing canine drug detection training.

309.9.1 PROCEDURES
Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of accidental ingestion of these controlled substances by the canine, the following procedure shall be strictly followed:
Canines

(a) All necessary controlled substance training samples shall be acquired from the Alhambra Police Department's evidence personnel or from allied agencies authorized by Health & Safety Code § 11367.5 to provide controlled substance training samples. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler.

(b) The weight and test results shall be recorded and maintained by the Canine Unit Sergeant.

(c) Any person receiving controlled substance training samples pursuant to Health & Safety Code § 11367.5 shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked metal boxes at all times, except during training. The locked metal boxes shall be secured in the trunk of the canine handler's assigned patrol unit, or stored in a locked evidence locker. There are no exceptions to this procedure.

(f) The Canine Unit Sergeant shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Section or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

(i) In the event the handler is away from work for an extended period of time, regardless of the reason (e.g. vacation, lengthy training assignments, etc.), all controlled substance training samples shall be returned to the Property and Evidence Unit for safekeeping.

309.9.2 IMMUNITY
All duly authorized peace officers acting in the performance of their official duties and any person working under their immediate direction, supervision or instruction are immune from prosecution under the Uniform Controlled Substance Act while providing substance abuse training or canine drug detection training (Health & Safety Code § 11367.5(b)).

309.10 DISPOSITION OF POLICE CANINE
Upon termination, resignation, extended leave or upon demand of the Canine Unit manager or his/her designee, a canine handler shall immediately deliver the canine to the Canine Unit Sergeant. There are no exceptions to this regulation without the expressed permission of the Chief of Police.
Canines

Upon retirement of the canine, the City of Alhambra may relinquish ownership of the canine to the canine handler. The officer shall be required to sign a contract assuming all liability for the actions of the retired canine.

Should the current canine handler elect not to assume liability for the retired canine, the Canine manager may elect to contact any prior handler of the police canine. The prior canine handler(s) may then be given the option to take ownership of the canine, as long as he/she agrees to sign a contract assuming all liability for the actions of the retired canine.
Potential Claims: Format for City Liability Investigations

310.1 PURPOSE AND SCOPE
To establish a format for the complete, proper and timely investigations of city liability cases.

The department should investigate all cases where the potential for police civil liability exists. On occasion, the City Manager, City Attorney or Risk Manager may also request assistance from the Alhambra Police Department to investigate city liability cases not associated with the police department. Utilizing the following standard procedures and guidelines will enhance the investigation of potential claims and create an accurate account and reporting of such cases.

310.1.1 RECOGNITION OF POTENTIAL LIABILITY CASES
The recognition of potential liability cases should be an ongoing training topic within the Alhambra Police Department utilizing roll-call training, staff meetings and routine supervision as methods to impart knowledge and the recognition of incidents of potential city liability.

310.1.2 POTENTIAL CLAIM FORM
(a) The police department enjoys the same attorney client privilege as in every other legal case. Therefore, any supervisor utilizing the Potential Claim Form shall include all facts of the incident, even those that may be adverse to the City's potential liability.

(b) The Potential Claim Form is solely for the use of the police department in reporting potential liability cases to the City Attorney and Risk Manager. Any further distribution of that investigation format is at the discretion of the City Attorney's Office and the Chief of Police.

310.2 DISTINCTION BETWEEN MINOR AND MAJOR POTENTIAL CLAIMS
(a) Minor potential claim incidents - include, but are not be limited to, non-injury traffic accidents, damage to doors or windows in relation to legitimately forced police entry, lost property in police custody (valued at less than $400), minor sidewalk trip and falls, etc.

(b) Major potential claim incidents - include, but are not be limited to, injury traffic accidents, injury or death to anyone in police custody, cases where there is potential for false arrest, illegal detention or an illegal search, incident involving a failure to take proper action, negligence or misuse of department equipment or resources resulting in injury or death, defective areas of city responsibility in streets, lighting, etc., which contribute to serious injury or death.

1. Also included within this category are potential claim incidents that have the likelihood to negatively reflect upon the good reputation of the police department and/or City of Alhambra (e.g. politically sensitive and/or controversial issues, public figures, incidents that may be of public importance, etc.).
310.3 PROCEDURES FOR SOLELY CITY OF ALHAMBRA LIABILITY CASES

Whenever any police employee recognizes a potential liability for the City of Alhambra, that employee shall immediately notify a supervisor. The supervisor shall confirm if the employee's concerns were valid and determine the need for:

(a) Reporting the incident through the chain of command
   1. Please refer to Policy 358 - Major Incident Notification, as the minimum standard for notification to the watch commander and other command staff. All major potential claim incidents (as referenced in § 319.2(b), above) shall immediately be reported to the respective Assistant Chief and the Chief of Police. It shall be up to the discretion of the Chief of Police if the City Attorney and/or Risk Manager are to be notified at this time.

(b) Additional reporting

(c) Additional investigation

(d) Supervisory review of reports and totality of the incident

(e) Referral to the appropriate City department (e.g. Fire Department, Street Maintenance Department, Water Department, etc.) for disposition.
   1. If the time of a reported minor liability incident is after the operating hours of the affected city department, the Watch Commander has the discretion to further investigate and generate a Potential Claim Form.
   2. The completed Potential Claim Form shall be processed through the chain of command to the Chief of Police.

310.3.1 POTENTIAL CLAIM INVESTIGATIONS INVOLVING A CRIME AND/OR ASSIGNED A CASE NUMBER

(a) All police personnel recognizing an incident that has potential liability to the police department shall immediately notify a supervisor.

(b) A supervisor or their designee shall respond to the scene of the incident and determine if the potential claim is related to a criminal matter and/or a DR number has been assigned.
   1. The supervisor shall promptly notify the watch commander of the circumstances surrounding the incident and discuss a plan of action.

(c) When the incident is related to a criminal matter and/or has been assigned a DR number, the supervisor will limit any report of liability to the Potential Claim Form. All interviews, photographs, and other evidence become part of the DR file. These items may later be requested by the City Attorney through the Professional Standards Unit of the police department.
   1. The Potential Claim Form shall include the names and addresses of all victims and witnesses to the incident.
   2. The Potential Claim Form shall include the description of any injuries and the condition of the injured parties at the time of the report.
3. The narrative of the incident can be incorporated within the Potential Claim Form or by attaching a copy of the Supervisor’s Log or memorandum.

(d) If the supervisor or their designee needs to interview a suspect involved in a crime related to the potential claim incident, the suspect still maintains his/her Miranda rights. Interviewing a suspect after they have invoked their Miranda rights can potentially subject the agency to civil litigation. As such, if a “suspect” invokes their Miranda rights, no further interviews will be conducted. If the supervisor or their designee does obtain a statement from a suspect, the following shall apply:

1. The content of the interview should be documented and summarized as part of any related Incident or Arrest Reports.

2. The fact that a recorded interview was or was not conducted should be documented in the Potential Claim Report.

3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired and documented within any Property Reports.

310.3.2 POTENTIAL CLAIM INVESTIGATIONS - SOLELY CIVIL INCIDENTS

(a) All police employees recognizing an incident that has potential liability to the City of Alhambra or the police department shall immediately notify a supervisor.

(b) A supervisor or their designee shall respond to the scene of the incident and determine if the potential claim is strictly a civil liability issue for the police department and is not part of a criminal investigation or has been assigned a DR number.

1. The supervisor shall promptly notify the watch commander of the circumstances surrounding the incident and discuss a plan of action.

(c) If the incident is solely civil in nature then all reports, interview tapes, evidence collected, etcetera will not be listed under a DR number.

(d) The supervisor will ensure that all involved employees, witnesses and principals are interviewed, preferably recorded.

(e) The supervisor shall ensure that all necessary photographs are taken and evidence that relates to the incident is recovered and referenced within the Potential Claim Form.

(f) The supervisor shall gather all related reports (originals if related solely to a civil matter) and review the circumstances with involved employees and the Watch Commander.

(g) The supervisor shall then complete the Potential Claim Form and ensure that all related reports are completed in a timely manner. All additional reports should be submitted, along with the Potential Claim Form, as a package.

(h) The supervisor should conduct any further needed on-scene, or follow-up investigations that could reveal additional witnesses or evidence.

(i) The supervisor should also consider pulling and duplicating dispatch tapes, call slips, officer Daily Logs and/or Supervisor Logs, etc.
310.4 POTENTIAL CLAIM NOTIFICATION PROTOCOL AND PROCESSING

(a) Upon completion of the potential claim investigation, the supervisor shall promptly notify the Watch Commander and/or their manager as to the details of the incident.

(b) The completed Potential Claim Form or Potential Claim package shall then be forwarded to the respective Division Commander for review.

(c) The Assistant Chief shall review the Potential Claim Form or Potential Claim package and ensure that any needed follow-up investigation is completed.

(d) If the Potential Claim involves a major incident, the Assistant Chief shall immediately notify the Chief of Police as to the facts and conclusions of the investigation.

(e) The Assistant Chief shall forward the completed Potential Claim Form or Potential Claim package to the Professional Standards Unit.

1. The Professional Standards Unit supervisor will ensure that the Chief of Police has been briefed on the potential claim.

(f) The Professional Standards Unit supervisor will review the potential claim case for completeness and retain a copy of the Potential Claim Form and file it in the Professional Standards Unit File.

1. The Professional Standards Unit supervisor will forward copies of the completed Potential Claim Form or, if directed by the Chief of Police, the Potential Claim package to:

   (a) The City Attorney

   (b) The Risk Manager

(g) Duplication of Potential Claim Forms is strictly prohibited and distribution is expressly limited to the City Attorney's Office, Risk Management and the Professional Standards Unit of the Police Department.

(h) Should a claim against the City of Alhambra or police department be filed, the Professional Standards Unit supervisor shall pull the Potential Claim File and incorporate all appropriate documents.

(i) The Professional Standards Unit supervisor should maintain the file for 36 months. If no lawsuit is filed and after City Attorney approval for such destruction under City Council Ordinance then forward the Potential Claim File to the Records Bureau Manager for destruction.

310.4.1 PROFESSIONAL STANDARDS UNIT SUPERVISOR RESPONSIBILITIES WHEN A CLAIM FOR DAMAGES IS FILED AGAINST THE POLICE DEPARTMENT

(a) Verify that the City Clerk has properly received the claim.

(b) Check for a Potential Claim File regarding the incident. Incorporate the claim in the file, if one exists.

(c) Pull all reports and review, if necessary. Pull dispatch tapes, if not already done (keep in-office call slips, etc.).
Potential Claims: Format for City Liability Investigations

(d) Evaluate claim in consultation with the Chief of Police, respective Division Commander, City Attorney and Risk Manager.

(e) At their request, forward copies of any additional police reports, dispatch tapes, etc. to the City Attorney and Risk Manager.

310.5 POSSIBLE DEPARTMENT VIOLATIONS IN CIVIL LIABILITY CASES
If the conduct of any involved employee may reasonably lead to disciplinary action, the employee shall be afforded all procedural rights at each stage of the investigation. The City Attorney’s Office shall be advised when an internal investigation is being conducted in relation to a Potential Claim.
Domestic Violence

311.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

311.1.1 DEFINITIONS
Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

311.2 POLICY
The Alhambra Police Department’s response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims’ and offenders’ access to appropriate civil remedies and community resources whenever feasible.

311.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

311.4 INVESTIGATIONS
The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
Domestic Violence

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Section in the event that the injuries later become visible.

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Marital status of suspect and victim.
2. Whether the suspect lives on the premises with the victim.
3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.
Domestic Violence

311.4.1 IF A SUSPECT IS ARRESTED
If a suspect is arrested, officers should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.
(b) Provide the victim’s contact information to the jail staff to enable notification of the
victim upon the suspect’s release from jail.
(c) Advise the victim whether any type of court order will be in effect when the suspect
is released from jail.

311.4.2 IF NO ARREST IS MADE
If no arrest is made, the officer should:

(a) Advise the parties of any options, including but not limited to:
   1. Voluntary separation of the parties.
   2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter
      homes, victim witness unit).
(b) Document the resolution in a report.

311.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Officers should:

(a) Recognize that a victim’s behavior and actions may be affected.
(b) Provide the victim with the department’s domestic violence information handout, even
if the incident may not rise to the level of a crime.
(c) Alert the victim to any available victim advocates, shelters and community resources.
(d) Stand by for a reasonable amount of time when an involved person requests law
enforcement assistance while removing essential items of personal property.
(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained
injury or complains of pain.
(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport
the victim to an alternate shelter if the victim expresses a concern for his/her safety
or if the officer determines that a need exists.
(g) Make reasonable efforts to ensure that children or dependent adults who are under
the supervision of the suspect or victim are being properly cared for.
(h) Seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order
of available local victim services (Family Code § 6452).

311.5.1 VICTIM INFORMATION AND NOTIFICATION EVERYDAY (VINE) PROGRAM
When appropriate, officers should advise the victim of the availability of the Victim Information
and Notification Everyday (VINE) Program. VINE is a free, computer-based telephone service
that allows victims to check on an offender’s custody status and register to receive automatic
notification when an inmate is released from County Jail. The contact phone number for VINE is 1 (800) 721-8021.

311.5.2 WRITTEN NOTICE TO VICTIMS
Penal Code § 13701 requires that victims of domestic violence be furnished written notice, which includes the following information:

(a) A statement informing the victim that despite official restraint of the person alleged to have committed domestic violence, the restrained person may be released at any time.

(b) A statement that provides information about a shelter they may contact in the area.

(c) A statement that provides information about other community services they may contact in the area.

(d) A statement informing the victim of domestic violence that he or she can ask the District Attorney to file a criminal complaint.

(e) A statement that "For further information about the California Victim's Compensation Program, you may contact 1 (800) 777-9229."

(f) A statement informing the victim of the right to go to Superior Court and file a petition requesting any of the following orders for relief:

1. An order restraining the attacker from abusing the victim and other family members
2. An order directing the attacker to leave the household
3. An order preventing the attacker from entering the residence, school, business, or place of employment of the victim
4. An order awarding the victim or the other parent custody of or visitation with a minor child or children
5. An order restraining the attacker from molesting or interfering with minor children in the custody of the victim
6. An order directing the party not granted custody to pay support of minor children, if that party has a legal obligation to do so
7. An order directing the defendant to make specified debt payments coming due while the order is in effect
8. An order directing that either or both parties participate in counseling

(g) A statement informing the victim of the right to file a civil suit for losses suffered as a result of the abuse. This includes medical expenses, loss of earnings, and other expenses for injuries sustained and damage to property, and any other related expenses incurred by the victim or any agency that shelters the victim.
Domestic Violence

(h) In the case of an alleged violation of Penal Code §§ 243(e), 261, 261.5, 262, 273.5, 286, 288a, or 289, a Domestic Violence Information Pamphlet, which shall include, but is not limited to, the following information:

1. The names and locations of rape victim counseling centers within the county, including those centers specified in Penal Code § 13837, and their 24-hour counseling service telephone numbers

2. A simple statement on the proper procedures for a victim to follow after a sexual assault

3. A statement that sexual assault by a person who is known to the victim, including sexual assault by a person who is the spouse of the victim, is a crime

4. A statement that domestic violence or assault by a person who is known to the victim, including domestic violence or assault by a person who is the spouse of the victim, is a crime

(i) The card should also provide information relating to the rights and duties of tenants and landlords regarding lock changes, evictions and related matters that may assist victims with housing and safety concerns (Code of Civil Procedure § 1161.3 and Civil Code §§ 1941.5 and 1941.6).

311.5.3 MANDATED DOMESTIC VIOLENCE SUPPORT

Victims of domestic violence or abuse have the right to have a domestic violence counselor (as defined in Evidence Code § 1037.1) and a support person of the victim's choosing present at any interview by law enforcement authorities (Penal Code § 679.05).

The investigating officer must advise the victim of his/her right to have an advocate and support person present at any subsequent interview(s), including additional interviews by the reporting and/or detectives handling the case. The victim should be advised that any advocate working for the agencies listed on the Domestic Violence resource card would qualify.

(a) For the purposes of this section, an initial investigation by law enforcement to determine whether a crime has been committed and to determine the identity of the suspect(s) shall not constitute a law enforcement interview.

(b) The support person may be excluded from an interview if the law enforcement authority or the District Attorney determines the presence of that person would be detrimental to the purpose of the interview.

(c) The investigating officer should articulate in the report that the victim was advised of their right to a counselor and/or support person.

311.5.4 TENANCY ISSUES

(a) Officers may request a person who is not in lawful possession of the premises to leave when:
Domestic Violence

1. The complainant is in lawful possession of the premise (as exhibited by rent receipts, lease, deed, verification by apartment manager, etc.)
2. The complainant has requested that the person leave the premises
   (b) The officer will stand by until the suspect removes essential belongings.
   (c) If the suspect does not leave upon request, an arrest should be made under Penal Code § 602.5.
   (d) If the complainant requesting removal of the suspect cannot show proof of lawful possession, the officer should refer the complainant for a Temporary Restraining Order or other appropriate civil remedy.
   (e) If appropriate, a domestic violence situation involving a tenancy issue may be resolved through the proper application for an Emergency Protective Order.

311.6 DISPATCH ASSISTANCE
All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

311.7 FOREIGN COURT ORDERS
Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

311.8 VERIFICATION OF COURT ORDERS
Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:
   (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.

   1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

311.8.1 PROOF OF SERVICE NOT VERIFIED
When the officer verifies that a restraining order exists but cannot verify proof of service or prior knowledge of the order by the suspect, the officer shall perform the following:

   (a) At the request of the complainant and upon presentation of an endorsed copy of the restraining order and a proof of service form, serve a copy of the order on the suspect. Submit the completed proof of service form to the court, regardless of whether or not the suspect is taken into custody (Code of Civil Procedure § 527.8(i)(2)).

   (b) Immediately inform the suspect of the terms of the order and place the suspect on notice that violation of the order will result in arrest.

   (c) Obtain the suspect's address.

   (d) Enforce the order, but do not make an arrest for any violation of the order occurring prior to verifying proof of service or before an officer's admonition of the terms of the order. If the suspect continues to violate the order after being advised of the terms, an arrest should be made (Code of Civil Procedure § 527.8(i)(4)).

If the suspect complies with the order the officer shall complete a report detailing the specific terms of the order and advisement, the name of the advising officer, and the date and time of the advisement (Penal Code § 13730(c)). The Department copy of the restraining order shall be updated to reflect the information listed above.

311.8.2 WHEN COURT ORDERS ARE NOT VERIFIABLE
If the victim is not in possession of the restraining order and/or for any reason the officer cannot verify the validity of the order the following action shall be taken:
Domestic Violence

(a) Write a report and give the police report number to the victim.

(b) Inform the victim of how they can contact the appropriate detective or investigation unit for further action (Penal Code § 13730(c)).

(c) Inform the victim of the right to make a private person’s arrest for the appropriate violation.

In domestic violence cases where the suspect has left the scene, an investigation should be conducted to determine if a crime has been committed. In such circumstances a written report shall be completed and the victim shall be informed of the case number and the follow-up criminal procedure (Penal Code §§ 13730(c) and 13701(c))

311.8.3 EMERGENCY PROTECTIVE ORDERS

(a) Family Code § 6241 mandates the Superior Court to provide a judge, commissioner, or referee to hear applications and issue Emergency Protective Orders based on criteria outlined in Family Code § 6250(c). A judicial officer may issue an Emergency Protective Order whenever a law enforcement officer asserts reasonable grounds that:

1. A person is in immediate and present danger of domestic violence based upon the person's allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought.

2. A child is in immediate and present danger of abuse by a family or household member, based on an allegation of a recent incident of abuse or threat of abuse by the family or household member.

3. A child is in immediate and present danger of being abducted by a parent or relative, based on a reasonable belief that a person has intent to abduct a child or flee with the child from the jurisdiction or based on an allegation of a reasonable threat to abduct the child or flee with the child from the jurisdiction.

4. An elder or dependent adult is in immediate and present danger of abuse as defined in Welfare and Institutions Code § 15610.7 based on an allegation of a recent incident of abuse or threat of abuse by the person against whom the order is sought, except that no emergency protective order shall be issued based solely on an allegation of financial abuse.

(b) Under Penal Code § 646.91, a peace officer may also obtain an Emergency Protective Order when the officer has reasonable grounds to believe that a person or the person's immediate family is in immediate and present danger of being stalked.

1. Any such Emergency Protective Order shall be reduced to writing, signed by the officer and include all of the information required by Penal Code § 646.91(c).

2. Any officer seeking such an order shall serve the order on the restrained person if such person can be reasonably located and shall provide the person protected...
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311.8.4 OBTAINING AN EMERGENCY PROTECTIVE ORDER

(a) Once the handling officer at the scene determines that an EPO is warranted, the officer shall notify a supervisor of the circumstances. If the Supervisor concurs with the handling officer, he shall initiate the application for the EPO and contact the on-call Superior Court representative to obtain the order. Any doubt regarding the justification for the order shall be resolved by contacting the court representative. The on-call court representative may be a judge, commissioner, or court appointed referee.

(b) EPO's may be obtained twenty-four (24) hours a day, seven days a week, whether the court is in session or not. The County operator (213) 974-1234 will connect the officer or supervisor to the on-duty court representative.

(c) The EPO is self-explanatory. The officer completing the EPO shall indicate the address for the local Superior Court on the top of the order. The court representative will assign the officer a "T" number. The "T" number shall be placed in the "Law Enforcement Case Number" box located in the upper right hand corner of the EPO. Do not put the
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DR Number in this box. The CR Number can be placed atop the Law Enforcement Case Number.

(d) EPO’s must be served to be valid and an officer must serve them upon request. Violation of an EPO is an arrestable offense under Penal Code §§ 273.6 and 836(C)(1), even when not committed in the officer's presence.

(e) After completing the form, the officer shall serve the order on the restrained party and advise him/her of the conditions of the order. If the restrained party is not present, the law requires that the officer "attempt to serve the order if the restrained party can reasonably be located, or there is a reasonable apprehension of imminent danger." If the officer cannot serve the restrained party, he should either leave the EPO with the protected party or give it to a supervisor so it can be assigned to the next shift. The EPO may be left with the protected party so that the suspect may be served by any responding officer should the suspect return to the location.

(f) All incidents in which an officer requests or serves an EPO must be documented in a crime report and shall include:

1. The justification for the EPO
2. Whether the restrained party was or was not served
3. The name of the court representative who granted or denied the order
4. The name of the officer who actually served the EPO
5. Whether the victim refused the EPO
6. The location where the restrained party was served
7. The circumstances under which he was served
8. Any statements made by the restrained party when served

311.8.5 "STAY AWAY" COURT ORDERS
Stay-away orders are issued in criminal cases when the probability of victim intimidation exists. Violation of a stay-away order is a misdemeanor under Penal Code § 166(c)(1). Witness intimidation is also a violation of Penal Code § 136.1 and potentially a violation of Penal Code § 422. Examples of witness intimidation include attempting to prevent or dissuade a victim from attending or giving testimony at any proceeding, or using force or expressing or implying a threat of force or violence related to the court proceeding.

Stay Away Orders are verified by asking the victim to show a copy of the original order. Victims are requested to carry the order with them at all times. An officer must verify that the suspect is under the court's jurisdiction, or verify that a Stay Away Order has been issued against the suspect.

The Code of Civil Procedure §§ 540 et seq. and 527.6 requires that all law enforcement officers shall enforce the terms of a verified order. The crime report shall note the specific violations of
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the order, and the victim is to be given the police report number for follow-up pursuant to Penal Code § 13701(l).

A violation of the order is a violation of Penal Code § 166.4. This charge is in addition to any other applicable charge, such as assault or battery.

311.8.6 MILITARY SUSPECTS
The intent of this policy is to eliminate all informal referrals, diversions, or report taking omissions in the handling of domestic violence incidents involving military personnel.

If an incident occurs outside of a military facility and within the city boundaries of the City of Alhambra, no informal agreements with military police or a suspect's commanding officer shall take precedence over a suspect's arrest and prosecution.

311.9 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

311.9.1 STANDARDS FOR ARRESTS
Officers investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).

(c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender’s child)
3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
4. Penal Code § 646.9 (stalking)
5. Other serious or violent felonies specified in Penal Code § 1270.1

(d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

(e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer’s presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

311.9.2 COURT ORDERS

(a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located, and shall provide the person protected or the person’s parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).

(c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)(2)).

(d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

(e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide him/her with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).
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311.9.3 PUBLIC ACCESS TO POLICY
A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

311.9.4 REPORTS AND RECORDS
   (a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information and notations specific to domestic violence incidents as required by Penal Code § 13730.
   (b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.
   (c) Officers who seize any firearm or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)(2)).

311.9.5 RECORD-KEEPING AND DATA COLLECTION
This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Records Manager to maintain and report this information as required.

311.9.6 DECLARATION IN SUPPORT OF BAIL INCREASE
Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee’s appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).

311.10 FIREARMS
Officers shall take into temporary custody any firearm or other deadly weapons in plain sight or discovered pursuant to a consensual search or other lawful search in a domestic violence incident and process it for safekeeping as authorized in Penal Code § 18250.
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In no event shall such a firearm or weapon be returned within less than 48 hours. If necessary, officers may also obtain a search warrant for firearms or other deadly weapons that are subject to seizure under Penal Code § 18265 (Penal Code § 1524(a)(9)).

The officer taking custody of any firearm or other deadly weapon shall issue the individual possessing such weapon a receipt fully describing the weapon (including any serial number), and indicate the location where the weapon may be recovered, along with any applicable time limit for recovery (Penal Code § 18255).

No person who is the subject of an Emergency Protective Order issued pursuant to Penal Code § 646.91 may own, possess, purchase or receive, or attempt to purchase or receive a firearm while such order is in effect.

311.10.1 RETURN OF FIREARMS

(a) If, within five days after the seizure, a firearm or other deadly weapon is not retained for use as evidence related to criminal charges brought as a result of the domestic violence incident and the officer has no reason to believe that such firearm or weapon would further endanger the victim or person reporting the domestic violence, the Department shall notify the lawful owner or other person who was in lawful possession of the firearm or weapon of its availability (Penal Code § 18265).

(b) If, however, any officer has reasonable cause to believe that a firearm or other deadly weapon seized in a domestic violence incident would likely result in further danger to the victim or person reporting such incident or that further investigation of such firearm or weapon is required through the Department of Justice or other sources, the Department shall, within five days of the seizure, notify the owner or other person who was in lawful possession of the firearm or weapon that such firearm or weapon will be retained for up to 60 days of the seizure.

(c) If, after 45 days, the Department has been unable to clear the firearm or other deadly weapon for release, the Department shall commence the process of preparing a petition to the Superior Court to determine if the firearm or other weapon should be returned. Such petition shall be filed within 60 days of the initial seizure or upon timely application to the court for an extension within no more than 90 days.

(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice, which conforms to the provisions of Penal Code § 33850.

(e) The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).
Search and Seizure

312.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Alhambra Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY
It is the policy of the Alhambra Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

312.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
Search and Seizure

312.3.1 RESIDENCE
Absent a valid search warrant, exigent circumstances, probation or parole authorization, or valid consent, every person has a reasonable expectation of privacy inside his/her home.

312.3.2 PLAIN VIEW
Because an individual does not have an expectation of privacy as to items that are in plain view, no "search" has taken place in a constitutional sense when an object is viewed from a location where the officer has a right to be.

An item in plain view may generally be seized when all of the following conditions exist:

(a) It was viewed from a lawful location.
(b) There is probable cause to believe that the item is linked to criminal activity.
(c) The location of the item can be legally accessed.

It is important to note that the so-called "Nexus Rule" requires that even items in plain view must not be seized unless there is probable cause to believe that the item will aid in an investigation. Such a nexus should be included in any related reports.

312.3.3 EXIGENT CIRCUMSTANCES
Exigent circumstances permitting entry into premises without a warrant or valid consent generally include any of the following:

(a) Imminent danger of injury or death.
(b) Serious damage to property.
(c) Imminent escape of a suspect.
(d) The destruction of evidence.

An exigency created by the officer's own conduct as an excuse for a warrantless entry is not generally permitted.

312.4 SEARCH PROTOCOL
Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strives to conduct searches with dignity and courtesy.
(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
Search and Seizure

1. When appropriate and practical, officers should use video or photographs of a residential or commercial building search to document the condition of the property both before and after the search is conducted.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.

2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

312.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Temporary Custody of Juveniles

313.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Alhambra Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

313.1.1 DEFINITIONS
Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person. Juveniles 11 years of age or younger are considered juvenile non-offenders even if they have committed an offense that would subject an adult to arrest.

Juvenile offender - A juvenile 12 to 17 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (Welfare and Institutions Code § 602). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1(d); 15 CCR 1150).

Safety checks - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
(b) A juvenile handcuffed to a rail.
(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
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(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

313.2 POLICY
The Alhambra Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Alhambra Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release.

313.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Alhambra Police Department:

(a) Unconscious

(b) Seriously injured

(c) A known suicide risk or obviously severely emotionally disturbed

(d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol, or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).

(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

These juveniles should not be held at the Alhambra Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).
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If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release, or a transfer is completed (15 CCR 1142).

313.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY
When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Watch Commander shall be notified of the need for medical attention for the juvenile. Department members should administer first aid as applicable (15 CCR 1142).

313.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY
Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself, or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

313.3.3 INTOXICATED AND SUBSTANCE ABUSING MINORS
A Minor who is taken into temporary custody by an officer on the basis of being a person described in Welfare & Institutions Code § 602 and who displays outward signs of intoxication to the level that he or she is unable to care for him/herself, or is known or suspected to have ingested any substance that could result in a medical emergency, the officer shall summon paramedics to the scene to conduct a medical screening of the individual. If practical, the juvenile should be released to a parent, legal guardian or responsible adult. Only after paramedics have medically cleared the minor may the minor be transported to the APD.

Juveniles who are arrested while intoxicated may be at risk for serious medical consequences, including death. Examples include acute alcohol poisoning, seizures and cardiac complications of cocaine, markedly disordered behavior related to amphetamines or hallucinogenic drugs, and others.

A medical clearance shall be obtained prior to detention of juveniles at the Alhambra Police Department when the juvenile displays outward signs of intoxication or is known or suspected to have ingested any substance that could result in a medical emergency (Title 15, California Code of Regulations § 1431). In addition to displaying outward signs of intoxication, the following circumstances require a medical evaluation:

- Known history of ingestion or sequestration of a balloon containing drugs in a body cavity
- Minor is known or suspected to have ingested any substance that could result in a medical emergency
- A juvenile who is intoxicated to the level of being unable to care for him or herself
- An intoxicated juvenile whose symptoms of intoxication are not showing signs of improvement
Temporary Custody of Juveniles

Juveniles with lower levels of alcohol in their system may not need to be evaluated. An example is a juvenile who has ingested one or two beers would not normally meet this criterion.

(a) A juvenile detained and brought to the Alhambra Police Department who displays symptoms of intoxication as a result of alcohol or drugs shall be handled as follows:

1. Observation of juvenile’s breathing to determine that breathing is regular. Breathing should not be erratic or indicate that the juvenile is having difficulty breathing.

2. Observation of the juvenile to ensure that there has not been any vomiting while sleeping and ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.

3. An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.

(b) Personal observation shall be conducted on a frequent basis while the juvenile is in the custody of the Alhambra Police Department, and no less than once every 15 minutes until such time as the symptoms are no longer present. For juveniles held in secure detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting the in person visual checks. All other forms of detention require the officer to maintain constant visual supervision of the juvenile.

1. The 15 minute checks of the juvenile shall be documented on the Juvenile Detention Log in the Watch Commander's office.

(c) Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns, or convulsions), shall be considered an emergency. Paramedics should be called and the juvenile taken to a medical treatment facility.

(d) Juveniles undergoing acute withdrawal reactions shall immediately be transported to a medical facility for examination by a physician.

(e) A medical clearance is required before the juvenile is transported to Juvenile Hall if it is known that the juvenile ingested any intoxicating substances or appears to be under the severe influence of alcohol.

Once the juvenile no longer displays symptoms of intoxication, the requirements in Subsection (a) above will no longer be required. The juvenile will still be monitored on a 30-minute basis as outlined in this policy. The juvenile will continue to be monitored as required for secure or non-secure detentions.

313.3.4 CURFEW VIOLATIONS
Temporary Custody of Juveniles

may be released in the field or brought to the station, but should only be released to their parent, legal guardian, or responsible adult.

313.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Alhambra Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Alhambra Police Department without authorization of the arresting officer’s supervisor or the Watch Commander. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Alhambra Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d)).

313.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Alhambra Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

Juveniles 11 years of age or younger who have committed an offense that would subject an adult to arrest may be held in non-secure custody for the offenses listed in Welfare and Institutions Code § 602(b) (murder and the sexual assault offenses) and should be referred to a probation officer for a placement determination.

313.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).

a. Welfare and Institution Code § 601 offender may be placed in a non-secured juvenile holding area and should enter the station by way of the back door bypassing the Jail and booking areas. They can be temporarily detained in the Juvenile Lounge until arrangements can be made for the release or approved placement.

b. If it appears evident that it would be inadvisable for a Welfare and Institutions Code § 601 offender to be released to his/her home environment, or the juvenile objects to the parental release, then Juvenile Hall (1605 Eastlake Avenue) shall be contacted as soon as practical before the six (6) hour detention limit expires to assist in placement of the juvenile.
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1. After consulting Juvenile Hall, the arresting officer(s) shall complete the appropriate arrest and/or juvenile contact reports.

c. If it is determined that the juvenile is to be taken to Juvenile Hall, the arresting officer(s) shall be responsible for initiating the "Juvenile Hall Entrance" form prior to transportation to the appropriate juvenile detention facility.

313.4.3 CUSTODY OF JUVENILE OFFENDERS
Juvenile offenders should be held in non-secure custody while at the Alhambra Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and suspected of using a firearm in violation of Welfare and Institutions Code § 625.3 shall be transported to a juvenile facility.

A juvenile offender suspected of committing murder or a sex offense that may subject a juvenile to criminal jurisdiction under Welfare and Institutions Code § 602(b), or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

(a) Released upon warning or citation.
(b) Released to a parent or other responsible adult after processing at the Department.
(c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
(d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative that least restricts the juvenile’s freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child’s ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

313.4.4 JUVENILES HABITUALLY DISOBEDIENT OR TRUANT
An incorrigible juvenile is one who habitually refuses to obey the reasonable and proper orders or directions of parent(s) or a guardian (see also Policy Manual § 324.1.1 - Definitions).
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Only emergency cases of incorrigibility that present a substantial physical hazard to the persons involved and are serious enough to require detention are normally processed by this department. In this case, a report should be taken documenting the incorrigible act(s).

Parents or guardians who report incorrigible cases involving juveniles on active probation or parole should be instructed to contact the concerned probation or parole officer. Non-emergency cases should be referred to the Detective Bureau for handling.

Welfare and Institutions Code § 601 truant offenders shall routinely be returned to their respective school or residence.

313.5 ADVISEMENTS
Officers shall take immediate steps to notify the juvenile’s parent, guardian, or a responsible relative that the juvenile is in custody, the location where the juvenile is being held, and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, he/she shall be given the Miranda rights advisement regardless of whether questioning is intended (Welfare and Institutions Code § 625).

Anytime a juvenile offender is placed in secure custody, he/she shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last, and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1(d)).

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to his/her parent or guardian; one to a responsible relative or his/her employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

313.6 JUVENILE CUSTODY LOGS
Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile.
(b) Date and time of arrival and release from the Alhambra Police Department (15 CCR 1150).
(c) Watch Commander notification and approval to temporarily hold the juvenile.
(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender, or non-offender.
(e) Any changes in status (e.g., emergency situations, unusual incidents).
(f) Time of all safety checks.
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(g) Any medical and other screening requested and completed (15 CCR 1142).

(h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).

(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

313.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d); Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Alhambra Police Department (trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).

313.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Alhambra Police Department shall ensure the following:

(a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the Alhambra Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Alhambra Police Department more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal safety checks and significant incidents/activities shall be noted on the log.

(d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.

1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.

2. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).

(f) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).
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(g) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) Juveniles shall have privacy during family, guardian, and/or lawyer visits (15 CCR 1143).

(j) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).

(k) Blankets shall be provided as reasonably necessary (15 CCR 1143).
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.

(m) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(n) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse (15 CCR 1142).

313.9 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Alhambra Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR § 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile’s protection or the protection of others (15 CCR § 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR § 1142).

313.10 PERSONAL PROPERTY
The officer taking custody of a juvenile offender or status offender at the Alhambra Police Department shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils, and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Alhambra Police Department.
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313.11 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to him/herself or others include the following (15 CCR 1145):

(a) Age, maturity, and delinquent history
(b) Severity of offense for which the juvenile was taken into custody
(c) The juvenile offender’s behavior
(d) Availability of staff to provide adequate supervision or protection of the juvenile offender
(e) Age, type, and number of other individuals in custody at the facility

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

313.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
(b) Juveniles shall have constant auditory access to department members (15 CCR 1147).
(c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1(d)).
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(d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).

1. All safety checks shall be logged.
2. The safety check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
3. Requests or concerns of the juvenile should be logged.

(e) Males and females shall not be placed in the same locked room (15 CCR 1147).

(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).

(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

313.12 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE
The Watch Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Alhambra Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:

(a) Immediate notification of the on-duty supervisor, Chief of Police, and Investigations Section Supervisor.

(b) Notification of the parent, guardian, or person standing in loco parentis of the juvenile.

(c) Notification of the appropriate prosecutor.

(d) Notification of the City attorney.

(e) Notification to the coroner.

(f) Notification of the juvenile court.

(g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections within the same time frame (15 CCR 1046).

(h) A medical and operational review of deaths and suicide attempts pursuant to 15 CCR 1046.

(i) Evidence preservation.

313.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, an officer shall permit a juvenile 15 years of age or younger to consult with legal counsel in person, by telephone,
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or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):

(a) Information is necessary to protect life or property from an imminent threat.
(b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

313.13.1 MANDATORY RECORDINGS OF JUVENILES
Any interrogation of an individual under 18 years of age who is in custody and suspected of committing murder shall be audio and video recorded when the interview takes place at a department facility, jail, detention facility, or other fixed place of detention. The recording shall include the entire interview and a *Miranda* advisement preceding the interrogation (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.
(b) The individual refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.
(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.
(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.
(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated, or another individual. Such circumstances shall be documented in a report.
(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.
(g) The questions are part of a routine processing or booking, and are not an interrogation.
(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

These recordings shall be retained until a conviction is final and all direct and habeas corpus appeals are exhausted, a court no longer has any jurisdiction over the individual, or the prosecution for that offense is barred (Penal Code § 859.5; Welfare and Institutions Code § 626.8).
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### 313.14 FORMAL BOOKING

No juvenile offender shall be formally booked without the authorization of the arresting officer's supervisor, or in his/her absence, the Watch Commander.

Any juvenile 14 years of age or older who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon the approval from the Watch Commander or Detective Section supervisor, giving due consideration to the following:

(a) The gravity of the offense
(b) The past record of the offender
(c) The age of the offender

### 313.14.1 ISSUING A JUVENILE COURT CITATION

The arresting officer should make the assessment if a citation is applicable based upon the circumstances of the arrest. When issuing a juvenile court citation, the arresting officer shall make the determination as to what court the minor should be cited into.

### 313.14.2 NOTICE TO APPEAR

Juveniles detained for criminal acts shall be issued a Notice to Appear at the time of their release. The purpose of the Notice to Appear is to:

- Establish a court date
- Prove the juvenile knew when to appear, and
- Meet all the criteria listed in Welfare and Institutions Code § 660.5 for issuing a warrant if the juvenile fails to appear.

Issuing a Notice to Appear:

(a) When a juvenile is not taken to a Probation Department facility the arresting officer shall issue a Notice to Appear to all juveniles released to their parent or legal guardian. The arresting officer or his/her designee shall also ensure that the juvenile's parent or legal guardian also be issued a separate Notice to Appear in accordance with Welfare and Institutions Code § 660.5.

1. The juvenile’s parent or legal guardian will be issued a separate Notice to Appear listing the same court information contained on the juvenile(s) Notice to Appear. The parent or legal guardian’s Notice to Appear shall include:
   (a) Welfare and Institutions Code § 660.5, and
   (b) The juvenile’s name and the juvenile's Notice to Appear number

2. As required by law, a parent or legal guardian is to be cited so the judge can issue a warrant for the parent or legal guardian, who fails to appear with the
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juvenile. If the parent or legal guardian refuses to sign the Notice to Appear, write “Refused to sign” on the signature line of the parent's Notice to Appear and release the juvenile.

3. When there are co-juveniles, ensure they are cited on the same court date. The appearance date will be 60 calendar days after the date on which the Notice to Appear was issued. If that is not a court day, use the next court day.

4. When a juvenile is released to a responsible adult, reasonable efforts must be made by the officer to issue a Notice to Appear to the parent or legal guardian. If reasonable efforts have failed, a statement outlining the efforts shall be included in the crime report by the officer who attempted service. The officer shall write in the charging section of the Notice to Appear of the juvenile's citation "REASONABLE EFFORT."

5. A photocopy of the parent or legal guardian's Driver's License and all copies of the Notice to Appear shall be attached to the crime report. The Records Bureau shall immediately process the crime report and forward it to the Support Services Division.

313.14.3  RELEASING AN ARRESTED OR DETAINED JUVENILE
The employee releasing the juvenile shall verify the identification and relationship of the parent, guardian or other person prior to the juvenile's release. That person's name, address and telephone number shall be recorded on the parent notification form.

The person accepting custody of the juvenile will be responsible for reading and signing the release form.

313.14.4  PROBATION DEPARTMENT JUVENILE HALL
In order to facilitate control over the detention of juveniles, the juvenile court has established the Probation/Intercept program to screen all requests for detention from law enforcement agencies. Before a juvenile can be detained at Juvenile Hall, approval for the detention must be obtained from Probation/Intercept.

(a) The following juveniles may be detained at Juvenile Hall:
   1. All females under 18 years of age
   2. All males under 18 years of age, and
   3. All escapees and juveniles named on Juvenile Court warrants or California Youth Authority warrants

(b) Admission to Juvenile Hall may be accomplished by any of the following methods:
   1. **Detaining Order** - An order from a court or agency of competent authority calling for the detention of the subject at Juvenile Hall and upon approval of Probation/Intercept.
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2. **Application For Admission** - Upon receipt of telephonic approval for the detention from the Probation/Intercept officer, three copies of the "Juvenile Hall Entrance Record" should be completed and delivered with the juvenile to the Probation/Intercept Officer at Juvenile Hall, or

3. **Juvenile Petition** - A juvenile petition request must then be completed and delivered to the Los Angeles County Probation Department within the legal time limit.

313.15 **RELEASE OF INFORMATION CONCERNING JUVENILES**

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

A copy of the current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Alhambra Police Department Policy Manual. Such releases are authorized by Welfare and Institutions Code § 827.

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Manager and the appropriate Detective Section supervisors to ensure that personnel of those bureaus act within legal guidelines.

313.16 **BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION**

The Field Services Assistant Chief shall coordinate the procedures related to the custody of juveniles held at the Alhambra Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

313.17 **JUVENILE BOOKED AS AN ADULT - NO COMPLAINT ISSUED**

When it is learned that a person under the age of 18 years has been booked as an adult and no adult complaint has been issued, the Jailer shall be notified immediately. The Jailer shall immediately separate the juvenile from any adult prisoners and shall notify Support Services Division. The assigned investigator shall:

(a) Ascertain the true age of the subject.

(b) Release the adult charge.

(c) Obtain a new booking number and re-book the subject as a juvenile, using the original date and time of arrest.

(d) If detention is to be continued, confine the juvenile to Juvenile Hall, and
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(e) If the juvenile is to be detained, the assigned investigator shall complete a juvenile petition request within the time limit which is based on the date and time of the original arrest.

Exception: Please refer to Welfare and Institution Code § 631.1, when the juvenile has willfully misrepresented themselves as being 18 years of age or more.

313.17.1 JUVENILE BOOKED AS AN ADULT - COMPLAINT ISSUED
When it is determined that a person has been arraigned or held to answer at a preliminary examination as an adult is in fact a juvenile, the investigator who originally was assigned to the case shall be notified and adhere to the following procedures:

(a) Notify the detaining agency to segregate the juvenile.
(b) Notify the District Attorney's Office, and
(c) Notify the concerned court and make arrangements for the parents to present proof of the subject's true age.
(d) If the juvenile is remanded to Juvenile Court, the presiding judge will order the Sheriff's Department to transport the juvenile to Juvenile Hall.
(e) The Probation Department will prepare the petition and present the case to the Juvenile Court.

313.17.2 JUVENILE BOOKED AS AN ADULT - RELEASED ON BAIL
When it is learned that a person under the age of 18 years has been booked as an adult and has bailed out, the assigned investigator shall:

(a) Notify the District Attorney's office.
(b) Notify the Court Liaison officer of the situation, and
(c) Advise the juvenile's parents or legal guardian to appear in court on the date the juvenile was ordered to appear with proof of the juvenile's true age.

313.18 ARRESTING EMANCIPATED MINORS
Only a court of law has the power and authority to determine if a minor is to be processed as an adult (Welfare and Institution Code § 707). When an emancipated minor commits a criminal act, the minor comes under the provisions of Welfare and Institution Code § 602.

313.19 RELIGIOUS ACCOMMODATION
Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).
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314.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Alhambra Police Department members as required by law.

314.1.1 DEFINITIONS
Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult’s care, or any other act that would mandate reporting or notification to a social service agency or law enforcement (Penal Code § 368).

Abuse of an elder (age 65 or older) or dependent adult - Physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. Neglect includes self-neglect (Welfare and Institutions Code § 15610.07; Penal Code § 368.5).

314.2 POLICY
The Alhambra Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 INVESTIGATIONS AND REPORTING
All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
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(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).

(k) Whether a death involved the End of Life Option Act:

1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14)

2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person’s life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17)

3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17)

4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

314.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

314.5 MANDATORY NOTIFICATION
Members of the Alhambra Police Department shall notify the local office of the California Department of Social Services (CDSS) APS agency when they reasonably suspect, have
observed, or have knowledge of an incident that reasonably appears to be abuse of an elder (age 65 or older) or dependent adult, or are told by an elder or dependent adult that he/she has experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone as soon as practicable and a written report shall be provided within two working days as provided in Welfare and Institutions Code § 15630(b)(c)).

A dependent adult is an individual, regardless of whether the individual lives independently, between 18 and 64 years of age who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights, including but not limited to persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23).

Notification shall also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

(a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):

1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.

4. When a report of abuse is received by the Department, the local ombudsman shall be called to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).

(b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman as soon as practicable (Welfare and Institutions Code § 15630(b)).

(c) The California Department of Public Health (DPH) shall be notified of all known or suspected abuse in a long-term care facility.

(d) The SDSS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.

(e) If the abuse occurred in an adult day health care center, DPH and the California Department of Aging shall be notified.

(f) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.
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(g) The District Attorney’s office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(h) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse (Welfare and Institutions Code § 15630(b)).

1. When a report of abuse is received by the Department, investigation efforts shall be coordinated with the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services (Welfare and Institutions Code § 15630(b)).

(i) If during an investigation it is determined that the adult abuse is being committed by a licensed health practitioner as identified in Welfare and Institutions Code § 15640(b), the appropriate licensing agency shall be immediately notified (Welfare and Institutions Code 15640(b)).

(j) When the Department receives a report of abuse, neglect or abandonment of an elder or dependent adult alleged to have occurred in a long-term care facility, the licensing agency shall be notified by telephone as soon as practicable (Welfare and Institutions Code § 15640(e)).

The Detective Section supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney’s Office and any other regulatory agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

Notification is not required for a person who was merely present when a person self-administered a prescribed aid-in-dying drug or a person prepared an aid-in-dying drug so long as the person did not assist the individual in ingesting the aid-in-dying drug (Health and Safety Code § 443.14; Health and Safety Code § 443.18).

314.5.1 NOTIFICATION PROCEDURE
Notification should include the following information, if known (Welfare and Institutions Code § 15630(e)):

(a) The name of the person making the report.
(b) The name and age of the elder or dependent adult.
(c) The present location of the elder or dependent adult.
(d) The names and addresses of family members or any other adult responsible for the care of the elder or dependent adult.
(e) The nature and extent of the condition of the elder or dependent adult.
(f) The date of incident.
(g) Any other information, including information that led the person to suspect elder or dependent adult abuse.
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(h) Names of agencies and personnel requested and on scene

Reporting cases of adult abuse is confidential and will only be released in accordance with the Release of Records and Information Policy.

Officers investigating adult abuse shall complete a State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

### 314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

#### 314.6.1 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

### 314.7 INTERVIEWS

#### 314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When
practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

314.7.2 DETAINING VICTIMS FOR INTERVIEWS
An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the adult need to be addressed immediately.
   2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Detective Section supervisor so an interagency response can begin.

314.9.2 SUPERVISOR RESPONSIBILITIES
The Detective Section supervisor should:
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(a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Detective Section supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

314.10 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting interviews.

(c) Availability of therapy services for adults and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to adult abuse investigations.

(f) Availability of victim advocates or other support.

314.11 RECORDS BUREAU RESPONSIBILITIES
The Records Section is responsible for:

(a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).

(b) Retaining the original adult abuse report with the initial case file.

314.12 JURISDICTION
The Alhambra Police Department has concurrent jurisdiction with state law enforcement agencies when investigating elder and dependent adult abuse and all other crimes against elder victims and victims with disabilities (Penal Code § 368.5).

Adult protective services agencies and local long-term care ombudsman programs also have jurisdiction within their statutory authority to investigate elder and dependent adult abuse and criminal neglect and may assist in criminal investigations upon request in such cases. However, this department will retain responsibility for the criminal investigations (Penal Code § 368.5).
314.13  RELEVANT STATUTES

Penal Code § 368 (c)

Any person who knows or reasonably should know that a person is an elder or dependent adult and who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any elder or dependent adult to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any elder or dependent adult, willfully causes or permits the person or health of the elder or dependent adult to be injured or willfully causes or permits the elder or dependent adult to be placed in a situation in which his or her person or health may be endangered, is guilty of a misdemeanor.

Penal Code § 368 (f)

(f) A person who commits the false imprisonment of an elder or a dependent adult by the use of violence, menace, fraud, or deceit is punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

Welfare and Institutions Code § 15610.05

“Abandonment” means the desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody.

Welfare and Institutions Code § 15610.06

“Abduction” means the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, or the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court.

Welfare and Institutions Code § 15610.30

(a) “Financial abuse” of an elder or dependent adult occurs when a person or entity does any of the following:

(1) Takes, secretes, appropriates, obtains, or retains real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(2) Assists in taking, secreting, appropriating, obtaining, or retaining real or personal property of an elder or dependent adult for a wrongful use or with intent to defraud, or both.

(3) Takes, secretes, appropriates, obtains, or retains, or assists in taking, secreting, appropriating, obtaining, or retaining, real or personal property of an elder or dependent adult by undue influence, as defined in Section 15610.70.

(b) A person or entity shall be deemed to have taken, secreted, appropriated, obtained, or retained property for a wrongful use if, among other things, the person or entity takes, secretes,
appropriates, obtains, or retains the property and the person or entity knew or should have known that this conduct is likely to be harmful to the elder or dependent adult.

(c) For purposes of this section, a person or entity takes, secretes, appropriates, obtains, or retains real or personal property when an elder or dependent adult is deprived of any property right, including by means of an agreement, donative transfer, or testamentary bequest, regardless of whether the property is held directly or by a representative of an elder or dependent adult.

(d) For purposes of this section, “representative” means a person or entity that is either of the following:

1. A conservator, trustee, or other representative of the estate of an elder or dependent adult.
2. An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney.

Welfare and Institutions Code § 15610.43

(a) “Isolation” means any of the following:

1. Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls.
2. Telling a caller or prospective visitor that an elder or dependent adult is not present, or does not wish to talk with the caller, or does not wish to meet with the visitor where the statement is false, is contrary to the express wishes of the elder or the dependent adult, whether he or she is competent or not, and is made for the purpose of preventing the elder or dependent adult from having contact with family, friends, or concerned persons.
3. False imprisonment, as defined in Section 236 of the Penal Code.
4. Physical restraint of an elder or dependent adult, for the purpose of preventing the elder or dependent adult from meeting with visitors.

(b) The acts set forth in subdivision (a) shall be subject to a rebuttable presumption that they do not constitute isolation if they are performed pursuant to the instructions of a physician and surgeon licensed to practice medicine in the state, who is caring for the elder or dependent adult at the time the instructions are given, and who gives the instructions as part of his or her medical care.

(c) The acts set forth in subdivision (a) shall not constitute isolation if they are performed in response to a reasonably perceived threat of danger to property or physical safe

Welfare and Institutions Code § 15610.57

(a) “Neglect” means either of the following:

1. The negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care that a reasonable person in a like position would exercise.
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(2) The negligent failure of an elder or dependent adult to exercise that degree of self care that a reasonable person in a like position would exercise.

(b) Neglect includes, but is not limited to, all of the following:

(1) Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.

(2) Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone in lieu of medical treatment.

(3) Failure to protect from health and safety hazards.

(4) Failure to prevent malnutrition or dehydration.

(5) Failure of an elder or dependent adult to satisfy the needs specified in paragraphs (1) to (4), inclusive, for himself or herself as a result of poor cognitive functioning, mental limitation, substance abuse, or chronic poor health.

Welfare and Institutions Code § 15610.63

15610.63. “Physical abuse” means any of the following:

(a) Assault, as defined in Section 240 of the Penal Code.

(b) Battery, as defined in Section 242 of the Penal Code.

(c) Assault with a deadly weapon or force likely to produce great bodily injury, as defined in Section 245 of the Penal Code.

(d) Unreasonable physical constraint, or prolonged or continual deprivation of food or water.

(e) Sexual assault, that means any of the following:

(1) Sexual battery, as defined in Section 243.4 of the Penal Code.

(2) Rape, as defined in Section 261 of the Penal Code.

(3) Rape in concert, as described in Section 264.1 of the Penal Code.

(4) Spousal rape, as defined in Section 262 of the Penal Code.

(5) Incest, as defined in Section 285 of the Penal Code.

(6) Sodomy, as defined in Section 286 of the Penal Code.

(7) Oral copulation, as defined in Section 287 or former Section 288a of the Penal Code.

(8) Sexual penetration, as defined in Section 289 of the Penal Code.

(9) Lewd or lascivious acts as defined in paragraph (2) of subdivision (b) of Section 288 of the Penal Code.

(f) Use of a physical or chemical restraint or psychotropic medication under any of the following conditions:
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(1) For punishment.

(2) For a period beyond that for which the medication was ordered pursuant to the instructions of a physician and surgeon licensed in the State of California, who is providing medical care to the elder or dependent adult at the time the instructions are given.

(3) For any purpose not authorized by the physician and surgeon.
Discriminatory Harassment

315.1 PURPOSE AND SCOPE
The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

315.2 POLICY
The Alhambra Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation (Government Code § 12940(k); 2 CCR 11023). The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

315.3 DEFINITIONS
Definitions related to this policy include:

315.3.1 DISCRIMINATION
The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on the actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.
Discriminatory Harassment

315.3.2 SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

315.3.3 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Fair Employment and Housing Council guidelines.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

315.3.4 PROCEDURES
The Support Services Division Commander is the Equal Opportunity Coordinator for the Alhambra Police Department. The duties of the position include:

(a) The continuing development, implementation and monitoring of the EEO program.

(b) As assigned by the Chief of Police, the investigation of cases of suspected discrimination or sexual harassment, and liaison with the City Personnel's Equal Opportunity Office.

(c) Responsibility for the Department's continued adherence to the directive and goals listed throughout this policy.

315.3.5 RETALIATION
Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.
315.4 RESPONSIBILITIES
This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Director of Human Services or the City Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

315.4.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of each supervisor and manager shall include, but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensuring that his/her subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Chief of Police or Director of Human Services in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

315.4.2 SUPERVISOR’S ROLE
Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

315.4.3 QUESTIONS OR CLARIFICATION
Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Director of Human Services, the City Manager, or the California Department of Fair Employment and Housing (DFEH) for further information, direction, or clarification (Government Code § 12950).

315.5 INVESTIGATION OF COMPLAINTS
Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

315.5.1 SUPERVISORY RESOLUTION
Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

315.5.2 FORMAL INVESTIGATION
If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Director of Human Services or the City Manager.
315.5.3  ALTERNATIVE COMPLAINT PROCESS
No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

315.6  DOCUMENTATION OF COMPLAINTS
All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

• Approved by the Chief of Police, the City Manager or the Director of Human Services, depending on the ranks of the involved parties.
• Maintained in accordance with the department’s established records retention schedule.

315.6.1  NOTIFICATION OF DISPOSITION
The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

315.7  TRAINING
All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

315.7.1  STATE-REQUIRED TRAINING
The Training Manager should ensure that employees receive the required state training and education regarding sexual harassment, prevention of abusive conduct, and harassment based on gender identity, gender expression, and sexual orientation as follows (Government Code § 12950.1; 2 CCR 11024):

(a) Supervisory employees shall receive two hours of classroom or other effective interactive training and education within six months of assuming a supervisory position.
(b) All other employees shall receive one hour of classroom or other effective interactive training and education within six months of their employment or sooner for seasonal or temporary employees as described in Government Code § 12950.1.
(c) All employees shall receive refresher training every two years thereafter.
**Discriminatory Harassment**

If the required training is to be provided by DFEH online training courses, the Training Manager should ensure that employees are provided the link or website address to the training course (Government Code § 12950).

315.7.2 TRAINING RECORDS
The Training Manager shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11024).

315.8 WORKING CONDITIONS
The Support Services Assistant Chief or the authorized designee should be responsible for reviewing facility design and working conditions for discriminatory practices. This person should collaborate with other City employees who are similarly tasked (2 CCR 11034).

315.9 REQUIRED POSTERS
The Department shall display the required posters regarding discrimination, harassment and transgender rights in a prominent and accessible location for members (Government Code § 12950).
Child Abuse

316.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Alhambra Police Department members are required to notify the county Child Protective Services (CPS) of suspected child abuse.

316.1.1 DEFINITIONS
Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

316.2 POLICY
The Alhambra Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

316.3 MANDATORY NOTIFICATION
The child protection agency shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child’s welfare, or

(b) A person responsible for the child’s welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney’s office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code 11166.1; Penal Code 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1);
neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment as a peace officer.

316.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (Penal Code § 11166):

(a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.

(b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

316.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

316.5 INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.

(c) Any relevant statements the child may have made and to whom he/she made the statements.
**Child Abuse**

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

316.5.1 EXTRA JURISDICTIONAL REPORTS
If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

316.6 PROTECTIVE CUSTODY
Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.
Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, or a commercially exploited child under Penal Code § 647 and Penal Code § 653.22, and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child’s health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

(b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
2. There is no lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

A child taken into protective custody shall be delivered to CPS unless otherwise directed by court order.

316.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW
An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CPS.

316.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS
Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.
Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

### 316.7 INTERVIEWS

**316.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

**316.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW**

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

**316.7.3 INTERVIEWS AT A SCHOOL**

(a) Absent exigent circumstances, Penal Code § 627.2 requires officers to make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

1. Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student.
2. Officers should be sensitive to the individual protocols of each school as they relate to the detention and interview of students under their care.

(b) Any juvenile student who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be present. The purpose of the staff member's presence is to provide comfort and support and such staff member shall not participate in the interview.
Child Abuse

The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

1. The child shall be afforded the option of being interviewed in private or selecting any adult who is a member of the staff of the school, including any certificated or classified employee or volunteer aide, to be present at the interview. A representative of the agency investigating suspected child abuse or neglect or the State Department of Social Services shall inform the child of that right prior to the interview.

2. The member of the staff so elected shall not participate in the interview. The member of the staff so present shall not discuss the facts or circumstances of the case with the child. The member of the staff so present, including, but not limited to, a volunteer aide, is subject to the confidentiality requirements of this article, a violation of which is punishable as specified in Penal Code § 11167.5. A representative of the school shall inform a member of the staff so selected by a child of the requirements of this section prior to the interview.

3. Failure to comply with the requirements of Penal Code § 11174.3(a) does not affect the admissibility of evidence in a criminal or civil proceeding.

316.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child’s transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

316.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

316.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Section supervisor should:

(a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children
endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Detective Section supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

316.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Detective Section supervisor so an interagency response can begin.

316.10 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

316.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code 841.5; Penal Code § 11167.5).

316.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)
Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California’s CACI, as a result of an investigation, may request that his/her name be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

316.10.3 CACI HEARING OFFICER
The Detective Section supervisor will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person’s name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

316.10.4 CACI HEARING PROCEDURES
The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of
innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

(a) Case reports including any supplemental reports
(b) Statements by investigators
(c) Statements from representatives of the District Attorney’s Office
(d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party’s name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person’s name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

316.10.5 CHILD DEATH REVIEW TEAM
This department should cooperate with any interagency child death review team investigation. Written and oral information relating to the death of a child that would otherwise be subject to release restrictions may be disclosed to the child death review team upon written request and approval of a supervisor (Penal Code § 11174.32).

316.11 TRAINING
The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.
(b) Conducting forensic interviews.
(c) Availability of therapy services for children and families.
(d) Availability of specialized forensic medical exams.
(e) Cultural competence (including interpretive services) related to child abuse investigations.
(f) Availability of victim advocate or guardian ad litem support.
Missing Persons

317.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

317.1.1 DEFINITIONS
At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person’s location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

317.2 POLICY
The Alhambra Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Alhambra Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

317.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Investigations supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
Missing Persons

- Missing person school notification form
- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

317.4 ACCEPTANCE OF REPORTS
Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

317.5 INITIAL INVESTIGATION
Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call for service as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see Policy 334 – Public Alerts).

1. In all at-risk cases, the Support Services and Field Services Assistant Chiefs shall be notified.

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).

1. With supervisor approval, notify the “A Child is Missing” alert program that will generate calls to residents in the area where the missing person was last seen or believed to be present.

(e) Ensure that entries are made into the appropriate missing person networks as follows:

1. Immediately, when the missing person is at risk.
2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.
2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
3. Any documents that may assist in the investigation, such as court orders regarding custody.
4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

317.6 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

317.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.
   1. The reports should be promptly sent to the Records Section.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.
Missing Persons

317.6.2 RECORDS SECTION RESPONSIBILITIES

The receiving member shall:

(a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person’s residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).

(b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).

(c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person’s intended or possible destination, if known.

(d) Forward a copy of the report to the Detective Section.

(e) Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

317.7 DETECTIVE SECTION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
   1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
   2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child’s student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Coroner.
(h) Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (34 USC § 41308).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

317.8 WHEN A MISSING PERSON IS FOUND
When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Records Manager shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

(a) Notification is made to California DOJ.
(b) The missing person’s school is notified.
(c) Entries are made in the applicable missing person networks.
(d) Immediately notify the Attorney General’s Office.
(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

317.8.1 UNIDENTIFIED PERSONS
Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.
(b) Enter the unidentified person’s description into the NCIC Unidentified Person File.
(c) Use available resources, such as those related to missing persons, to identify the person.

317.9 CASE CLOSURE
The Detective Section supervisor may authorize the closure of a missing person case after considering the following:
Missing Persons

(a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.

(b) If the missing person is a resident of Alhambra or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

317.9.1 RUNAWAY JUVENILES RETURNED

(a) Upon the return of a runaway juvenile, the responding officer shall make an appropriate investigation and complete a supplementary report.

(b) The officer should interview the parent(s) or guardian and the juvenile regarding reasons for leaving home and the juvenile's activities while away.

(c) If the juvenile's behavior or activities indicate further action is necessary, the appropriate reports and case disposition should be completed by the assigned investigator.

(d) If the runaway juvenile is held in temporary custody at this department, the responding officer shall notify the parents or legal guardian as soon as practical.

317.10 TRAINING

Subject to available resources, the Training Manager should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

(a) The initial investigation:
   1. Assessments and interviews
   2. Use of current resources, such as Mobile Audio Video (MAV)
   3. Confirming missing status and custody status of minors
   4. Evaluating the need for a heightened response
   5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.
Missing Persons

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
(d) Verifying the accuracy of all descriptive information.
(e) Initiating a neighborhood investigation.
(f) Investigating any relevant recent family dynamics.
(g) Addressing conflicting information.
(h) Key investigative and coordination steps.
(i) Managing a missing person case.
(j) Additional resources and specialized services.
(k) Update procedures for case information and descriptions.
(l) Preserving scenes.
(m) Internet and technology issues (e.g., Internet use, cell phone use).
(n) Media relations.
Public Alerts

318.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

318.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

318.3 RESPONSIBILITIES
318.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Alhambra Police Department should notify their supervisor, Watch Commander or Detective Section supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

318.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Assistant Chief and the Media Relations Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the Assistant Chief

318.4 AMBER ALERTS
The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.
Public Alerts

318.4.1 CRITERIA FOR AMBER ALERT
The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

(a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
(c) The victim is in imminent danger of serious injury or death.
(d) There is information available that, if provided to the public, could assist in the child’s safe recovery.

318.4.2 PROCEDURE FOR AMBER ALERT
The supervisor in charge will ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the child:
   1. The child’s identity, age and description
   2. Photograph if available
   3. The suspect’s identity, age and description, if known
   4. Pertinent vehicle description
   5. Detail regarding location of incident, direction of travel, potential destinations, if known
   6. Name and telephone number of the Media Relations Officer or other authorized individual to handle media liaison
   7. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).

(c) The press release information is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETs).

(e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).

(f) The following resources should be considered as circumstances dictate:
   1. The local FBI office
   2. National Center for Missing and Exploited Children (NCMEC)
318.5 BLUE ALERTS
Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

318.5.1 CRITERIA FOR BLUE ALERTS
All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

(a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.

(b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.

(c) A detailed description of the suspect’s vehicle or license plate is available for broadcast.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

318.5.2 PROCEDURE FOR BLUE ALERT
The supervisor in charge should ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
2. Photograph, description and/or identification of the suspect
3. The suspect’s identity, age and description, if known
4. Detail regarding location of incident, direction of travel, potential destinations, if known
5. Name and telephone number of the Media Relations Officer or other authorized individual to handle media liaison
6. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.

(c) The information in the press release is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) The following resources should be considered as circumstances dictate:

1. Entry into the California Law Enforcement Telecommunication System (CLETs)
2. The FBI local office
318.6 SILVER ALERTS
Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

318.6.1 CRITERIA FOR SILVER ALERTS
All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

(a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.

(b) The department has utilized all available local resources.

(c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

(d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

318.6.2 PROCEDURE FOR SILVER ALERT
Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

318.7 MUTUAL AID
The experiences of other law enforcement jurisdictions that have implemented similar plans indicate an AMBER Alert or Blue Alert will generate a high volume of telephone calls to the handling agency.

The Sheriff’s Department Emergency Communications Bureau facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Detective Section Supervisor elects to use the services of the Sheriff’s Department, the following will apply:

(a) Notify the Sheriff’s Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.

(b) In the press release, direct the public to the telephone number provided by the Sheriff’s Department Watch Commander.

(c) The Media Relations Officer will continue to handle all press releases and media inquiries. Any press inquiries received by the Sheriff’s Department will be referred back to this department.
The Alhambra Police Department shall assign a minimum of two detectives/officers to respond to the Sheriff’s Department Emergency Communications Bureau to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the Emergency Communications Bureau.

318.8 A CHILD IS MISSING ALERT
"A Child is Missing" is a community-based program designed to assist law enforcement to locate missing children, disabled persons and elderly persons through a telephonic alert system. A Child is Missing alert will generate telephone calls to residents within fifteen minutes after notification form the Alhambra Police Department. A Child is Missing alert will target the provided location with a computerized satellite mapping system. A customized message is recorded detailing the alert and the system initiates over 1,000 calls in 60 seconds to the targeted area. People receiving the call are asked to notify APD with any information they have on the missing person.

318.8.1 CRITERIA FOR A CHILD IS MISSING ALERT
In order to initiate an “A Child is Missing” alert, the missing person must fall within any of the following categories:

(a) A juvenile under the age of 18 years-old
   1. If they are a first time runaway or missing juvenile
   2. If this is not the first time the juvenile is a runaway or missing person, an alert may be initiated for any of the following reasons;
      (a) There is suspected foul play or suspicious circumstances
      (b) The juvenile has been abducted
      (c) The investigating officer’s discretion

(b) A mentally or physically challenged person when;
   1. The person’s impairment severely limits their self-care
   2. The person is disoriented or unable to respond to simple questions
   3. The person is dependent upon life sustaining medication
   4. The person may be in danger

(c) An elderly person at least 55 years old and displays any of the following characteristics;
   1. Has dementia and/or Alzheimer’s disease
   2. The fact that the elderly person is a frequent walk away from a nursing facility should not negate the alert from being initiated.

(d) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

(e) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that
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the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(f) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

318.8.2 PROCEDURE FOR A CHILD IS MISSING ALERT
Upon approval of a supervisor to utilize the A Child is Missing alert, the investigating officer or his/her designee shall:

(a) Complete the A Child is Missing form (available in the Report Writing Room or on the Department’s “F” drive).

(b) Call A Child is Missing at (888) 875-2246, (954) 763-1288 or the emergency back-up pager (954) 492-4778, and provide them with an APD telephone number for the public to call with any information regarding the missing person.

1. The suggested calling times are 0700 hours to 2230 hours.

2. Calls may be placed after 2230 hours when extenuating circumstances exist and approval of the Watch Commander.

(c) Notify the Communications Center that A Child is Missing alert has been activated.

(d) Indicate in the Missing Person report that A Child is Missing alert was activated.

318.8.3 INFORMATION RECEIVED FROM A CHILD IS MISSING ALERT

(a) All Information received from A Child is Missing alert will be relayed to the Watch Commander or his/her designee. After evaluation by the Watch Commander, they will take the appropriate action and notify the Investigations Section Commander.

(b) If a missing person is sighted in a location different from where initially believed, the investigating officer or Watch Commander may initiate another alert based on the sighting. This can be especially useful if the missing person was newly sighted in a different city.

(c) If a Child is Missing alert is used more than once in the same case then each subsequent alert shall be documented in the Missing Person report. The information in the report shall include each alert by date, time and the location where the missing was last seen.

When the missing person has been located the investigating officer/supervisor on-scene will ensure that A Child is Missing is notified of the recovery. A Child is Missing will then fax a “Case Follow-up Report” to the officer. The officer will complete the report and fax it back to A Child is Missing at (954) 763-4569. A copy of the Case Follow-up Report shall be included with the Missing Person report.
Victim and Witness Assistance

319.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

319.2 POLICY
The Alhambra Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Alhambra Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

319.2.1 DEFINITION
Victim of Violent Crime - A victim of violent crime is any person who sustains a physical injury; or in certain circumstances an emotional injury, as a direct result of a crime. The law excludes vehicle accidents under normal circumstances, but includes assaults with motor vehicles or injuries sustained as a result of any hit and run collision or a violation of Vehicle Code § 23152 or § 23153 (Driving Under the Influence). A victim of a violent crime may also include a dependent of one who is injured.

319.3 CRIME VICTIM LIAISON
The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Alhambra Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

319.3.1 CRIME VICTIM LIAISON DUTIES
The crime victim liaison is specifically tasked with the following:

(a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim’s or derivative victim’s designation as a gang member, associate, or affiliate, or on the person’s documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).

(b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).

(c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.
Victim and Witness Assistance

(d) Annually providing CalVCB with his/her contact information (Government Code § 13962).

(e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).

1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Alhambra Police Department jurisdiction (Penal Code § 680.2).

319.3.2 ADVISEMENT RESPONSIBILITY
Every employee reporting or investigating a crime where a victim has suffered direct or threatened physical, psychological or financial harm as a result of the commission or attempted commission of a crime or delinquent act will ensure the victim has been provided with information about the existence of the local victim centers. This may be accomplished by providing the victim the Marsy’s Card with the case report number noted on the card (Penal Code § 679.026). A Victim of Violent Crime form should also be provided if the victim suffered an injury as a direct or proximate cause of that crime.

If for any reason the investigating employee is unable to complete the above notifications such fact shall be noted in the related case report and the notifications should be completed by the assigned detective.

319.4 CRIME VICTIMS
Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

319.4.1 VICTIM CONFIDENTIALITY
Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim's parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that their name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim's parent or guardian (Penal Code § 293 (a) and (b)).

Except as authorized by law, members of this department shall not publicly disclose the name or address of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293 (c) and (d)).

319.4.2 DETECTIVE RESPONSIBILITY
In the event the victim cannot be identified or due to the nature of the injury cannot be advised, the investigating officer who later contacts or identifies the victim and/or dependents shall make
the necessary advisement. The investigating officer shall use discretion and tact in making such advisement.

### 319.4.3 SUPERVISOR RESPONSIBILITY

It is the responsibility of any supervisor approving a written report where the victim of a crime has sustained injury to ensure that information is included to document the proper advisement being made or the fact that such advisement could not be accomplished. The Detective Supervisor is then responsible to ensure that the proper advisement is accomplished and properly documented as the follow-up investigation is conducted.

### 319.4.4 VICTIM INFORMATION AND NOTIFICATION

When appropriate, officers should advise the victim of the availability of the Victim Information and Notification Everyday (VINE) program. VINE is a free, computer-based telephone service that allows victims to check on an offender’s custody status and register to receive automatic notification when an inmate is released from jail. The contact phone number for VINE is printed on the Alhambra Police Department Victim Information card.

### 319.4.5 VICTIMS OF HUMAN TRAFFICKING

Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

### 319.5 VICTIM INFORMATION

The Support Services Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
- (d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (f) A clear explanation of relevant court orders and how they can be obtained.
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(g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).

(h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.

(i) Notice regarding U visa and T visa application processes.

(j) Resources available for victims of identity theft.

(k) A place for the officer’s name, badge number, and any applicable case or incident number.

(l) The “Victims of Domestic Violence” card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).

(m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.

(n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

319.5.1 INQUIRIES
Persons inquiring about the Victims of Violent Crime Program shall be referred to:

Los Angeles County

Victim-Witness Assistance Program

Phone: (213) 974-7499 or (800) 773-7574

Other inquiries may be directed to a number of Victim-Witness Assistance Programs in Los Angeles County. A listing of additional centers may be obtained from the Watch Commander or the Detective Bureau Sergeant.

319.6 WITNESSES
Officers should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

319.7 REVIEW OF VICTIM WITNESS SERVICES
Every three (3) years, the Support Services Division Commander or his/her designee shall review the Department’s victim/witness assistance program and contracted services to ensure
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consistency and compliance with applicable laws. The results of the review and any recommended program modifications shall be forwarded to the Chief of Police.

319.8 NOTIFICATIONS AND RELATIONSHIPS
The Alhambra Police Department will make every effort to inform the public and media about the agency’s victim/witness assistance services. The Department will also maintain a strong relationship with other agencies and organizations versed with victim/witness assistance.
Hate Crimes

320.1 PURPOSE AND SCOPE
The purpose of this policy is to meet or exceed the provisions of Penal Code § 13519.6(c) and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

320.1.1 DEFINITIONS
Hate crimes - A criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim (Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.57):

(a) Disability
(b) Gender
(c) Nationality
(d) Race or ethnicity
(e) Religion
(f) Sexual orientation
(g) Association with a person or group with one or more of these actual or perceived characteristics
(h) Examples of hate crimes include, but are not limited to:
   1. Interfering with, oppressing or threatening any other person in the free exercise or enjoyment of any right or privilege secured by the constitution or laws because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6).
   2. Defacing a person’s property because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6(b)).
   3. Terrorizing a person with a swastika or burning cross (Penal Code § 11411).
   4. Vandalizing a place of worship (Penal Code § 594.3).

The federal Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act expands federal hate crimes to include crimes motivated by a victim’s actual or perceived sex, sexual orientation, gender identity or disability (18 USC

Victim - Includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public agency, library or other victim or intended victim of the offense (Penal Code § 422.56).
320.2 PREVENTION AND PREPARATION
While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by, among other things:

(a) Make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes and forming networks that address prevention and response.

(b) Accessing assistance by, among other things, activating the California Department of Justice Hate Crime Rapid Response Protocol when necessary.

(c) Providing victim assistance and community follow-up as outlined below.

(d) Educating community and civic groups about hate crime laws.

(e) Establishing a community relations liaison to work with community organizations and leaders to coordinate public meetings, local group meetings and school assemblies on recognizing, preparing for and preventing hate crimes.

320.3 INVESTIGATIONS
Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once in-progress aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of suspects at the scene), the assigned officers should take all reasonable steps to preserve evidence that establishes a possible hate crime.

(d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

1. Officers should contact the property owner to remove any evidence that cannot be physically removed (i.e., painted words or signs on a wall) by the officer once the offense is documented.

(e) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

1. No victim of or a witness to a hate crime who is not otherwise charged with or convicted of a crime under state law may be detained for or turned over to federal authorities exclusively for any actual or suspected immigration violation (Penal Code § 422.93(b))

2. Statements of victims and witnesses should be audio or video recorded if practicable (see the Portable Audio/Video Recorders Policy).

(f) Depending on the situation, the assigned officers or supervisor may request additional assistance from detectives or other resources.
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(g) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, should be completed and submitted by the assigned officers before the end of the shift.

(h) The assigned officers will provide the victims of any suspected hate crime with a brochure on hate crimes (Penal Code § 422.92). Such brochures will also be available to members of the general public upon request. The assigned officers should also make reasonable efforts to assist the victims by providing available information on local assistance programs and organizations.

(i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (e.g., Possible Temporary Restraining Order through the District Attorney or City Attorney Penal Code § 136.2 or Civil Code § 52.1 as indicated).

320.3.1 SUPERVISOR RESPONSIBILITY
The supervisor should confer with the initial responding officers to identify reasonable and appropriate preliminary actions. The supervisor should:

(a) Review related reports to verify whether the incident is appropriately classified as a hate crime for federal and state bias crime-reporting purposes.

(b) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(c) Consider the need for further action to be taken for the protection of the victims or vulnerable sites, such as assigning an officer at specific locations that could become targets or increase neighborhood surveillance.

(d) Ensure that members who are responsible for the conduct and maintenance of information on criminal groups are notified and that they make appropriate inquiries and entries into criminal intelligence systems (see Criminal Organizations Policy).

320.3.2 DETECTIVE SECTION RESPONSIBILITY
If a hate crime case is assigned to the Detective Section, the assigned detective will be responsible for:

(a) Coordinating further investigation with the District Attorney and other appropriate law enforcement agencies.

(b) Maintaining contact with the victims and other involved individuals, as needed.

(c) Maintaining statistical data and tracking on suspected hate crimes as indicated for required reporting to the Attorney General (Penal Code § 13023). See the Records Section Policy.

(d) Make reasonable efforts to identify additional witnesses.

(e) Utilize available criminal intelligence systems as appropriate (see Criminal Organizations Policy).
(f) Provide the supervisor and the Media Relations Officer (Media Relations Officer) with information that can be responsibly reported to the media.

1. When appropriate, the Media Relations Officer should reiterate that the hate crime will not be tolerated and will be taken seriously.

320.3.3 DETENTION OFFICER RESPONSIBILITIES: JAIL FACILITY

When a detention officer believes that an incident in the jail facility may have been motivated by racial, religious, ethnic/national origin, sexual orientation, gender, or disability bias, the detention officer shall:

(a) Immediately notify the Watch Commander, and

(b) Assist the handling officer as appropriate.

320.4 TRAINING

All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should also include recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group.

320.5 PURPOSE AND SCOPE

This policy is designed to assist in identifying and handling crimes motivated by hate or other bias toward individuals and groups with legally defined protected characteristics, to define appropriate steps for assisting victims, and to provide a guide to conducting related investigations. It outlines the general policy framework for prevention, response, accessing assistance, victim assistance and follow-up, and reporting as related to law enforcement’s role in handling hate crimes. It also serves as a declaration that hate crimes are taken seriously and demonstrates how the Alhambra Police Department may best use its resources to investigate and solve an offense, in addition to building community trust and increasing police legitimacy (Penal Code § 13519.6).

320.5.1 DEFINITION AND LAWS

In accordance with Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.6; and Penal Code § 422.87, for purposes of all other state law, unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

Bias motivation - Bias motivation is a pre-existing negative attitude toward actual or perceived characteristics referenced in Penal Code § 422.55. Depending on the circumstances of each case, bias motivation may include but is not limited to hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one’s “own kind,” or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including but not limited to disability or gender.
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**Disability** - Disability includes mental disability and physical disability as defined in Government Code § 12926, regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

**Disability bias** - In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as but not limited to dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

In recognizing suspected disability-bias hate crimes, officers should consider whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes but is not limited to situations where a perpetrator targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons, such as inebriated persons or persons with perceived disabilities different from those of the victim. Such circumstances could be evidence that the perpetrator's motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

**Gender** - Gender means sex and includes a person's gender identity and gender expression.

**Gender expression** - Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

**Gender identity** - Gender identity means each person's internal understanding of their gender, or the perception of a person's gender identity, which may include male, female, a combination of male and female, neither male nor female, a gender different from the person's sex assigned at birth, or transgender (2 CCR § 11030).

**Hate crime** - “Hate crime” includes but is not limited to a violation of Penal Code § 422.6, and means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability
(b) Gender
(c) Nationality
(d) Race or ethnicity
(e) Religion
(f) Sexual orientation
(g) Association with a person or group with one or more of these actual or perceived characteristics:

1. “Association with a person or group with these actual or perceived characteristics” includes advocacy for, identification with, or being on the ground
owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of “hate crime” under paragraphs 1 to 6, inclusive, of Penal Code § 422.55(a).

Note: A “hate crime” need not be motivated by hate but may be motivated by any bias against a protected characteristic.

**Hate incident** - A hate incident is an action or behavior motivated by hate or bias but legally protected by the First Amendment right to freedom of expression. Examples of hate incidents include:

- Name-calling
- Insults and epithets
- Distributing hate material in public places
- Displaying hate material on your own property

**Hate speech** - The First Amendment to the U.S. Constitution protects most speech, even when it is disagreeable, offensive, or hurtful. The following types of speech are generally not protected:

- Fighting words
- True threats
- Perjury
- Blackmail
- Incitement to lawless action
- Conspiracy
- Solicitation to commit any crime

**In whole or in part** - “In whole or in part because of” means that the bias motivation must be a cause in fact of the offense whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that a crime would not have been committed but for the actual or perceived characteristic.

**Nationality** - Nationality includes citizenship, country of origin, and national origin.

**Race or ethnicity** - Race or ethnicity includes ancestry, color, and ethnic background.

**Religion** - Religion includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism.

**Sexual orientation** - Sexual orientation means heterosexuality, homosexuality, or bisexuality.

**Victim** - Victim includes but is not limited to:
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- Community center
- Educational facility
- Entity
- Family
- Group
- Individual
- Office
- Meeting hall
- Person
- Place of worship
- Private institution
- Public agency
- Library
- Other victim or intended victim of the offense

320.6 POLICY
It is the policy of this department to safeguard the rights of all individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority.

This department will employ reasonably available resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this department should take all reasonable steps to attend to the security and related concerns of the immediate victims and their families as feasible.

All officers are required to be familiar with the policy and use reasonable diligence to carry out the policy unless directed by the Chief of Police or other command-level officer to whom the Chief of Police formally delegates this responsibility.

320.7 PLANNING AND PREVENTION
In order to facilitate the guidelines contained within this policy, department members will continuously work to build and strengthen relationships with the community, engage in dialogue, and provide education to the community about this policy. Department personnel are also
encouraged to learn about the inherent issues concerning their communities in relation to hate crimes.

Although hate incidents are not criminal events, they can be indicators of, or precursors to, hate crimes. Hate incidents should be investigated and documented as part of an overall strategy to prevent hate crimes.

320.7.1 HATE CRIMES COORDINATOR
A department member appointed by the Chief of Police or the authorized designee will serve as the Hate Crimes Coordinator. The responsibilities of the Hate Crimes Coordinator should include but not be limited to (Penal Code § 422.87):

(a) Meeting with residents in target communities to allay fears; emphasizing the department’s concern over hate crimes and related incidents; reducing the potential for counter-violence; and providing safety, security, and crime-prevention information. Cultural diversity education and immersion programs (if available) could facilitate this process.

(b) Finding, evaluating, and monitoring public social media sources to identify possible suspects in reported hate crimes; to identify suspects or suspect groups in future hate crimes or hate incidents affecting individuals, groups, or communities that may be victimized; and to predict future hate-based events.

(c) Providing direct and referral assistance to the victim and the victim’s family.

(d) Conducting public meetings on hate crime threats and violence in general.

(e) Establishing relationships with formal community-based organizations and leaders.

(f) Expanding, where appropriate, preventive programs such as hate, bias, and crime-reduction seminars for students.

(g) Reviewing the Attorney General's latest opinion on hate crime statistics and targets in order to prepare and plan for future crimes, specifically for Arab/Middle Eastern and Muslim communities (Penal Code § 13519.6(b)(8)).

(h) Providing orientation of and with communities of specific targeted victims such as immigrants, Muslims, Arabs, LGBTQ, black or African-American, Jewish, Sikh, and persons with disabilities.

(i) Coordinating with the Training Manager to include in a training plan recognition of hate crime bias characteristics, including information on general underreporting of hate crimes.

(j) Verifying a process is in place to provide this policy and related orders to officers in the field; and taking reasonable steps to rectify the situation if such a process is not in place.

(k) Taking reasonable steps to ensure hate crime data is provided to the Records Section for mandated reporting to the Department of Justice.

(l) Reporting any suspected multi-mission extremist crimes to the agency Terrorism Liaison Officer, the assigned designee, or other appropriate resource; and verifying
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that such data is transmitted to the Joint Regional Information Exchange System in accordance with the protocols of the Records Section Policy.

(m) Maintaining the department’s supply of up-to-date hate crimes brochures (Penal Code § 422.92; Penal Code § 422.87).

(n) Annually assessing this policy, including:

1. Keeping abreast of the Commission on Peace Officer Standards and Training (POST) model policy framework for hate crimes for revisions or additions, including definitions, responsibilities, training resources, and planning and prevention methods.

2. Analysis of the department’s data collection as well as the available outside data (e.g., annual California Attorney General’s report on hate crime) in preparation for and response to future hate crimes.

320.7.2 RELEASE OF INFORMATION

Establishing a relationship with stakeholders, before any incident occurs, to develop a network and protocol for disclosure often assists greatly in any disclosure.

The benefit of public disclosure of hate crime incidents includes:

(a) Dissemination of correct information.

(b) Assurance to affected communities or groups that the matter is being properly and promptly investigated.

(c) The ability to request information regarding the commission of the crimes from the victimized community.

Information or records relating to hate crimes subject to public disclosure shall be released as provided by the Records Maintenance and Release Policy or as allowed by law. In accordance with the Media Relations Policy, the supervisor, public information officer, or the authorized designee should be provided with information that can be responsibly reported to the media. When appropriate, the department spokesperson should reiterate that hate crimes will not be tolerated, will be investigated seriously, and will be prosecuted to the fullest extent of the law.

The Department should consider the following when releasing information to the public regarding hate crimes and hate incidents that have been reported within the jurisdiction:

- Inform community organizations in a timely manner when a community group has been the target of a hate crime.

- Inform the community of the impact of these crimes on the victim, the victim’s family, and the community, and of the assistance and compensation available to victims.

- Inform the community regarding hate crime law and the legal rights of, and remedies available to, victims of hate crimes.

- Provide the community with ongoing information regarding hate crimes and/or hate incidents.

320.8 RESPONSE, VICTIM ASSISTANCE, AND FOLLOW-UP
320.8.1 INITIAL RESPONSE
First responding officers should know the role of all department personnel as they relate to the department’s investigation of hate crimes and/or incidents. Responding officers should evaluate the need for additional assistance and, working with supervision and/or investigations, access needed assistance if applicable.

At the scene of a suspected hate or bias crime, officers should take preliminary actions reasonably deemed necessary, including but not limited to the following:

(a) Use agency checklist (per Penal Code § 422.87) to assist in the investigation of any hate crime (see Appendix).

(b) Stabilize the victims and request medical attention when necessary.

(c) Properly protect the safety of victims, witnesses, and perpetrators.
   1. Assist victims in seeking a Temporary Restraining Order (if applicable).

(d) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(e) Properly protect, preserve, and process the crime scene, and remove all physical evidence of the incident as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the property owner should be contacted to facilitate removal or covering as soon as reasonably possible. Department personnel should follow up with the property owner to determine if this was accomplished in a timely manner.

(f) Collect and photograph physical evidence or indicators of hate crimes such as:
   1. Hate literature.
   2. Spray paint cans.
   3. Threatening letters.
   4. Symbols used by hate groups.

(g) Identify criminal evidence on the victim.

(h) Request the assistance of translators or interpreters when needed to establish effective communication with witnesses, victims, or others as appropriate.

(i) Conduct a preliminary investigation and record pertinent information including but not limited to:
   1. Identity of suspected perpetrators.
   2. Identity of witnesses, including those no longer at the scene.
   3. The offer of victim confidentiality per Government Code § 5264.
   4. Prior occurrences in this area or with this victim.
   5. Statements made by suspects; exact wording is critical.
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6. The victim’s protected characteristics and determine if bias was a motivation “in whole or in part” in the commission of the crime.

(j) Adhere to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law.

(k) Provide information regarding immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(l) Provide the department’s Hate Crimes Brochure (per Penal Code § 422.92) if asked, if necessary, or per policy.

(m) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).


320.8.2 INVESTIGATION
Investigators at the scene of, or performing follow-up investigation on, a suspected hate or bias crime or hate incident should take all actions deemed reasonably necessary, including but not limited to the following:

(a) Consider typologies of perpetrators of hate crimes and incidents, including but not limited to thrill, reactive/defensive, and mission (hard core).

(b) Utilize investigative techniques and methods to handle hate crimes or hate incidents in a professional manner.

(c) Utilize proper techniques for interviewing people with disabilities and be aware of and provide appropriate accommodations (e.g., ADA standards, Braille, visuals, translators for the deaf or hard of hearing).

(d) Properly investigate any report of a hate crime committed under the color of authority per Penal Code § 422.6 and Penal Code § 13519.6.

(e) Document physical evidence or indicators of hate crimes, in accordance with the provisions of the Property and Evidence Policy, such as:

1. Hate literature.
2. Spray paint cans.
3. Threatening letters.
4. Symbols used by hate groups.
5. Desecration of religious symbols, objects, or buildings.

(f) Request the assistance of translators or interpreters when needed to establish effective communication.

(g) Conduct a preliminary investigation and record information regarding:

1. Identity of suspected perpetrators.
2. Identity of witnesses, including those no longer at the scene.


4. Prior occurrences, in this area or with this victim.

5. Statements made by suspects; exact wording is critical.

6. Document the victim’s protected characteristics.

(h) Provide victim assistance and follow-up.

(i) Canvass the area for additional witnesses.

(j) Examine suspect’s social media activity for potential evidence of bias motivation.

(k) Coordinate the investigation with department, state, and regional intelligence operations. These sources can provide the investigator with an analysis of any patterns, organized hate groups, and suspects potentially involved in the offense.

(l) Coordinate the investigation with the crime scene investigation unit (if applicable) or other appropriate units of the Department.

(m) Determine if the incident should be classified as a hate crime.

(n) Take reasonable steps to provide appropriate assistance to hate crime victims, including the following measures:

1. Contact victims periodically to determine whether they are receiving adequate and appropriate assistance.

2. Provide ongoing information to victims about the status of the criminal investigation.

3. Provide victims and any other interested persons the brochure on hate crimes per Penal Code § 422.92 and information on any local advocacy groups (if asked).


(p) Coordinate with other law enforcement agencies in the area to assess patterns of hate crimes and/or hate incidents, and determine if organized hate groups are involved.

320.8.3 SUPERVISION

The supervisor shall confer with the initial responding officer and take reasonable steps to ensure that necessary preliminary actions have been taken. The supervisor shall request any appropriate personnel necessary to accomplish the following:

(a) Provide immediate assistance to the crime victim by:

1. Expressing the department’s official position on the importance of these cases and the measures that will be taken to apprehend the perpetrators.

2. Expressing the department’s interest in protecting victims’ anonymity (confidentiality forms, Government Code § 6254) to the extent reasonably possible. Allow the victims to convey their immediate concerns and feelings.
Hate Crimes

3. Identifying individuals or agencies that may provide victim assistance and support. Local victim assistance resources may include family members or close acquaintances, clergy, or a department chaplain, as well as community service agencies that provide shelter, food, clothing, child care, or other related services (per Penal Code § 422.92).

(b) Take reasonable steps to ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias-crimes reporting purposes.

(c) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(d) In cases of large-scale hate crime waves, or in circumstances where the potential exists for subsequent hate crimes or incidents, consider directing resources to protect vulnerable sites (such as assigning an officerto specific locations that could become targets).

(e) Verify hate crimes are being properly reported, including reporting to the Department of Justice, pursuant to Penal Code § 13023.

(f) Verify adherence to Penal Code § 422.93, which protects hate crime victims and witnesses from being reported to federal immigration authorities if they have not committed any crime under state law. Supervisors should also be aware of the immigration remedies available to victims of crime (e.g., U-Visa, T-Visa, S-Visa).

(g) Respond to and properly initiate an investigation of any reports of hate crimes committed under the color of authority.

(h) Provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For additional information refer to the California Department of Justice website.

(i) Verify reporting of any suspected multi-mission extremist crimes to the agency Hate Crimes Coordinator.

(j) Make a final determination as to whether the incident should be classified as a hate crime and forward to the Chief of Police for approval.

320.9 TRAINING
All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6. Training should include (Penal Code § 422.87):

(a) Recognition of bias motivators such as ranges of attitudes and perceptions toward a specific characteristic or group, including disability bias and gender bias.

(b) Accurate reporting by officers, including information on the general underreporting of hate crimes.

(c) Distribution of hate crime brochures.
320.10 APPENDIX

See attachments:

Statutes and Legal Requirements.pdf

Hate Crime Checklist.pdf
Standards of Conduct

321.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of the Alhambra Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member’s supervisors.

Also refer to Policy 1020 - Personnel Complaints.

321.1.1 LAW ENFORCEMENT CODE OF ETHICS
The Alhambra Police Department requires all personnel to abide by the Law Enforcement Code of Ethics and mandates that ethics training be conducted for all personnel biennially.

321.1.2 RESPONSIBILITY OF THE PROFESSIONAL STANDARDS UNIT
The Professional Standards Unit is responsible for maintaining all confidential files pertaining to citizen complaints and administrative investigations. Annually, the Professional Standards Unit will complete a report outlining the number of citizen complaints and administrative investigations to the Chief of Police, which will be made available to the public. This report will be statistical in nature and will not include any confidential information.

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

321.2.1 DISCIPLINARY STANDARD
(a) Any member of the police department may be disciplined whenever the member’s job performance or job-related misconduct so warrants.

(b) The "just cause" for such disciplinary action shall include, but is not limited to, incompetence, commission of a criminal offense, inefficiency, dishonesty, neglect of duty, misconduct, insubordination, conduct which tends to reflect unfavorably upon the member, department, or city, or failure to observe departmental or city policies, procedures, rules, and/or regulations. The specific charge against a member must be directly related to the member’s duties and, if off-duty, they must be related to an act or acts that materially may affect the member’s ability to perform the duties assigned or required or which are indicative of unfitness for his/her position. No sworn member may be suspended, demoted, transferred for punitive reasons or dismissed from his/her position for an act or acts of misconduct unless such member is "officially charged"
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with the misconduct within one year after the misconduct comes to the attention of the Chief of Police.

1. **Officially Charged** -- For purposes of this section, means that point in time at the completion of all disciplinary procedures, when the appointing authority or his/her designee, serves the member with a statement of the sustained allegations of misconduct and the recommended penalty, if applicable.

### 321.3 DIRECTIVES AND ORDERS

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

#### 321.3.1 UNLAWFUL OR CONFLICTING ORDERS

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

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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

#### 321.3.2 SUPERVISOR RESPONSIBILITIES

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

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

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
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(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

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

321.3.3 PERSONAL CONDUCT
All police employees must strive to maintain the high degree of public trust placed upon the law enforcement profession. Therefore, it follows that public actions, inaction, attitudes and opinions of police personnel which are unprofessional or unworthy of this trust tend to undermine and detract from the public respect of law enforcement individually and collectively. With this in mind, the following is a list of some of the more obvious requirements and restrictions relating to conduct in public. Employees shall:

(a) Be civil, orderly and courteous in conduct and demeanor.

(b) Not seek a restraining order against anyone encountered in the line-of-duty without the express permission of the Chief of Police.

(c) Avoid answering questions in a short or abrupt manner, give the greatest possible attention and courtesy and avoid controversy.

(d) Give all proper information carefully, courteously, accurately and respectfully and furnish their name and badge number to any person upon request.

(e) Refrain from harsh, violent, coarse, profane or insolent language and not speak slightly of the nationality, color, creed or beliefs of any person while on-duty.

(f) Not conduct oneself in an immoral, indecent, lewd or disorderly manner.

(g) Not enter places of amusement while on-duty except for official police purposes.

321.3.4 SUPERVISION RESPONSIBILITY

(a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws.

(b) Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose.
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321.4 GENERAL STANDARDS
Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

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

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

321.4.1 WRITTEN REPRIMANDS
a. Written Reprimand: Written Reprimand means a formal notification to the employee of performance or conduct deficiencies. Employees will have no right to prior notice.

b. Appeal Hearing and Response to Written Reprimand:
   1. Right to Appeal Hearing: An employee who has successfully completed his/her probationary period and is entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act for administrative appeal who has received a Written Reprimand will be entitled to request an appeal of the imposed Written Reprimand as established in this policy.
   2. Requesting an Appeal Hearing: A Written Reprimand issued by a supervisor shall be appealable only to an uninvolved supervisor of at least one rank above the rank of the supervisor issuing the Written Reprimand, who will serve as the Hearing Officer. The supervisor issuing the Written Reprimand will select and assign the uninvolved supervisor to serve as the Hearing Officer. A Written Reprimand issued by the Chief of Police will be appealable only to the City Manager or his/her designee, who will serve as the Hearing Officer. Reprimands are excluded from the appeal procedure for disciplinary actions set forth in Alhambra Municipal Code Section 2.48.180 Rule XVII: Appeal to the Civil Service Commission.
   Any eligible employee wishing to appeal a Written Reprimand must file a written request with the Office of the Chief of Police within ten (10) calendar days of the date of the Written Reprimand. The request must identify the subject matter of the appeal, the grounds for the appeal, and the relief desired by the eligible employee.
   3. Scheduling the Appeal Hearing: The appeal hearing will be scheduled by the Office of the Chief of Police and held within thirty (30) calendar days of the date of the written request, unless otherwise agreed to in writing by the Chief of Police and the eligible employee.
   4. Representation and Employee Appearance at Appeal Hearing: The eligible employee is entitled to be represented by counsel or other representative at the appeal hearing. However, an employee who requests an appeal must be present during the appeal hearing. Failure to be present will constitute a waiver of the employee's right to an appeal. Waiver will not occur if the
employee can demonstrate good cause for his/her failure to be present within three (3) calendar days from the date the employee fails to appear.

5. Conduct of Appeal Hearing: The appeal hearing will be an informal meeting at which time the eligible employee will have the opportunity to present evidence, rebut the charges against him/her, state any mitigating circumstances, and to present oral arguments. Eligible employees are not entitled to call and examine witnesses or to confront and cross-examine witnesses.

c. Issuance of a Decision.

1. Within thirty (30) calendar days after the appeal hearing, a written statement of decision will be issued by the Hearing Officer. The Hearing Officer will have the authority to affirm, modify or revoke the Written Reprimand. The Hearing Officer may not provide for discipline more stringent than the Written Reprimand.

2. The Hearing Officer's decision constitutes a final resolution of any Written Reprimand and no further appeal will be permitted within the City's or Department's administrative process. A copy of the written decision will be provided to the employee.

3. Notwithstanding the above, the Hearing Officer will not have binding authority to add, modify, or subtract from the City's Municipal Code, City or Department rules and regulations, memoranda of understanding, or any resolutions, ordinances, or policies adopted by the City or the Department. Further, the Hearing Officer will not have the authority or power to render a binding decision that requires the City or the Department to expend additional funds, to hire additional personnel, to buy additional equipment or supplies, or to pay wages or benefits not specifically provided for in the City's Municipal Code, City or Department rules and regulations, memoranda of understanding or any resolutions, ordinances, or policies adopted by the City or the Department. The Hearing Officer will not have the authority to require the City or the Department to perform any other action that would violate state or federal laws.

d. Response to Written Reprimand.

1. An employee who is entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act in connection with the right to review and respond to adverse comments who has received a Written Reprimand will be required to review, requested to sign, and entitled to respond to the Written Reprimand in accordance with California Government Code Sections 3305 - 3306, Right to Review and Respond to Adverse Comments.

2. An employee not entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act in connection with the right to review and respond to adverse comments who has received a Written Reprimand will be required to review and requested to sign the Written Reprimand.

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

321.5.1 LAWS, RULES AND ORDERS

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

1. The Department shall make this manual available to all employees.

2. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

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

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

(d) Knowingly fail to follow the procedures set forth in the Civil Service Rules governing grievances.

321.5.2 ETHICS

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

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

(c) Employees shall not use their position or knowledge gained by employment with the Department to intervene or interfere with any case or investigation being handled by this Department or any other agency.

(d) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member’s duties (lawful subpoena fees and authorized work permits excepted).

(e) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

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

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

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

321.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

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

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

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

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

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

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

321.5.5 ATTENDANCE

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

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

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

321.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

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

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

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

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

(d) Disclosing, releasing or making available any information, photo or video that is confidential, sensitive, part of any investigation and is accessed as a result of employment with the Department without prior approval of the employee’s respective Assistant Chief.
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(e) Loaning, selling, allowing unauthorized use, giving away or appropriating any Alhambra Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.

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

321.5.7 EFFICIENCY

(a) Neglect of duty.

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

(c) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.

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

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

(f) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers, dependents, marital status or emergency notification.

1. A member may use a Post Office Box as a mailing address, but the member is still required to provide the APD and Personnel Department with their current home address.

2. Members shall have on file their Department Emergency Contact Information. Members shall submit changes in Emergency Contact Information via the Chain of Command. This information shall be reviewed and updated by the employee each January.

321.5.8 PERFORMANCE

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

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

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

(d) Employees shall provide complete and truthful responses to questions posed during interviews in connection with any investigation.
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(e) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

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

(g) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.

(h) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
   1. While on department premises.
   2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
   3. Gambling activity undertaken as part of an officer official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

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

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

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

321.5.9 CONDUCT

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

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

(c) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved department practices or procedures.

(d) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
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(e) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

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

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

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

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

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

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

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

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

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

321.5.10 SAFETY

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

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

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

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

(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member’s appointing authority.

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

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

(h) Violating Departmental and/ or City safety standards or safe working practices.

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

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

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

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

322.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

322.1.1 DEFINITIONS
Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Alhambra Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

322.2 POLICY
It is the policy of the Alhambra Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

322.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any department computer system.

The Department reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network, and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices, or networks.
Information Technology Use

The Department shall not require a member to disclose a personal username or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

322.4 RESTRICTED USE
Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Watch Commanders.

Members shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

Prohibited uses of electronic systems and information include any use that would violate City or Department policies.

In order to free-up space on the City’s E-Mail server and network shared drives, all employees shall check their respective file folders no less than once per month and delete any unnecessary information. Files that contain obsolete, unwanted or unnecessary items should be deleted. Employees may contact anyone from the Information Technology staff for assistance in this process.

Department-issued USB thumb drives are expressly and solely intended for work related purposes on department computers. Use of these thumb drives on any non-department device is risky and is done at the employee’s own risk. The Department shall not be liable for any damage caused by the unauthorized use of these devices.

Except as otherwise provided in this policy, it is a violation of the city’s policy for any user to use the city systems for the purpose of accessing or retrieving another employee’s e-mail, voice mail, data, files, or other electronically stored documents for any reason other than for a specified legitimate city purpose.

322.4.1 SOFTWARE
Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic
devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

322.4.2 HARDWARE
Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

322.4.3 INTERNET USE
Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member’s assignment.

Downloaded information shall be limited to messages, mail and data files.

322.4.4 OFF-DUTY USE
Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

322.5 PROTECTION OF AGENCY SYSTEMS AND FILES
All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet
the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

322.6 INSPECTION OR REVIEW
A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member’s duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

322.7 OUTSIDE NETWORK AND SYSTEM ACCESS PROTOCOLS
Employees whose job performance will benefit from remote use of the City’s Technology Resources will be given access to the City’s various technologies based on their job functions. Employees should only use such access during their on-duty hours.

The City does not require, mandate or otherwise compel off-duty remote access and provides such access only as a convenience to the employee. Employees may voluntarily use remote access during their off-duty hours to check voicemail, e-mail and/or other communication devices for messages and/or to exchange brief messages for a maximum of eight (8) minutes each day. Any deviation from this policy must be approved by a supervisor having the authority to schedule work hours or approve overtime. Any unauthorized deviation from this policy may lead to disciplinary measures, up to and including termination of employment.

322.8 COMPUTER PASSWORDS
The following password policies must be enforced to prevent circumvention and to maintain consistency (CLETs/FBI Security Policy § 5.6.2.1).

(a) Each employee shall set a password for logging onto their computer. Below is a list of requirements to assist you in choosing a secure password to maximize your protection against unwanted entry.

1. All passwords will be required to be a minimum of eight (8) characters in length.
2. All passwords will NOT be allowed to include any part of the employee’s Login ID or name.
3. All passwords will NOT be allowed to include the words "Alhambra" or "APD."
4. All passwords will NOT be allowed to be a proper name or word found in a dictionary.
5. All passwords will NOT be allowed to be identical to the previous ten (10) passwords.
6. There can be no spaces in the password, but an underscore is permissible.

(b) Disclosure and/or the Compromise of Passwords:

1. Passwords must never be disclosed to anyone, unless disclosure is approved by the department head.
2. Users are responsible for all activity performed with their personal user-IDs. User-IDs may not be utilized by anyone but the individual to whom they have been issued. Users must not allow others to perform any activity with their user-IDs. Similarly, users are forbidden from performing any activity with IDs belonging to other users.
3. Passwords must never be sent through email or stored on systems where unauthorized persons may discover them.
4. Systems must never be set to remember passwords.
5. Preset passwords must be changed when a system is put in to production.
6. Users should refrain from using the same passwords on multiple systems so as to avoid compromise.

(c) Expiration - Other than the administrator password, network systems must be set to have their passwords expire every 90 days.

(d) Intruder Lockout - After three incorrect logon attempts. An IT administrator will be needed to unlock the account.

(e) Minimum Password Length - All systems should be set to require an 8-character password as a minimum.

(f) Reminder Notes - Written password reminder notes should not be placed in areas where they can be easily found, such as, under or on your phone, keyboard, computer, monitor, mouse pad, desktop, etc.

(g) Reuse of Passwords - Passwords will NOT be allowed to be identical to the previous ten (10) passwords.

(h) Unique User-ID and Password Required - Other than general user accounts approved by the system administrator, every user must have a single unique user-ID and a personal secret password. This user-ID and password will be required for access to multiuser computers and computer networks.
322.9 SANITATION AND DISPOSAL OF DIGITAL AND ELECTRONIC MEDIA
The Records Manager or his/her designee is responsible for the following:

(a) Ensuring the sanitization of all electronic media is completed prior to its disposal or release for re-use by unauthorized individuals.
   1. The sanitation process shall be accomplished by overwriting at least three times or degaussing the digital media.

(b) Ensuring all inoperable digital media is destroyed (cut up, shredded, incinerated, etc.).

(c) Ensuring the destruction of all digital media is witnessed or carried out by authorized personnel.

(d) Maintaining written documentation of the steps taken to sanitize or destroy electronic media.
Report Preparation

323.1 PURPOSE AND SCOPE
Report preparation is a major part of each officer’s job. The purpose of reports is to document sufficient information to refresh the officer’s memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

323.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee’s opinions should not be included in reports unless specifically identified as such.

323.1.2 DR NUMBERS
The DR number is the official file number of the Department’s reporting system. The DR number shall consist of two digits (which designate the last two digits of the year) followed by a hyphen, followed by five digits. DR numbers are sequentially assigned by the Computer Aided Dispatch System. If the system is down, the DR number shall be manually assigned by a Dispatcher.

323.1.3 SUPPLEMENTAL REPORTS AND INFORMATION
All pertinent additional/supplemental information concerning an incident previously recorded upon a Department report bearing a DR number, shall be recorded upon an appropriate report form bearing that same DR number. All report forms generated subsequent to the original report, shall check the “follow up” box at the top of the form.

323.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.
323.2.1 CRIMINAL ACTIVITY
When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

(a) All arrests
(b) All felony crimes
(c) Non-Felony incidents involving threats or stalking behavior
(d) Situations covered by separate policy. These include:
   1. Use of Force Policy
   2. Domestic Violence Policy
   3. Child Abuse Policy
   4. Adult Abuse Policy
   5. Hate Crimes Policy
   6. Suspicious Activity Reporting Policy
(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

323.2.2 NON-CRIMINAL ACTIVITY
The following incidents shall be documented using the appropriate approved report:

(a) Any use of force against any person by a member of this department (see the Use of Force policy)
(b) Any firearm discharge (see the Firearms and Qualification policy)
(c) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons policy)
(d) Any found property or evidence
(e) Any traffic collisions above the minimum reporting level (see the Traffic Collision Reporting policy)
(f) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy
(g) All protective custody detentions
(h) Suspicious incidents that may place the public or others at risk
(i) Whenever the employee believes the circumstances should be documented
(j) At the direction of a supervisor
Report Preparation

323.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.
(b) Suicides.
(c) Homicide or suspected homicide.
(d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
(e) Found dead bodies or body parts.

323.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

323.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose.
(b) Attempted suicide.
(c) The injury is major/serious, whereas death could result.
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.
(e) There is a potential for City liability (see Policy 319 Potential Claims).

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

323.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES
A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Section shall notify the California Department of Public Health (CDPH) of the incident as required by CDPH (Penal Code § 23685).

323.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.
Unless otherwise permitted by the Watch Commander, all Arrest Reports shall be submitted for review and approval prior to the officer completing his/her shift.

323.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS
Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

323.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

323.3.3 SUPERVISOR APPROVAL OF REPORTS
Generally, reports generated by field personnel shall be submitted to a field supervisor. If a field supervisor is unavailable, officers shall contact the Watch Commander prior to their end of watch. Other personnel shall submit completed reports to their respective supervisor.

The Watch Commander is responsible for reviewing arrest reports, CHP 180 reports, death reports, missing person reports and Welfare and Institutions Code § 5150 reports.

Approved reports shall be forwarded to the Records Section. Reports needing immediate attention (i.e., CHP 180s, missing person/juvenile, etc.) shall be brought to the attention of the Records Personnel for immediate entry into NCIC, CLETS or JDIC.

323.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

323.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

323.5.1 ALLOWING EMPLOYEES TO HOLD REPORTS FOR COMPLETION AT A LATER TIME
Only a supervisor can authorize someone to hold a report until the following day, and/or until their next shift. Supervisors should consider the following guidelines:
Report Preparation

(a) Incidents that involve death, significant injuries, missing children or at risk adults, large property loss, and issues that are of importance to the public, city government or the police department should not be held over.

(b) Reports of higher importance and/or sensitivity should be completed in a timely manner to assist with follow-up investigations.

(c) Adult in-custody Arrest Reports must be processed by the Records Bureau and submitted to the Court Liaison Officer prior to the 48 hour Arraignment Hearing.

(d) In-custody juvenile arrest reports must be processed and submitted to Juvenile Hall within 24 hours of the arrest.

(e) The complexity of the incident and whether it will be more effective for the employee to write the report sooner rather than later.

(f) The number of hours the employee has been at work and their next scheduled shift.

(g) Whether the employee will be taking extended leave before their next shift, their work history for completing reports in a timely manner and/or their history of unscheduled absences.

Ultimately, it is the discretion of the supervisor, considering any or all of the above guidelines, as to whether a report is allowed to be held for completion. Employees are required to complete reports whenever a supervisor desires it to be done. It is not necessary for the supervisor to inform the employee exactly which, if any, of the above criteria was considered when not allowing the report to be held for completion. If a report is allowed to be held, the supervisor should ensure that the employee is aware of exactly when the report shall be completed.

323.6 ON-LINE REPORTING SYSTEM
The Coplogic system is an internet based application that allows victims to file police reports online and will enable department personnel to receive, approve, track, and manage crime reports through the use of online technology.

By filing a police report on-line, victims will not have to wait for an officer to respond and will automatically be sent their police report as an e-mail. The on-line reporting system allows police reports to be filed in English, Spanish and Chinese. If a victim needs further information or wishes to leave a message for the on-line report officer, they can be referred to the designated telephone number. The on-line reporting option may be offered to a victim for any of the following incidents, but only after confirming that no suspect information exists:

(a) Harassing phone calls
(b) Hit and run collisions
(c) Lost Passport
(d) Lost property
Report Preparation

(e) Theft (does not include residential or commercial burglary)

(f) Vehicle burglary, when fingerprints or other evidence is not collected

(g) Vehicle tampering

(h) Vandalism (private property only, Graffiti Tracker camera should be utilized when possible)

323.6.1 EXCLUSIONS TO ON-LINE REPORTING
The Alhambra Police Department will respond to all in-progress incidents and calls for service as usual, in accordance with established policies and procedures. Personnel assigned a call for service shall not instruct the reporting party to file a report online. Field Services personnel will complete the appropriate police report in all cases where:

(a) A suspect is known

(b) Evidence (prints, video, recordings, important documentation, witnesses, etc.) exists which may lead to the identification of a suspect

(c) The incident just occurred and the suspect may still be in the area; or

(d) The victim is reporting an ID theft, fraud, or forgery

323.6.2 PATROL SUPERVISOR’S RESPONSIBILITIES

(a) Patrol supervisors or OICs are responsible for logging in to the Coplogic system once during his/her shift and for checking the telephone extension for messages.

(b) Take action on reports that are new or pending.

(c) Print one copy of the approved on-line report (include the UCR Code and the approving supervisor’s PSN).

(d) Submit approved reports to the Records Bureau.

323.7 COURTESY REPORTING PROCEDURES
If a crime that occurred within another jurisdiction is reported to this agency, the seriousness of the crime shall be evaluated prior to action being taken. If the responsible agency is unable to respond to the victim's location, or referral of the victim to that agency would be a hardship then a supervisor will be notified and determine if a courtesy report is to be taken.
Media Relations

324.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

324.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Assistant Chiefs, Watch Commanders and designated Media Relations Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

324.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.

(c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

324.2.2 PROCEDURE FOR PRESS RELEASE DISTRIBUTION
All press releases must be approved by the Chief of Police, or in his/her absence by an Assistant Chief or his/her designee. Once the press release is approved, a copy of the press release will be distributed to the City Manager and Command Team. The press release is then to be published on department social media sites prior to being distributed to the media via email press release.

324.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
Media Relations

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Media Relations Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Media Relations Officer.

324.3.1 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.
324.3.2 ACCESS TO THE JAIL FACILITIES AND PRISONERS IN CUSTODY

(a) The media has no special right to enter the Alhambra Police Department Jail Facility. Entry by the News media and recording devices, such as video cameras, tape recorders or still cameras shall not be allowed without prior approval of the Support Services Division Commander.

(b) Prisoners shall not be posed or intentionally positioned for news photos or video. Members of the media may take "grab shots" while prisoners are being transported to and from detention or court.

(c) Prisoners shall not be requested to make statements to the media. News media interviews shall not be granted for any pre-arraigned prisoner.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police or his/her designee and the express consent of the person in custody.

(e) News media interviews shall not be granted for any other agency's prisoners being held in the Alhambra Jail facility.

324.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).
Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

324.4.1 RESTRICTED INFORMATION
It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained.
Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE
This policy establishes the guidelines for department members who must appear in court. It will allow the Alhambra Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

325.1.1 DEFINITIONS
**On-Call** - When an employee has appeared in court, or is at the time on-duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or Esubpoena if called back.

**Standby** - When an employee receives a subpoena of a type which allows him or her to not appear in court, but remain available by phone or Esubpoena that he or she may be directed to appear in court within a reasonable amount of time.

**Trailing Status** - When an employee remains on standby status for additional court sessions until notified otherwise.

**Mandatory Appearance** - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action. Mandatory appearances include any of the following:

- Department of Motor Vehicles (DMV) hearings, except telephone testimony that is handled as "on-call" compensation
- Alcohol Beverage Control (ABC) hearings
- Parole revocation hearings
- Probation hearings
- Juvenile Traffic Court appearances
- Civil hearings
- Evidentiary hearings (Penal Code §§ 995 and 1538.5)
- Depositions
- Any other subpoena where "mandatory appearance" is indicated

**Continuance Status** - Anytime a court case is being continued or taken off-calendar, the officer must be notified by 5:00 pm (via voice mail) by the day prior to the court hearing date or the officer will receive "on-call" pay per the Memorandum of Understanding (MOU).

**Trial by Declaration Notice** - These requests by the court are normally mailed directly to the officer via the Department 30 days prior to their mandated completion date. There is ample time for the officer to complete a Trial by Declaration during normal on-duty hours. Officers are required to complete the requested written testimony in a timely manner. Officers must receive prior
approval from a supervisor before completing a Trial by Declaration when overtime compensation is necessitated.

325.2 POLICY
Alhambra Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

325.3 SUBPOENAS
Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by Esubpoena, personal service to the officer or by delivery of two copies of the subpoena to the officer’s supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)).

The party that issues a civil subpoena to an officer to testify as a witness must tender the statutory fee of $275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2). Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

(a) He/she knows that he/she will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.

(b) It is less than five working days prior to the date listed for an appearance and he/she is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that he/she is unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS
Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
Subpoenas and Court Appearances

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Alhambra Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Alhambra Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.3.2 CIVIL SUBPOENA
The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member’s compensation through the civil attorney of record who subpoenaed the member.

325.3.3 OFF-DUTY RELATED SUBPOENAS
Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

325.3.4 SUBSTITUTE SERVICE
When the Department employee is not available for service and the process server insists on making a substitute service, the supervisor of the employee (if available) or the appropriate Division Commander shall be called to accept the summons. If the service is being made during on-duty hours for the appropriate supervisor, the Watch Commander shall be called to accept the summons. When receiving the summons, the supervisor or commander shall determine the identity and address of the process server, whom the service is for and the nature of the civil complaint.

325.3.5 SERVICE BY MAIL
The Department employee may receive a copy of a summons and complaint in the mail. The copies are accompanied by a “Notice and Acknowledgment of Receipt” form. This form shall not be signed by the employee; instead the employee shall immediately forward all documents to the City Attorney.

325.3.6 RECEIPT OF COMPLAINT
A timely forwarding of the summons and complaint is necessary to protect all named parties. Whether personally served with a summons, receiving one under substitute service, or receiving one by mail, the employee shall send all documents and information regarding the date, time, and method of service to the Personnel Department no later than the next business day.
325.4 FAILURE TO APPEAR
Except where previous arrangements with the issuing court exist, training, vacations and regularly scheduled days off are not valid reasons for refusing a subpoena or missing court. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, he/she shall, at least one hour before the appointed date and time, inform the subpoena clerk or the Watch Commander of his/her absence. It shall then be the responsibility of the subpoena clerk to notify the issuing authority of the employee’s unavailability to appear.

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

325.5 STANDBY
To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department. Employees are required to notify the Department within 24 hours of any change in residence address or phone number, and to provide accurate and reasonably reliable means or methods for contact.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

325.5.1 TESTIMONY UNDER OATH
When giving testimony under oath, personnel shall be truthful and honest in all testimonial matters.

325.5.2 REFUSAL TO TESTIFY
Any employee under oath and appearing before any of the following bodies, who invokes his/her constitutional privilege and refuses to testify or provide requested information, may be subject to corrective counseling or discipline:

- Any competent legislative body
- A Judicial tribunal
- A hearing board

325.6 COURTROOM PROTOCOL
When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the department uniform or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.
Subpoenas and Court Appearances

325.6.1 TESTIMONY
Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

325.7 OVERTIME APPEARANCES
When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

325.7.1 INFORMATION REGARDING A CITY INVOLVED INCIDENT
When a Department employee is approached by an attorney or an attorney’s representative about an incident in which the City is involved, the employee shall not release any information without first contacting the City Attorney. This includes all City related incidents, regardless of whether or not a claim for damage or civil complaint has been filed.

325.7.2 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE
Any member or employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of California, any county, any city or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay. The supervisor will then notify the Chief of Police, District Attorney's Office in criminal cases, County Counsel or City Attorney, as may be indicated by the case.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding.
(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees, or
(c) Providing testimony or information on behalf of or at the request of any party other than any County, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matters.
(d) Any employee who provides expert testimony in any legal process shall notify their Assistant Chief in a timely manner and follow the procedures in Policy 1040 - Outside Employment.
Reserve Officers

326.1 PURPOSE AND SCOPE
The Alhambra Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

326.1.1 RESERVE POLICE OFFICER STATUS SUMMARY
Level I Reserve Police Officer
(a) Per Penal Code §§ 830.6(a)(1) and 832.6(a)(1)
1. Authority: 24 hours, or only for the duration of the person's specific shift.
2. Assignment: General law enforcement.
3. Supervision: Same as a regular police officer.
4. Training: Must complete; Regular Basic Academy (664 hours), Field Training Program (400 hours), and Continuous Professional Training of 24 hours every three years.

Level II Reserve Police Officer
(a) Per Penal Code §§ 830.6(a)(1) and 832.6(a)(2)
(a) Authority: Only for the duration of the person's specific assignment.
(b) Assignment: General law enforcement with limited support duties, which may include work assignments authorized for Level III reserve officers.
(c) Supervision: Immediate supervision by a police officer or Level I reserve officer, who has completed the POST Regular Basic Course. Work assignments authorized for Level III reserve officers may be completed without immediate supervision.
(d) Training: Level III and Level II Modules (386 hours), and Continuous Professional Training of 24 hours every three years.

Level III Reserve Police Officer
(a) Per Penal Code §§ 830.6(a)(1) and 832.6(a)(3)
1. Authority: Only for the duration of the person's specific shift.
2. Assignment: Limited support duties, which includes traffic control, security at parades and sporting events, report writing, evidence transportation, parking enforcement and other duties that are not likely to result in physical arrests. May transport prisoners without immediate supervision.
3. Supervision: Supervised in the accessible vicinity by a Level I reserve officer, or a full-time regular officer employed by a law enforcement agency authorized to have reserve officers.

4. Training: Level III Module (162 hours).

326.1.2 TECHNICAL RESERVE OFFICER
A Technical Reserve Officer is a volunteer that possesses skills that can be utilized by the Department. The assignments given to a Technical Reserve Officer are made based upon the individual's expertise, background, work experience and legal requirements. A Technical Reserve Officer will not be placed in a law enforcement and/or patrol capacity and no assignment will require the Technical Reserve Officer to work in violation of the laws and/or POST requirements governing Reserve Police Officers.

326.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS
The Alhambra Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

326.2.1 PROCEDURE
All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a POST approved basic academy or extended basic academy.

326.2.2 APPOINTMENT
Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

326.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS
Being a reserve officer is voluntary. Reserve officers donate their time and do not receive compensation in the form of either wages or other payments. All reserve officer appointees are issued two sets of uniforms and all designated attire and safety equipment. All property issued to the reserve officer shall be returned to the Department upon termination or resignation.

326.2.4 EMPLOYEES WORKING AS RESERVE OFFICERS
Qualified employees of this department, when authorized, may also serve as reserve officers. However, the Department must not utilize the services of a reserve or volunteer in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer for reduced or no pay). Therefore, the Reserve Coordinator should consult the Personnel Department prior to an employee serving in a reserve or volunteer capacity (29 CFR § 553.30).
326.3 DUTIES OF RESERVE OFFICERS
Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Field Services Division. Reserve officers may be assigned to other areas within the Department as needed.

In order to maintain service as a Level I reserve officer, the reserve must serve an average minimum of 16 hours per month over a one year period of time (POST Administrative Manual § 1008(b)), maintain P.O.S.T. Continuing Professional Training (CPT) hours, meet handgun/rifle qualifications and other mandates as assigned. Additionally, reserve officers are required to attend reserve officers’ meetings. Failure to maintain these requirements may result in a suspension from the program.

326.3.1 POLICY COMPLIANCE
Police reserve officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

326.3.2 RESERVE OFFICER ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

326.3.3 RESERVE COORDINATOR
The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel
(b) Conducting reserve meetings
(c) Establishing and maintaining a reserve call-out roster
(d) Maintaining and ensuring performance evaluations are completed
   1. The Field Training Officer (FTO) shall complete daily evaluations during the training phase of the reserve officer.
(e) Monitoring individual reserve officer performance
(f) Monitoring the overall Reserve Program
(g) Maintaining liaison with other agency Reserve Coordinators

326.4 FIELD TRAINING
Penal Code § 832.6 requires Level II reserve officers, who have not been released from the immediate supervision requirement per Policy Manual § 350.4.7 - Completion of the Formal
Reserve Officers

Training Process, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

326.4.1 TRAINING OFFICERS
Officers of this department, who have been selected and assigned as a Field Training Officer (FTO) shall be assigned as primary trainers of Reserve Officers.

326.4.2 PRIMARY TRAINING OFFICER
Upon completion of the Academy, reserve officers will be assigned to a primary training officer. The primary training officer will be selected from members of the Field Training Officer (FTO) Committee. The reserve officer will be assigned to work with his/her primary training officer during the first 160 hours of training. This time shall be known as the Primary Training Phase.

326.4.3 FIELD TRAINING MANUAL
Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Alhambra Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

326.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE
At the completion of the Primary Training Phase, (Phase I) the primary training officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to Phase II of the training. If he/she has not progressed satisfactorily, the Reserve Coordinator will determine the appropriate action to be taken.

326.4.5 SECONDARY TRAINING PHASE
The Secondary Training Phase (Phase II) shall consist of 100 hours of additional on-duty training. The reserve officer will no longer be required to ride with his/her primary training officer. The reserve officer may now ride with any officer designated by the Watch Commander.

During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, the reserve officer will return to his/her primary training officer for Phase III of the training.

326.4.6 THIRD TRAINING PHASE
Phase III of training shall consist of 24 hours of additional on-duty training. For this training phase, the reserve officer will return to his/her original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.
Reserve Officers

At the completion of Phase III training, the primary training officer will meet with the Reserve Coordinator. Based upon the reserve officer's evaluations, plus input from the primary training officer, the Reserve Coordinator shall decide if the reserve officer has satisfactorily completed his/her formal training. If the reserve officer has progressed satisfactorily, he/she will then graduate from the formal training process. If his/her progress is not satisfactory, the Reserve Coordinator will decide upon the appropriate action to be taken.

326.4.7 COMPLETION OF THE FORMAL TRAINING PROCESS
When a reserve officer has satisfactorily completed all three phases of formal training, he/she will have had a minimum of 284 hours of on-duty training. He/she will no longer be required to ride with a reserve training officer. The reserve officer may now be assigned to ride with any officer for the remaining 200-hour requirement for a total of 484 hours before being considered for relief of immediate supervision.

326.5 SUPERVISION OF RESERVE OFFICERS
Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6). The immediate supervision requirement shall also continue for reserve officers who have attained Level I status unless special authorization is received from the Reserve Coordinator with the approval of the Assistant Chief.

326.5.1 SPECIAL AUTHORIZATION REQUIREMENTS
Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the Assistant Chief, be relieved of the "immediate supervision" requirement. Level I reserve officers may function under the authority of Penal Code § 832.6(a)(1) only for the duration of the assignment or purpose for which the authorization was granted.

In the absence of the Reserve Coordinator and the Assistant Chief, the Watch Commander may assign a certified Level I reserve officer to function under the authority of Penal Code § 832.6(a)(1) for specific purposes and duration.

326.5.2 RESERVE OFFICER MEETINGS
All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

326.5.3 IDENTIFICATION OF RESERVE OFFICERS
All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.

326.5.4 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.
326.5.5 INVESTIGATIONS AND COMPLAINTS
If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Professional Standards Unit, at the discretion of the Field Services Assistant Chief.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

326.5.6 RESERVE OFFICER EVALUATIONS
While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

326.6 FIREARMS REQUIREMENTS
Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during his/her assigned tour of duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

326.6.1 CARRYING WEAPON ON DUTY
Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on-duty. It is the policy of this department to allow reserves to carry firearms only while on-duty or to and from duty.

326.6.2 CONCEALED FIREARMS PROHIBITED
No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.

When a reserve officer has satisfactorily completed all three phases of training (as outlined in the Field Training section), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from
the Reserve Program Coordinator and administrative staff. In issuing a concealed weapon permit a reserve officer's qualification will be individually judged. A reserve officer's dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the reserve officer remains in good standing as a Reserve Officer with the Alhambra Police Department.

326.6.3 RESERVE OFFICER FIREARM TRAINING
All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual, with the following exceptions:

(a) All reserve officers are required to qualify at least every other month.

(b) Reserve officers may fire at the department approved range at least once each month and more often with the approval of the Reserve Coordinator.

(c) Should a reserve officer fail to qualify over a two-month period, that reserve officer will not be allowed to carry a firearm until he/she has reestablished his/her proficiency.

326.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL
The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.
Outside Agency Assistance

327.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency. It also includes guidelines for officers engaging in any law enforcement activities while off-duty.

327.1.1 MUTUAL AID NOTIFICATIONS
The Watch Commander shall notify the appropriate manager as soon as possible following a decision to exercise mutual aid for major occurrences. If the mutual aid request is not for a major occurrence, the Watch Commander will make an entry in the Commander's Log.

327.1.2 OPERATIONS OUTSIDE CITY: NOTIFICATION
It is the policy of this department to notify the appropriate police agency, when practical, when investigations or operations lead into another jurisdiction.

327.2 POLICY
It is the policy of the Alhambra Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

327.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Watch Commander’s office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

When an officer is on-duty and is requested by an allied agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from their immediate supervisor or the Watch Commander. If the request is of an emergency nature, the officer should still obtain prior permission from a supervisor or the Watch Commander. If it is not reasonable to notify a supervisor or Watch Commander, the officer shall notify Communications Section before responding and thereafter notify a supervisor as soon as practical.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.
Outside Agency Assistance

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

327.3.1 ON-DUTY ACTIVITY OUTSIDE THE CITY
Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Alhambra Police Department shall notify his/her supervisor or the Watch Commander and Communications Section as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

327.3.2 OFF-DUTY LAW ENFORCEMENT ACTIVITY
Any off-duty officer who engages in any law enforcement activities, regardless of jurisdiction shall notify the Watch Commander as soon as practical.

The Watch Commander shall determine if a case report or other documentation of the officer's activity is required. The report or other documentation shall be forwarded to the officer's Assistant Chief.

327.4 REQUESTING OUTSIDE ASSISTANCE
The Watch Commander shall maintain an accessible list of those agencies that have entered into the Los Angeles County Mutual Aid Agreements with this agency. The Watch Commander shall cause notification to be made to the selected mutual aid agency by contacting that agency's Watch Commander.

(a) Officers shall check with the Watch Commander or another supervisor before requesting significant assistance from an outside agency. Significant assistance would include such things as surveillances, Penal Code § 836 arrests, securing a business or residence prior to serving a search warrant, etc.

1. The handling officer or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

2. The requesting officer should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

(b) If the request for assistance from the outside agency is not significant for the outside agency then the officer should advise a supervisor in a timely manner. Assistance from another agency that is considered not to be significant would include; checking to see if a vehicle is parked at a residence, checking to see if a victim knows that their vehicle is in the possession of another person, notifying parents that their family member has been located, etc.
327.4.1 MUTUAL AID NOTIFICATIONS
The Watch Commander shall notify the appropriate Assistant Chief as soon as possible following a decision to exercise mutual aid for major occurrences. If the mutual aid request is not for a major occurrence, the Watch Commander will make an entry in the Commander's Log.

327.5 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Watch Commander.

327.6 MANDATORY SHARING
Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Support Services Assistant Chief or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.

(b) The training requirements for:

1. The use of the supplies and equipment.

2. The members trained in the use of the supplies and equipment.

(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Communications Section and the Watch Commander to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Manager should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

328.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Alhambra Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

328.2 POLICY
It is the policy of the Alhambra Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

328.2.1 DEFINITIONS
Registration procedures are defined by the following:

(a) Sex Offender "registrant" as defined within Penal Code § 290
(b) Narcotic Offender "registrants" as defined within Health and Safety Code § 11590

328.3 REGISTRATION
The Detective Section supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

328.3.1 CONTENTS OF REGISTRATION
The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph, and any other information required by applicable law (Penal Code § 457.1; Penal Code § 290 et seq.).

328.3.2 PROCEDURE FOR SEX OFFENDER REGISTRANTS (YELLOW FORM)

(a) Registrants may register at the Alhambra Police Department by appointment only, excluding holidays. Registrants must provide government issued identification at the time of their registration.
(b) When a person comes to the APD to register as a sex offender (Penal Code § 290), State Form SS-8102S shall be filled-out by an investigator from the Detective Section. Sex offenders shall preferably have direct contact with a sex crimes detective, when available, to facilitate a proper threat assessment.

(c) The investigator will complete the form with the registrant to ensure accuracy and completeness. As part of the registration process, the investigator should have the registrant read aloud one of his/her restrictions to demonstrate literacy.

(d) If the registrant has a prior APD DR number and is fulfilling their annual or 30 day update, then that case number will be entered on the proper forms and photo identifier. If no prior DR number has been assigned, then a new DR number will be issued to document the registration.

(e) The registrant shall then be photographed and fingerprinted by jail personnel.
   1. Three photographs will be taken for first-time registration with the APD. Two photographs will be taken (front) for follow-up registration.
   2. Three fingerprint cards (CII-5) shall be completed and attached to registration form.
   3. **NOTE:** If a "Fingerprint Card" is already on file then no additional cards are required.

(f) The assigned detective shall complete two registration receipt forms. One registration receipt form will be marked "Temporary" and given to the registrant at the time they are being processed. The second registration receipt will be marked "Permanent" and will be mailed to the registrant.

(g) File the photographs of the registrant in the APD DR file (with exception of one photograph mailed to DOJ along with the fingerprint cards). Information required by the Department of Justice shall be placed on the back of the photographs.

(h) Direct that a duplicate copy of the SS-8102S Form is sent to the detectives assigned Sex Crimes.

(i) Photographs, fingerprints and State Form SS-8102S shall be given to the Records Bureau for processing. The Records Bureau shall submit copies of all documentation to the Department of Justice.

**328.3.3 PROCEDURE FOR NARCOTIC OFFENDER REGISTRANTS**
When a person comes to the APD to register as a narcotic offender (Health and Safety Code § 11590) the procedure outline in Policy Manual § 356.3.2 (a) through (i), shall be followed with the following exceptions:

(a) A narcotics investigator from the Detective Bureau will check the completed form for accuracy and required information. As part of the registration process, narcotic
offenders shall have direct contact with a narcotic detective, when available, to facilitate a proper threat assessment.

(b) Direct the duplicate copy of the Narcotics Registrant Form (there is no state form for narcotic registrants) to the Narcotics Bureau.

(c) Direct the duplicate copy of the Narcotic Registration/Change of Address Form, along with the registrant's current photograph, to the Narcotic Bureau.

328.3.4 GANG OFFENDER REGISTRATION
When a person comes to the Department to register as a gang member as ordered by the court per Penal Code § 186.30, the procedure outlined in Policy Manual § 356.3.2 (a) through (i), shall be followed as applicable with the following exceptions:

(a) A Gang Unit investigator from the Detective Bureau will check the completed form for accuracy and required information. As part of the registration process, gang registrants shall have direct contact with a Gang Unit detective, when available, to facilitate a proper threat assessment.

(b) Direct the duplicate copy of the Gang Registrant Form (there is no state form for Gang registrants) to the Gang Unit.

(c) Direct the duplicate copy of the Gang Registration/Change of Address Form, along with the registrant's current photograph, to the Gang Unit.

328.4 MONITORING OF REGISTERED OFFENDERS
The Detective Section supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an internet search or drive-by of the declared residence.

(b) Review of information on the California DOJ website for sex offenders.

(c) Contact with a registrant’s parole or probation officer.

Any discrepancies should be reported to the California DOJ.

The Detective Section supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Alhambra Police Department personnel, including timely updates regarding new or relocated registrants.

328.5 DISSEMINATION OF PUBLIC INFORMATION
Members will not unilaterally make a public notification advising the community of a particular registrant’s presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted.
A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Alhambra Police Department's website. Information on sex registrants placed on the Alhambra Police Department's website shall comply with the requirements of Penal Code § 290.46.

The Records Manager may release local registered offender information to residents only in accordance with applicable law (Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1), and in compliance with a California Public Records Act (Government Code § 6250-6276.48) request.

328.5.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY
California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the internet website, to be released to a campus community (Penal Code § 290.01(d)):

(a) The offender’s full name
(b) The offender’s known aliases
(c) The offender’s sex
(d) The offender’s race
(e) The offender’s physical description
(f) The offender’s photograph
(g) The offender’s date of birth
(h) Crimes resulting in the registration of the offender under Penal Code § 290
(i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).

328.5.2 RELEASE NOTIFICATIONS
Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
(b) The information is provided as a public service and may not be current or accurate.
(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
(d) The crime for which a person is convicted may not accurately reflect the level of risk.
(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).
Major Incident Notification

329.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

329.2 POLICY
The Alhambra Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

329.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Assistant Chief. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicide or potential homicide
- Traffic accidents with fatalities
- Officer-involved shooting – on-duty or off-duty (see Policy 310 - Officer-Involved Shooting, for special notifications)
- An Alhambra police officer engaged in any law enforcement activity in another jurisdiction that resulted in the taking of a report (see Policy 386 – Off-Duty Law Enforcement Actions)
- Serious injury or death to any person involving an Alhambra Police Department employee
- Serious injury or death to any City of Alhambra employee or public official whether on-duty or off-duty
- Death or serious injury of a prominent Alhambra official person
- Arrest of any City of Alhambra employee, public official or prominent official Alhambra person
- Aircraft crash
- In-custody deaths or serious injuries
- "Area C" activations
- Long-term street closures
- Call for service that involves any federal, state or locally elected officials
- Incident where there is a significant potential for civil liability
Major Incident Notification

- Incident where there is significant damage to City property
- Call for service involving the School District that would require notification to the School Superintendent
- Serious crimes occurring in or around a school that poses a threat to students or faculty
- Kidnapping or child abduction
- Critical missing juvenile
- Hostage or barricaded suspect
- Any event when it is determined that shots were fired at another person
- SEB call-out
  - Make notification prior to the call-out
- Bank robberies within the City
- Significant activity determined to be gang or narcotics related
- Hate crimes
- Train derailment
- Any other situation where the Watch Commander deems it appropriate
- Any significant police activity that may be of public interest to the community, media or elected officials.
- Other law enforcement agency conducting an enforcement operation in our jurisdiction.

329.4 WATCH COMMANDER RESPONSIBILITY
The Watch Commander is responsible for making the appropriate notifications. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander shall attempt to make the notifications as soon as practicable, but no later than thirty (30) minutes after the inception of the incident. Notification should be made by calling the primary telephone number first and then by any other available means.

If the watch commander in unable to make the initial command staff notification within thirty (30) minutes of the incident, the watch commander shall direct dispatch personnel to make the command staff notification.

Code Charles Notification via Nixle: A Code Charles notification is appropriate when a message is needed to be sent exclusively to the Command Staff, including the Public Information Officer (PIO). In those instances the Watch Commander shall make a timely Code Charles Notification to all affected personnel via Nixle Private Group. If the Watch Commander is not available then a request to Dispatch should be made, advising them to activate a Code Charles Notification.
329.4.1 STAFF NOTIFICATION
In the event an incident occurs described in Policy Manual § 358.3 - Minimum Criteria for Notification, the Chief of Police shall be notified along with the affected Assistant Chief.

329.4.2 DETECTIVE NOTIFICATION
If the incident requires that a detective respond from home, the Watch Commander shall refer to the Call-Out Board for the Detective Bureau and notify the appropriate detectives. The Watch Commander shall then notify the Support Services Division Commander.

329.4.3 TRAFFIC BUREAU NOTIFICATION
In the event of a traffic fatality or major injury, the Traffic Supervisor, or if not on-duty the Watch Commander, shall contact the appropriate traffic collision investigators based upon the Call-Out Board for the Traffic Bureau. The Traffic Supervisor or Watch Commander will then notify the Field Services Division Commander.

329.4.4 MEDIA RELATIONS OFFICER (PIO)
The Media Relations Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.
Death Investigation

330.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

330.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed). A supervisor shall be notified in all death investigations.

In all cases, the primary officer shall notify the Watch Commander of the circumstances involving a dead body investigation and supply the information necessary for an entry on the Watch Commander's Log. The Watch Commander or his/her designee shall make all of the Department notifications in compliance with Policy 358 - Major Incident Notification.

330.2.1 CORONER REQUEST
Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities).

(b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746 in the 20 days prior to death.

(c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal deaths when the underlying cause is unknown.

(d) Known or suspected homicide.

(e) Known or suspected suicide.

(f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.

(g) Related to or following known or suspected self-induced or criminal abortion.

(h) Associated with a known or alleged rape or crime against nature.
Death Investigation

(i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

(j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.

(k) Accidental poisoning (food, chemical, drug, therapeutic agents).

(l) Occupational diseases or occupational hazards.

(m) Known or suspected contagious disease and constituting a public hazard.

(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.

(o) In prison or while under sentence. Includes all in-custody and police involved deaths.

(p) All deaths of unidentified persons.

(q) All deaths of state hospital patients.

(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths.

(s) All deaths where the patient is comatose throughout the period of the physician’s attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

330.2.2 SEARCHING DEAD BODIES
The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or Deputy Coroner shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or Deputy Coroner; the investigating officer shall first obtain verbal consent from the Coroner or Deputy Coroner (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or Deputy Coroner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or Deputy Coroner, a receipt shall be obtained by the primary officer or the investigating officer. This receipt shall be attached to the report completed by the primary officer or the investigating officer.
Death Investigation

330.2.3 DEATH NOTIFICATION
The officer assigned to an incident involving a dead body report shall consult with the Watch Commander before making notification to the next of kin. Since the responsibility for notifying the next of kin rests with the Coroner's Office, such notification will only occur after conferring with the Coroner's Office.

When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. In such circumstances the Watch Commander shall be responsible for the certainty of notification.

When authorization is granted by the Coroner's Officer to make notification to the next of kin, the Watch Commander shall be responsible for seeing that necessary precautions are taken to cushion the impact as much as possible. These precautions include, but are not limited to the following:

(a) The notification shall not be done via telephone.
(b) Efforts should be made to ascertain the age and health of the recipient prior to notification.
(c) Efforts should be made to secure the company of a relative or friend to be with and support the recipient.
(d) The information should be delivered forthrightly, but with consideration for the next of kin.
(e) The information should be given in the recipient's home or a private place away from public view.
(f) Whenever possible, a Department Chaplain may be used to make notifications.

If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made.

330.2.4 UNIDENTIFIED DEAD BODIES
If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a “John Doe” or “Jane Doe” number for the report.

330.2.5 DEATH INVESTIGATION REPORTING
All incidents involving a death shall be documented on the appropriate form.

330.2.6 SUSPECTED HOMICIDE
If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Section shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.
Death Investigation

330.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES AND SERIOUS ENVIRONMENTAL INCIDENTS

(a) Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim’s employment shall ensure the following protocols are followed:

1. The nearest office of Cal-OSHA is immediately notified by telephone or teletype with all pertinent information (8 CCR § 342(b)).
2. Immediately notify the Los Angeles District Attorney’s Command Center at (213) 974-3607.
3. If deemed appropriate by the Los Angeles District Attorney’s Office, a prosecutor and investigators will be assigned to the incident and respond to the scene.
4. The Alhambra Police Department shall be responsible for securing and maintaining the scene until the District Attorney personnel have arrived. All physical evidence shall remain in the custody of Cal-OSHA or the Alhambra Police Department.

(b) At the scene of the workplace or environmental incident, the Alhambra Police Department and/or Cal-OSHA will have primary responsibility to investigate the incident. The responsibility of the District Attorney rollout team will be assisting and advising the Alhambra Police Department/Cal-OSHA on criminal issues and observing, and when appropriate, participating in the investigation.

(c) The Incident Commander (or his/her designee) or the officer in charge at the scene of the incident should provide the Cal-OSHA and District Attorney roll out teams with the following:

1. The names and present whereabouts of the officers or investigators involved in the incident.
2. The names, contact information and present whereabouts of all civilian witnesses, including copies of any field identification cards.
3. The statements of officers, investigators and civilian witnesses.
4. Any physical evidence discovered.
5. A walk-through of the scene.
6. The medical condition of any injured persons.

330.2.8 SUICIDE NOTES
The original suicide note shall accompany the body to the Coroner’s Office. If a copy is desired by investigative personnel, it should be obtained from the Coroner’s Office. If the original note is desired for Crime Lab study, it may be picked up at the Coroner’s Records Division Office by authorized personnel.

To ensure that suicide notes are in fact the authentic writing and signature of the deceased, investigating officers will attempt to obtain an exemplar for comparison which will accompany the suicide note and the deceased.
330.2.9  POISONS AND DRUGS
All poisons, drugs, and their containers suspected of being connected with a suicide shall accompany the body to the Coroner.

330.2.10  FIREARMS
All firearms suspected of being suicide weapons shall be retained by the investigating officer for testing purposes.

330.2.11  PERSONAL PROPERTY OF THE DECEASED
Property or evidence related to the investigation and for any subsequent prosecution in a criminal death may be held only with the Coroner's knowledge. A receipt for such property must be given to the Coroner.

330.2.12  SECURING PREMISES OF THE DECEASED
Pending the arrival of a legally authorized representative of the deceased, the Coroner may lock and seal any doors to the premises.

330.3  REPORTS BY THE PRIMARY OFFICER
The Primary Officer shall be responsible for completing an initial report, which contains the facts related to the initial investigation of the incident.

330.3.1  REPORTS BY DETECTIVE BUREAU PERSONNEL
Assigned detective personnel shall be responsible for writing the necessary supplemental reports related to the investigation. They will be responsible for the reclassification of the incident should the investigation reveal that the death was other than natural. The investigator shall be responsible for forwarding all necessary reports to the Coroner.
Identity Theft

331.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

331.2 REPORTING
(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. All identity theft investigations will be documented using a Financial Crime Report form. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:

1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.
Identity Theft

331.2.1 REPORTING FORMS
An identity theft investigation will be documented using the Alhambra Police Department Financial Crime Report.

331.3 PREVENTION AND VICTIM ASSISTANCE
Fraud prevention and victim assistance materials are available on the City of Alhambra website at www.cityofalhambra.org and www.consumer.ftc.gov. The Criminal Investigations Bureau Supervisor is responsible for updating the materials when necessary.

Department members should refer victims to the City of Alhambra and/or the Federal Trade Commission Consumer Information websites, along with documenting the referral in the narrative of the report. Department members should offer a Victims of Identity Theft Information pamphlet/booklet to all victims of identity theft as it contains information to further assist victims in reestablishing their credit and identity.
Private Persons Arrests

332.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Penal Code § 837.

332.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS
Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person's arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

332.3 ARRESTS BY PRIVATE PERSONS
Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;

(b) When the person arrested has committed a felony, although not in his or her presence;

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

332.4 OFFICER RESPONSIBILITIES
Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
Private Persons Arrests

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.

2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking
2. Release the individual pursuant to a Notice to Appear
3. Release the individual pursuant to Penal Code § 849

332.5 REPORTING REQUIREMENTS
In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's Arrest form under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

When a person arrested pursuant to a private person's arrest is to be released in the field, the responding officer shall include the name of the private person making the arrest in the "Arresting Officer" space on the citation.
Anti-Reproductive Rights Crimes Reporting

333.1 PURPOSE AND SCOPE
This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

333.2 DEFINITIONS
Penal Code § 423.2 provides that the following acts shall be considered “Anti-Reproductive Rights Crimes” (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant

(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant

(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility

333.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

(b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Support Services Assistant Chief or his/her designee.

(c) By the tenth day of each month, it shall be the responsibility of the Support Services Assistant Chief or his/her designee to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to Department of Justice with an indication that no such crimes were reported.
2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).
Limited English Proficiency Services

334.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

334.1.1 DEFINITIONS
Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English Proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Alhambra Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

334.2 POLICY
It is the policy of the Alhambra Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

334.3 LEP COORDINATOR
The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Field Services Assistant Chief or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:
Limited English Proficiency Services

(a) Coordinating and implementing all aspects of the Alhambra Police Department's LEP services to LEP individuals.

(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Communications Supervisor. The list should include information regarding the following:
   1. Languages spoken
   2. Contact information
   3. Availability

(d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.

(e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.

(f) Periodically assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.

(g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.

(h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures or recommending modifications to this policy.

(i) Receiving and responding to complaints regarding department LEP services.

(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

334.4 FOUR-FACTOR ANALYSIS
Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:
Limited English Proficiency Services

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

334.5 TYPES OF LEP ASSISTANCE AVAILABLE

Alhambra Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

334.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

334.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

334.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members should be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.
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When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

334.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the City of Alhambra Personnel Department, which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.
(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(d) Knowledge of the ethical issues involved when acting as a language conduit.

334.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.
Limited English Proficiency Services

334.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE
Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations. Further, the nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect).

334.10 CONTACT AND REPORTING
While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services shall be noted in the related report. Members shall document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

334.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE
The Alhambra Police Department will take reasonable steps and will work with the Personnel Department to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

334.11.1 EMERGENCY CALLS TO 9-1-1
Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Communications Section, the call shall be handled by the qualified bilingual member.
Limited English Proficiency Services

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

334.12 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available and practical given the circumstances, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

334.13 INVESTIGATIVE FIELD INTERVIEWS
In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) shall be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter
**Limited English Proficiency Services**

*Miranda* warnings should be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual’s bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

### 334.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings should be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations shall be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

### 334.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

### 334.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an internal investigation should be selected with consideration towards their neutrality and objectivity.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

### 334.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.
334.18 TRAINING
To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Manager shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Manager shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

334.18.1 TRAINING FOR AUTHORIZED INTERPRETERS
All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
Communications with Persons with Disabilities

335.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

335.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, translators, sign language interpreters and intermediary interpreters.

335.2 POLICY
It is the policy of the Alhambra Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

335.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR
The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Field Services Assistant Chief or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the City ADA coordinator regarding the Alhambra Police Department’s efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.
Communications with Persons with Disabilities

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Watch Commander and Communications Supervisor. The list should include information regarding the following:

1. Contact information
2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

335.4 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.
Communications with Persons with Disabilities

335.5 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems. Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.
(b) The nature, length and complexity of the communication involved.
(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Alhambra Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

335.6 TYPES OF ASSISTANCE AVAILABLE
Alhambra Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make a reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.
Communications with Persons with Disabilities

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

335.7 AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

335.8 QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or investigation involving the disabled individual. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:
(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
(d) Certified in either American Sign Language (ASL) or Signed English (SE).
(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

335.9 TTY AND RELAY SERVICES
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).
Communications with Persons with Disabilities

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

335.10 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

335.11 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

335.12 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual’s express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.
335.13  FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual’s preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

335.13.1  FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

335.14  CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual
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has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written Miranda warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

335.15 ARREST AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

335.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

335.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.
335.18 TRAINING
To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.
(b) Procedures for accessing qualified interpreters and other available resources.
(c) Working with in-person and telephone interpreters and related equipment.

The Training Manager shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Manager shall maintain records of all training provided, and will retain a copy in each member’s training file in accordance with established records retention schedules.

335.18.1 CALL-TAKER TRAINING
Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
(b) ASL syntax and accepted abbreviations.
(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Communications Section members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.
Mandatory Employer Notification

336.1 PURPOSE AND SCOPE
The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

336.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING
In the event a school employee is arrested for any offense enumerated below, the Chief of Police or his/her designee is required to report the arrest as follows.

336.2.1 ARREST OF PUBLIC SCHOOL TEACHER
In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

336.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE
In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a), or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

336.2.3 ARREST OF PRIVATE SCHOOL TEACHER
In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher and to immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).
Mandatory Employer Notification

336.2.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR
In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11591.5 or Health and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Chief of Police or the authorized designee is mandated to immediately notify by telephone the superintendent of the community college district employing the person, and shall immediately give written notice of the arrest to the California Community Colleges Chancellor’s Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

336.3 SUPPORT SERVICES DIVISION COMMANDER AS THE DESIGNEE FOR THE CHIEF OF POLICE
The Chief of Police's designee for reporting school employee crimes to school officials is limited to members of the Detective Bureau. Notifications pursuant to this section of the Policy Manual shall only be done with prior approval of the Support Services Division Commander.

336.4 POLICY
The Alhambra Police Department will meet the reporting requirements of California law to minimize the risks to children and others.

336.5 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES
In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating member shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).
Biological Samples

337.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the collection of DNA evidence from those individuals required to provide such samples under the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, and the State of California DNA Data Bank Program (Penal Code § 295, et seq.).

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples from those required to register, for example, sex offenders.

337.2 POLICY
The Alhambra Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

337.3 PERSONS SUBJECT TO DNA COLLECTION
Those who must submit a biological sample include (Penal Code § 296):

(a) A person, including a juvenile, upon conviction or other adjudication of any felony offense.

(b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record.

(c) An adult arrested or charged with any felony.

337.4 PROCEDURE
When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

337.4.1 COLLECTION
The following steps should be taken to collect a sample:

(a) Verify that the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.

(b) Verify that a biological sample has not been previously collected from the offender by querying the individual’s criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
Biological Samples

(c) Use a DNA buccal swab collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.

337.4.2 FULL PALM PRINTS
Right thumbprints and a full palm print impression of each hand shall be taken on forms prescribed by the Department of Justice. The palm print forms shall be forwarded to and maintained by the Bureau of Criminal Identification and Information of the Department of Justice. Right thumbprints also shall be taken at the time of the collection of samples and specimens and shall be placed on the sample and specimen containers and forms as directed by the Department of Justice. The samples, specimens, and forms shall be forwarded to and maintained by the DNA Laboratory of the Department of Justice (Penal Code § 298(b)(4)).

337.5 USE OF FORCE TO OBTAIN SAMPLES
If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

(a) The person’s parole or probation officer when applicable.
(b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
(c) The judge at the person’s next court appearance.
(d) The person’s attorney.
(e) A chaplain.
(f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
(g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

A supervisor shall review and approve any plan to use force and be present to document the process.

337.5.1 VIDEO RECORDING
A video recording should be made anytime force is used to obtain a biological sample. The recording should document all staff participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the department’s records retention schedule (15 CCR 1059).
337.5.2 CELL EXTRACTIONS
If the use of force includes a cell extraction, the extraction shall be video recorded, including audio. Video shall be directed at the cell extraction event. The video recording shall be retained by the Department for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively (15 CCR 1059).

337.6 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

337.6.1 DOCUMENTATION RELATED TO FORCE
The Watch Commander shall prepare prior written authorization for the use of any force (15 CCR 1059). The written authorization shall include information that the subject was asked to provide the requisite specimen, sample or impression and refused, as well as the related court order authorizing the force.

337.6.2 BLOOD SAMPLES
A blood sample should only be obtained under this policy when:

(a) The California DOJ requests a blood sample and the subject consents, or
(b) A court orders a blood sample following a refusal.

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

337.6.3 LITIGATION
The Chief of Police or authorized designee should notify the California DOJ’s DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state’s DNA Data Bank Program.

337.6.4 NOTICE OF A REJECTED SAMPLE
In the event DOJ notifies the department that a DNA sample or print impression is not usable, the Crimes Against Persons Detective will re-contact the subject whose original sample or impression was not usable and collect additional samples and promptly deliver them to DOJ (Penal Code § 296.2(a)).

337.7 RELATED STATUTES
It is a felony for any qualifying individual to knowingly facilitate the collection of a wrongfully attributed DNA sample or identification information, or to knowingly tamper with any DNA sample or collection container with the intent to deceive the government as to his or her identity (Penal Code § 298.2).

It is unlawful for any person to knowingly misuse or disclose to an unauthorized entity a DNA sample collected or profile obtained for DNA database purposes (Penal Code § 299.5(i)(1)(A)).
Chaplains

338.1 PURPOSE AND SCOPE
The Alhambra Police Department Chaplain Program is established for the purposes of providing spiritual and emotional support to all members of the Department, their families and members of the public. The Program will not promote any particular religion nor house of worship.

338.2 POLICY
It is the policy of this department that the Chaplain Program shall be a non-denominational, ecumenical ministry provided by volunteer clergy without financial compensation. Members shall embrace everyone, regardless of their race, gender, ethnicity, culture or faith.

The Chaplain Program shall not promote any particular religion or house of worship.

NOTE: Members of the Chaplain Program are selected and serve at the discretion of the Chief of Police.

338.3 GOALS
Members of the Chaplain Program shall fulfill the program’s purpose in the following manner:

(a) By serving as a resource for department personnel when dealing with the public in such incidents as death notifications, accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.

(b) By providing an additional link between the community, other chaplain programs and the Department.

(c) By providing counseling, spiritual guidance and insight for department personnel and their families.

(d) By being alert to the spiritual and emotional needs of department personnel and their families.

(e) By familiarizing themselves with the role of law enforcement in the community.

338.4 REQUIREMENTS
Candidates for the Chaplain Program shall meet the following requirements:

(a) Relates easily to people and a desire to serve others.

(b) Manifests a broad base of experience and professional maturity, emotional stability and personal flexibility.

(c) Has a broad understanding of religious traditions and cultures.

(d) All chaplains shall maintain the high moral standards that are in keeping with their religious bodies’ expectations.
Chaplains

(e) Must be ecclesiastically certified and/or endorsed, ordained, licensed, or commissioned by a recognized religious body.

(f) Membership in good standing with the International Conference of Police Chaplains (ICPC).

(g) Possess a valid and current California Drivers License.

(h) Must be a regular attendee at the chaplain’s local house of worship within their specific faith or denomination.

(i) Must successfully complete an appropriate level background investigation.

(j) Never convicted of a felony or offense involving moral turpitude.

(k) Must have at least five years of successful ministry experience within a recognized church or religious denomination.

(l) All chaplains are expected to be in attendance at four scheduled meetings and training sessions per year.

(m) Shall be willing to participate in training that will enhance the Chaplain’s efficiency in dealing with police related incidents.

(n) Chaplains are encouraged to go on one ride-along in patrol, each month.

(o) Chaplains must be willing to be on-call for emergency situations.

(p) It is appropriate for a chaplain to leave an Alhambra Police Department Chaplaincy business card with someone the chaplain has aided while on-duty. This is especially important if follow-up contact is anticipated. The chaplain’s role is not to proselytize or convert.

(q) The chaplain should be prepared to refer persons to acceptable social agencies where specific kinds of help are available.

(r) Membership in good standing with the International Conference of Police Chaplains (ICPC).

(s) Support the Mission Statement of the APD Chaplain Program.

338.5 SELECTION PROCESS
Chaplain candidates are encouraged to participate in the ride-along program before and during the selection process. Chaplain candidates shall successfully complete the following process prior to deployment as a chaplain:

(a) Submit completed Volunteer and Chaplain Applications.

(b) Recommendation from their house of worship elders, board, or council.

(c) Interview with Chief of Police & Chaplain Supervisor.

(d) Interview with Senior Chaplain and select members of the Chaplain Unit.

(e) Successfully complete an appropriate level background investigation.
Chaplains

(f) Complete an appropriate probationary period as designated by the Chief of Police.

NOTE: Members of the Chaplain Program are selected and serve at the discretion of the Chief of Police.

338.6 DUTIES AND RESPONSIBILITIES
The Senior Chaplain and Chaplain Supervisor (Lt.) will recruit and maintain up to 6 (six) Chaplains. The duties of a chaplain include, but are not limited to, the following:

(a) Fulfill the three core responsibilities of the Chaplain office: active listening, clergy confidentiality and ministry of presence.

(b) Be responsive to the Chaplain’s call out rotation sheet.

(c) Attend Patrol briefings and go on ride-alongs at least once per month, if possible.

(d) Assisting in making notification to families of department members who have been seriously injured or killed.

(e) After notification, responding to the hospital or home of the department member.

(f) With the permission of the employee, visit sick or injured personnel, including those members of the Department who have retired as a result of an injury.

(g) Attending and participating, when requested, in funerals of active or retired members of the Department.

(h) Assisting sworn personnel in the diffusion of a conflict or incident, when requested.

(i) Responding to incidents involving critical injuries, natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Watch Commander or supervisor aids in accomplishing the Department's mission.

(j) Being on-call and if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department personnel.

(k) Counsel officers and other personnel who have been exposed to traumatic situations or are having personal problems, at their request.

1. Counseling should be on short-term basis. When extensive counseling is needed, the Chaplain may refer the person to a professional agency.

(l) Attending Department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested and as available.

(m) Being responsible for the organization and development of spiritual organizations in the Department.

(n) Responding to all major disasters such as earthquakes, bombings and similar critical incidents.

(o) Providing liaison with various religious leaders of the community.
Chaplains

(p) Assisting public safety personnel and the community in any other function of the clergy profession, as requested.

(q) Participating in in-service training classes. Provide instruction and consultation to the department in human relations, ethics, family life and spiritual matters.

(r) Willing to train to enhance the Chaplain’s efficiency in dealing with police related incidents.

(s) Promptly facilitating requests for representatives or ministers of various denominations.

(t) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain’s ability to assist.

(u) Provide a source to assist the department in its dealings with community problems, needs, concerns and interests. Be a source of encouragement and support.

(v) The chaplain does not replace the clergy of the victim’s religious persuasion. Chaplains are there only to offer reassurance, compassion and support. Using discretion and respecting the desires of the person being served, the chaplain may suggest a follow-up meeting.

(w) Should a person request a representative/minister of a specific denomination other than a department chaplain, the on-scene chaplain will contact the appropriate clergy as requested.

(x) Meet at least monthly with other Chaplains, the Senior Chaplain and Chaplain Supervisor to discuss the program’s status, accountability and training for the development of the Chaplains.

(y) Complete basic certification courses and apply for basic certification with ICPC (International Conference of Police Chaplains) and participate in on-going training and education.

(z) Participate in the Area-C Chaplain Partnership, which consists of six meetings per year.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while on-duty unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person’s intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or follow-up contacts that were provided while functioning as a chaplain for the Alhambra Police Department.
338.7 CLERGY-PENITENT CONFIDENTIALITY
Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent privilege. Except as otherwise specified, matters of a personal nature that are part of a penitential communication and are discussed between a chaplain and penitent shall remain private and confidential (Penal Code § 11166 (d)(1)). Members of the clergy are not required to reveal penitential communications.

(a) Clergy must report child, elder or dependent adult abuse discovered while acting in any capacity other than during a penitential communication, whether on-duty at the police department or not.
(b) Supervision should not expect chaplains to violate the confidence in penitential communications.
(c) The role of chaplain is to be held in the strictest form of confidentiality, except under the following situations:
   1. When information divulged falls under Policy Manual § 376.7(a).
   2. When any APD employee is believed to be under the influence of any narcotic, drug or alcoholic beverage.
   3. When a suspect is in custody and makes an unsolicited spontaneous utterance.
(d) A suspect should not be encouraged by a chaplain or officer to speak to a chaplain.
(e) Any statement made by a suspect to a chaplain while being detained or while in-custody cannot be considered confidential and therefore is subject to discovery and any such statement can be used against the suspect in a court of law.

No chaplain shall provide counsel to or receive confidential communications from any Alhambra Police Department employees concerning a police related incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

338.7.1 WHEN CHAPLAINS SHALL ENCOURAGE APD EMPLOYEES TO SPEAK WITH A SUPERVISOR
(a) The employee has violated department policy, but the action does not rise to a violation of law.
(b) The employee shares concerns about another member of the agency who may have violated department policy, which does not rise to a violation of the law.
(c) The employee or other member of the Department may have violated department policy and/or the law.

338.7.2 WHEN CHAPLAINS SHALL REPORT CONFIDENTIAL STATEMENTS TO A SUPERVISOR
(a) A chaplain shall be responsible to divulge certain incriminating statements from APD employees depending upon the severity of the offense, but only after encouraging the employee to voluntarily communicate the issue to their supervisor and informing the employee that the chaplain is required to report the issue.
1. Required reporting would include any statement where an employee has stated they had committed or were contemplating committing harm to him/herself or any other person.

(b) In such cases, the Chaplain is to immediately report this information to the Watch Commander and/or their Chaplain Liaison Officer or Chaplain Supervisor.

(c) The chaplain may be required to file a written report in accordance with department guidelines.

338.8 COMMAND STRUCTURE

(a) Under the general direction of the Chief of Police or his/her designee, chaplains shall report to the Chaplain Supervisor or Watch Commander.

(b) The Chief of Police shall make all appointments to the Chaplain Program and will designate a Chaplain Supervisor.

(c) The Chaplain Supervisor shall serve as the liaison between the Chaplain Unit and the Chief of Police. The Senior Chaplain (in partnership with the Chaplain Supervisor) will arrange for regular monthly meetings, act as chairman of all chaplain meetings, prepare call-out rotation lists (to be provided to all Department supervisors), maintain records on all activities of the Chaplain Unit, coordinate activities that may concern the members of the Chaplain Unit, supervise all Chaplains and arrange for training classes for chaplains.

(d) The Senior Chaplain will report to the Chaplain Supervisor.

(e) The Senior Chaplain and Chaplain Supervisor shall conduct an annual performance evaluation for each Chaplain.

(f) The Senior Chaplain will receive an annual performance evaluation from the Police Chief and Chaplain Supervisor.

338.8.1 POLICE CHAPLAIN ON-CALL PROCEDURE

(a) Roster of Personnel - A roster shall be maintained in the Watch Commander’s office which lists the following:
   1. Each Chaplain’s name
   2. Home church affiliation and faith denomination
   3. Contact telephone number

(b) Rotation Schedule - A regular pre-planned on-call rotation schedule will be in use. It will be the responsibility of the Senior Chaplain or his/her designee to organize and maintain the schedule.
   1. On-call rotations are one week long, from Sunday through Monday

(c) On-Call Chaplain - If the officer/employee has no preference of a Chaplain, the supervisor should consult the pre-planned on-call rotation schedule and contact the Chaplain who is currently on-call. If the on-call Chaplain is not available, the Senior Chaplain, or his/her designee shall be contacted.
338.9 OPERATIONAL GUIDELINES

(a) Chaplains shall be permitted to ride with officers during any shift and observe Alhambra Police Department operations, provided a completed a ride-along form is on file with the Department, the Watch Commander has been notified and approved of the activity, and a Patrol Officer is available and willing to accommodate the Chaplain.

1. The chaplain shall only act when called upon by the officer with whom the chaplain is working, or by some other officer at the scene of an incident.

2. If the chaplain is present when a prisoner is being transported, no conversation with the prisoner is to take place unless directed by the officer.

3. The relationship with the officer is to be on a professional basis unless the officer requests counseling. Chaplains are not to evangelize the officer, but rather to be of general counseling service.

(b) Chaplains shall not be evaluators of employees and shall not be required to report on an employee’s performance or conduct.

(c) Chaplains are not Law Enforcement Officers. In responding to incidents, a chaplain shall never function as an officer. They shall assist the Law Enforcement Officers and be under the Officer’s jurisdiction at all times.

1. Appropriate measures should be taken to not expose Chaplains to danger.

(d) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe. Appropriate measures should be taken to not expose Chaplains to danger.

(e) Chaplains shall come to the aid of an officer in trouble; as such action is expected of any private citizen.

(f) Chaplains shall serve only within the jurisdiction of the Alhambra Police Department unless otherwise authorized by the Chief of Police or his/her designee.

(g) Each chaplain shall have access to current personnel rosters, addresses, telephone numbers, duty assignments and other information that may assist in their duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the information.

(h) In the event any member of the Department or their family desires to counsel with a Chaplain, they shall first secure an appointment with the Chaplain.

(i) When there is a service request for a Chaplain and there is no Chaplain on-duty and the Senior Chaplain is unavailable, a call may be placed to any Chaplain on the approved list.

(j) Chaplains are allowed the privilege of engaging in follow-up work, should they deem it beneficial. In such instances, the Chaplain shall conduct follow-up work as clergy, not as a representative of the Alhambra Police Department.

(k) Department Chaplains shall not publicly criticize the actions of any law enforcement Officer, Department official, fellow Chaplain, or departmental policy or action. Any
Chaplain having a grievance or other issue should utilize the chain of command beginning with the Chaplain Supervisor.

(l) Chaplains shall not release any information regarding any incident, investigation, policy, practice, etcetera to anyone outside the Alhambra Police Department without expressed prior authorization from the Field Services Division Commander or his/her designee. All information obtained by a Chaplain as a result of their relationship with the Alhambra Police department is expected to be held in strict confidence.

(m) When an Alhambra Police Department Chaplain wishes to discontinue his/her service, a formal letter shall be submitted to the Police Chief, Chaplain Supervisor and Senior Chaplain. Upon severance form the Department, all forms of identification and department equipment must be returned to the Chaplain Supervisor.

338.9.1 UNIFORMS AND BADGES
Chaplains will be provided with police identification, chaplain badge, ballistic vest, and uniforms (Class A uniform, windbreaker, heavy jacket, polo shirt and Department business cards). Chaplains are to wear Department identification and/or uniforms when acting in the duties of Chaplain.

338.10 TRAINING
The Department requires basic chaplain training and ongoing development for all department chaplains.

(a) Chaplains are required to attend an orientation held by the Senior Chaplain and Chaplain Supervisor. This orientation will cover Department protocols and Chaplain responsibilities.

(b) Within the first year of assignment, Chaplains shall attend and complete an accredited Police Chaplain training and apply for and maintain basic certification with ICPC. The twelve basic classes include: Introduction to Law Enforcement Chaplaincy, Death Notification, Law Enforcement Family, Confidentiality and Legal Liability, Officer Injury and Death, Responding to a Crisis, Substance Abuse, Suicide, Stress Management, Ethics, Sensitivity and Diversity, and Ceremonies and Events.

(c) Chaplains are to pursue on-going continuing education.

(d) Chaplains are to participate in Area-C Chaplain training and education (six meetings per calendar year).

(e) The Senior Chaplain shall introduce a new Chaplain to each Patrol briefing as well as shadow them on a ride-along for training purposes.
Department Service Fees

339.1 PURPOSE AND SCOPE
The Alhambra City Council has adopted a schedule of fees to be charged to users of specified services at the Alhambra Police Department. This order establishes a procedure for the processing of fees and to appeal the imposition of a fee when a dispute occurs.

339.2 COLLECTION OF FEES
The purpose of this procedure is to record the monies accepted at the front counter and the subsequent deposit. The starting/base amount of the front desk cash fund is $300.

Cash disbursements for temporary parking permit refunds are made from a separate cash fund stored in the accounting office safe.

339.2.1 WITNESS FEES FOR CIVIL MATTERS
If the witness in a court case is an Alhambra Police employee, a pre-determined fee is required. These fees must be tendered at time of service before the document is accepted.

339.2.2 FEES FOR RECORD COPIES
A fee, as required by the Alhambra Municipal Code, shall be charged for all reproductions of reports made by the Department and furnished to persons requesting them, except for records for other law enforcement agencies, governmental or military agencies, and in obedience to a court order.

339.2.3 COLLECTION, RECEIPT AND DEPOSIT OF RECORDS FEES
As part of the day-to-day operation of the front desk, it is necessary to accept money for various payments. Funds are accepted in the form of cash, credit card (Visa/MasterCard/Discover), check, or money orders made payable to the City of Alhambra. Payments are accepted for Clearance Letters, Vehicle Releases, Repossession Fees, Cite Sign-Offs, Photo Copy Fees, Temporary Overnight Parking Permits, Live Scan Fingerprinting and other miscellaneous Property and Evidence items.

The Records Section employee providing subpoena or repossession services to the requestor is responsible for collection of the proper fee and completion of the necessary paperwork. A printed receipt will be provided to the payee of the collected fees.

   (a) In those instances, a three-page carbon receipt is filled out listing the following information:
      1. Date
      2. Prepared by
      3. Form of payment and the amount
      4. Check or money order number (if applicable)
      5. Credit card type and account number (Visa/MasterCard/Discover)
6. Name, address and phone number of party paying funds
7. Service being paid for
(b) The white copy is given to the Requester, the blue copy is attached to the form of payment, the pink copy is retained by the Police Department and subsequently forwarded to the City Finance Department at a later date.
(c) For all others types of collected fees for services or records delivered to a requestor, a printed receipt from the front counter register shall be given to the payee.

339.2.4 DRAWER RECONCILE
(a) Cash drawer must be reconciled at 0800 hours Monday through Thursday (excluding weekends and holidays). Leave $300 in the cash box.
1. Under “Cash Receipt” drop box, confirm correct batch number is displayed then print “Proof List.”
2. Take the white carbon copy deposit receipts and verify they match the proof list. Add up all cash and checks and make sure the totals match the proof list. Have a co-worker verify the funds and sign where applicable;
3. If there is an overage or shortage, that must also be reflected and rectified.
   (a) Cash shortages shall be immediately brought to the attention of the Watch Commander.
4. Take proof list, white deposit receipt forms and any cash or checks received to the City Finance Department. They shall verify the deposit.
(b) The Administrative Finance Manager or his/her designee will be responsible for ensuring that all fees collected will be taken to the City Finance Department on a routine basis. The City Finance Department will also be responsible for periodic audits of the receipts and fees collected.

339.2.5 AUDITS OF FRONT DESK REVENUE FUNDS
The Front Desk Revenue Fund is zeroed out to the starting balance of $300 daily through the deposit process, therefore completing a daily audit of the fund. The Accounting Section is responsible for completing daily reports, along with conducting weekly audits for the Administrative Finance Manager to review. The City Finance Department may conduct random audits of the cash funds, including the Front Desk Revenue Fund.

339.3 PROCEDURE FOR WAIVING CONTESTED DEPARTMENT FEES
339.3.1 EMPLOYEE RESPONSIBILITIES
(a) The employee shall attempt to resolve the dispute and provide all information to the complaining party.
(b) If the matter cannot be resolved, the employee shall notify their immediate supervisor or the Watch Commander in a timely manner.
339.3.2 SUPERVISOR RESPONSIBILITIES

(a) When a supervisor is notified of a conflict regarding fees for service, he/she shall:

1. Review the facts surrounding the dispute and attempt to resolve it.

2. If it appears to be in the best interest of the involved parties to waive the fee, the supervisor has the authority to do so, provided the fee has not already been paid and forwarded to the Finance Department.

   (a) If the dispute is over a previous fee that has already been forwarded to the Finance Department, the supervisor shall not render a decision and will forward all the information to the respective Division Commander.

3. If a reasonable solution cannot be reached, the supervisor shall have the fee collected and inform the party that their concerns will be forwarded to the respective Division Commander.

4. The supervisor shall forward a memorandum to the division commander explaining all of the pertinent facts at issue.

(b) When a fee has been waived, and there is a DR number assigned to the incident, a written explanation for the waiver shall be placed into the case folder.

339.3.3 DIVISION COMMANDER’S RESPONSIBILITIES

Upon receiving a written notification concerning a disputed fee, the Division Commander shall review the circumstances and determine whether the fee should be refunded, or continue the appeal process by forwarding the supervisor’s written explanation to the Chief of Police.

If the Division Commander determines that the fee should be refunded, that information shall be forwarded to the Accounting Section Supervisor, who will forward the refund request to the Finance Department on the appropriate form.

339.3.4 CHIEF OF POLICE’S RESPONSIBILITIES

The Chief of Police, or his/her designee, shall be the final authority to render a decision. If the complaining party is not satisfied, a hearing with the party can be scheduled. The complaining party will be notified of the final decision by the Chief of Police or his/her designee.
Public Safety Camera System

340.1 PURPOSE AND SCOPE
This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

340.2 POLICY
The Alhambra Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

340.3 OPERATIONAL GUIDELINES
Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

340.3.1 PLACEMENT AND MONITORING
Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

(a) To prevent, deter and identify criminal activity.
(b) To target identified areas of gang and narcotics complaints or activity.
(c) To respond to critical incidents.
Public Safety Camera System

(d) To assist in identifying, apprehending and prosecuting offenders.

(e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers

(f) To augment resources in a cost-effective manner.

(g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Watch Commander’s office and Communications Section. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Watch Commander or trained Communications Section personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

340.3.2 CAMERA MARKINGS
All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

340.3.3 INTEGRATION WITH OTHER TECHNOLOGY
The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems and video enhancement or other analytical technology, requires additional safeguards.

340.4 VIDEO SUPERVISION
Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws.
Public Safety Camera System

340.4.1 PROHIBITED ACTIVITY
Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

340.5 STORAGE AND RETENTION OF MEDIA
All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for a minimum of one year. Prior to destruction, written consent shall be obtained from the City Attorney. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

340.5.1 EVIDENTIARY INTEGRITY
All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

340.6 RELEASE OF VIDEO IMAGES
All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Alhambra Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Watch Commander for release in accordance with a specific and legitimate law enforcement purpose.
Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

340.7 VIDEO SURVEILLANCE AUDIT
The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

340.8 TRAINING
All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.
Child and Dependent Adult Safety

341.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in Policy 330 - Child Abuse Reporting, and Policy 326 - Adult Abuse.

341.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Alhambra Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

341.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.
341.3.1 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
   1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
   1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.

(e) Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

All arrangements for emergency placement of dependent children will be made by the Department of Children and Family Services of the County of Los Angeles. They may be contacted during business hours at their office and after hours through their emergency response command post (telephone numbers are available from the Communications Center).

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.
341.3.2 DURING THE BOOKING PROCESS
During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)).

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

341.3.3 REPORTING
(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

341.3.4 SUPPORT AND COUNSELING REFERRAL
If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

341.4 DEPENDENT WELFARE SERVICES
Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).
Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

**341.5 TRAINING**

The Training Manager is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).
Service Animals

342.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

342.2 SERVICE ANIMALS
It is the policy of the Alhambra Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR § 35.104).

California expands the definition of a service animal to include other animals that are individually trained to provide assistance to an individual with a disability (Healthy and Safety Code § 113903).

342.2.1 USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

The following examples are some of the ways service animals may be used to provide assistance:

• Guiding people who are blind or have low vision.
• Alerting people who are deaf or hard of hearing.
• Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
• Pulling wheelchairs.
• Providing physical support and assisting with stability and balance.
• Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
• Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.
342.3 MEMBER RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Alhambra Police Department affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with the disability.

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal’s status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.
Volunteer Program

343.1 PURPOSE AND SCOPE
It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies.

Volunteers help to increase departmental responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

343.1.1 DEFINITION OF VOLUNTEER
An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

343.2 VOLUNTEER MANAGEMENT
Oversight of the Volunteer Coordinator is the responsibility of the Field Services Division Commander or his/her designee.

343.2.1 VOLUNTEER COORDINATOR
The Volunteer Coordinator shall be appointed by the Field Support Services Assistant Chief. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with other Department staff on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or his/her designee, shall be responsible for the following:

(a) Recruiting, selecting and training qualified volunteers for various positions.
(b) Facilitating the implementation of new volunteer activities and assignments.
(c) Maintaining records for each volunteer.
(d) Tracking and evaluating the contribution of volunteers.
(e) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
(f) Maintaining a record of volunteer schedules and work hours.
(g) Completion and dissemination as appropriate of all necessary paperwork and information.
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 (h) Planning periodic recognition events.
 (i) Administering discipline when warranted.
 (j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

343.2.2 RECRUITMENT
Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. A complete position description and a requested time-frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator, in consultation with the Field Services Division Commander or his/her designee, may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

343.2.3 SCREENING
All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each successful volunteer applicant and shall include, but not necessarily be limited to, the following:

 (a) Traffic and criminal background check. Fingerprints shall be obtained from all applicants and processed through the California Criminal Information Index.
 (b) Employment
 (c) References
 (d) Credit history check

A polygraph exam may be required of an applicant depending on the type of assignment.

343.2.4 SELECTION AND PLACEMENT
Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement
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of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

343.2.5  TRAINING
Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

343.2.6  FITNESS FOR DUTY
No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

(a) Driver license status
(b) Medical condition
(c) Arrests
(d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

343.2.7  DRESS CODE
As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be conspicuously worn while off-duty. However, volunteers may choose to wear the uniform while in transit to or from official
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department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service or when requested to do so by the Volunteer Coordinator.

343.3 SUPERVISION OF VOLUNTEERS
Each volunteer who is assigned to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

(a) Take the time to introduce volunteers to employees on all levels.

(b) Ensure volunteers have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

343.4 CONFIDENTIALITY
With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the Field Services Division Commander or his/her designee.
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343.5 PROPERTY AND EQUIPMENT
Volunteers will be issued an identification card that must be worn at all times while on-duty in the station or other City complexes. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service or when requested to do so by the Volunteer Coordinator.

343.5.1 VEHICLE USE
Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

(a) A driving safety briefing and department approved driver safety course, if deemed necessary.

(b) Verification that the volunteer possesses a valid California Driver License.

(c) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service or the light bar is covered to negate its use. Volunteers shall not authorized to operate a Department vehicle Code-3.

343.5.2 RADIO AND MDT USAGE
Volunteers shall successfully complete CLETS and radio procedures training prior to using the police radio or MDC and comply with all related provisions. The Volunteer Coordinator should ensure that radio and CLETS training is provided for volunteers whenever necessary.

343.6 DISCIPLINARY PROCEDURES/TERMINATION
A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or his/her designee. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide a minimum of a two-week notice of their intended departure date and a reason for their decision.

343.6.1 EXIT INTERVIEWS
Exit interviews, when possible, should be conducted with volunteers who are leaving their positions. The interview should be conducted by the Field Services Assistant Chief or his/
her designee to ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

343.7 EVALUATION
An evaluation of the overall volunteer program will be conducted on an annual basis by the Field Services Assistant Chief or his/her designee. Regular evaluations by the Field Services Assistant Chief or his/her designee should be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.
Off-Duty Law Enforcement Actions

344.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Alhambra Police Department with respect to taking law enforcement action while off-duty.

344.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

344.3 FIREARMS
Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty, officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medications or any combination thereof that would tend to adversely affect the officer’s senses or judgment.

344.4 DECISION TO INTERVENE
There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.
Off-Duty Law Enforcement Actions

(c) The lack of equipment, such as handcuffs, OC spray, body armor or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

344.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.
Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Alhambra Police Department officer until acknowledged. Official identification should also be displayed.

344.4.2 INCIDENTS OF PERSONAL INTEREST
Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

344.4.3 CIVILIAN RESPONSIBILITIES
Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

344.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

344.5 REPORTING
Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report or other documentation should be filed by the employee.
Off-duty events shall be documented by officers on an “Off-Duty Incident Report.” The report shall be submitted to the officer’s supervisor as soon as practical. In any off-duty incident, which results in the documentation of that incident by the local jurisdiction, the Watch Commander shall request a copy of that documentation be forwarded to the Department and directed to the Office of the Chief of Police.
Off-Duty Law Enforcement Actions

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Department Use of Social Media

345.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

345.1.1 DEFINITIONS
Definitions related to this policy include:

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

345.2 POLICY
The Alhambra Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

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

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

Requests to post information over department social media by members who are not authorized to post should be made through the member’s chain of command.

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

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

345.4.1 INCIDENT-SPECIFIC USE
In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Media Relations Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

345.5 PROHIBITED CONTENT
Content that is prohibited from posting includes, but is not limited to:

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

Any member who becomes aware of content on this department’s social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

345.5.1 PUBLIC POSTING PROHIBITED
Department social media sites shall be designed and maintained to prevent posting of content by the public. However citizen comments related to department posts are allowed and encouraged as long as they are appropriate and meet the terms and use of the social media site.
The Department may provide a method for members of the public to contact department members directly.

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

345.7 Retention of Records
The Support Services Assistant Chief should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

345.8 Training
Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.
Native American Graves Protection and Repatriation

346.1 PURPOSE AND SCOPE
This policy is intended ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

346.1.1 DEFINITIONS
Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

346.2 POLICY
It is the policy of the Alhambra Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

346.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT
Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.
Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land/Private land - Coroner, when appropriate (Health and Safety Code § 7050.5)
- Tribal land - Responsible Indian tribal official

346.4 EVIDENCE AND PROPERTY
If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).
Gun Violence Restraining Orders

347.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

347.1.1 DEFINITIONS
Definitions related to this policy include:

**Gun violence restraining order** - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

347.2 POLICY
It is the policy of the Alhambra Police Department to petition and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

347.3 GUN VIOLENCE RESTRAINING ORDERS
An officer who reasonably believes a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for a gun violence restraining order.

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

347.3.1 ADDITIONAL CONSIDERATIONS
Officers should also consider requesting permission to petition the court for a gun violence restraining order (Penal Code § 18108):

(a) When responding to a domestic disturbance where the residence is associated with a firearm registration or record.

(b) When responding to any call or incident when a firearm is present or when one of the involved parties owns or possesses a firearm.
(c) During a contact with a person exhibiting mental health issues, including suicidal thoughts, statements, or actions if that person owns or possesses a firearm.

Officers should consider obtaining a mental health evaluation if the encounter involves a situation where there is a reasonable cause to believe that the person poses an immediate and present danger of causing personal injury to themselves or another person by having custody or control of a firearm (see the Mental Illness Commitments Policy) (Penal Code § 18108).

347.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS

An officer serving any gun violence restraining order shall:

(a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).

(b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).

(c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).

(d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).

(e) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day (Penal Code § 18115).

(f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Records Manager for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

347.4.1 SERVICE OF ORAL GUN VIOLENCE RESTRAINING ORDERS

If a gun violence restraining order is obtained orally, the officer shall (Penal Code § 18140):

(a) Serve the order on the restrained person in the manner outlined above, if the restrained person can reasonably be located.

(b) File a copy of the order with the court as soon as practicable after issuance.

(c) Ensure the order is provided to the Records Section for entry into the computer database system for protective and restraining orders maintained by the Department of Justice.
Gun Violence Restraining Orders

347.5 SEARCH WARRANTS
If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. Additionally, (Penal Code § 1542.5):

(a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.

(b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:
   1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
   2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

(c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner’s presence.

347.6 RECORDS MANAGER RESPONSIBILITIES
The Records Manager is responsible for ensuring:

(a) Proof of service of any gun violence restraining order served by an officer or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by an officer, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).

(b) Oral orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).

(c) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).

(d) Any relinquishment of firearm rights form received from the court is entered into the California Restraining and Protective Order System within one business day of receipt (Penal Code § 18115).

347.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS
Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:
Gun Violence Restraining Orders

(a) Record the individual’s name, address and telephone number.
(b) Record the serial number of the firearm.
(c) Prepare an incident report and property report.
(d) Provide a property receipt to the individual who surrendered the firearms and ammunition.
(e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

347.8 RELEASE OF FIREARMS AND AMMUNITION
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.

347.9 RENEWAL OF GUN VIOLENCE RESTRAINING ORDERS
The Detective Section supervisor is responsible for the review of a gun violence restraining order obtained by the Department to determine if renewal should be requested within the time prescribed by law (Penal Code § 18190).

347.10 POLICY AVAILABILITY
The Chief of Police or the authorized designee shall be responsible for making this policy available to the public upon request (Penal Code § 18108).

347.11 TRAINING
The Training Manager should ensure that members receive periodic training on the requirements of this policy (Penal Code § 18108).

347.12 GUN VIOLENCE RESTRAINING ORDER COORDINATOR
The Chief of Police will appoint a gun violence restraining order coordinator. The responsibilities of the coordinator include:

(a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members, also including procedures for requesting and serving (Penal Code § 18108):
   1. A temporary emergency gun violence restraining order.
   2. An ex parte gun violence restraining order.
   3. A gun violence restraining order issued after notice and hearing.

(b) Developing and maintaining factors to consider when assessing the need to seek an order, including:
   1. Whether threats have been made, and if so, whether the threats are credible and specific.
2. Whether the potential victim is within close proximity.
3. Whether the person has expressed suicidal tendencies.
4. Whether the person has access to firearms.
5. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
6. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.
7. Any upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
8. Whether the person has any history of drug or alcohol abuse.

(c) Developing and maintaining procedures for the receipt and service of orders consistent with the requirements of Penal Code § 18115; Penal Code § 18120; Penal Code § 18135; Penal Code § 18140; and Penal Code § 18160. Procedures should include:

1. Evaluation of an order to determine appropriate service and necessary precautions (see the Warrant Service Policy and the Operations Planning and Deconfliction Policy).
2. Forwarding orders to the Records Manager for recording in appropriate databases and required notice to the court, as applicable.
3. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate (Penal Code § 18108).
4. Seizure procedures of firearms and ammunition at the time of issuance of a temporary emergency gun violence restraining order.
5. Verification procedures for the removal of firearms and ammunition from the subject of a gun violence restraining order.

(d) Coordinating with the Training Manager to provide officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.

(e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.

(f) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.

1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.

(g) Coordinating review of notices of court hearings and providing notice to the appropriate officer of the hearing date and the responsibility to appear (Penal Code § 18108).
Chapter 4 - Patrol Operations
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.1.1 TERRORISM
It is the goal of the Alhambra Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Detective Section Supervisor in a timely fashion.

400.1.2 PATROL RESPONSIBILITY
The supervisor shall be responsible for relieving his/her team when appropriate. The Patrol team deployed in the field will be responsible for the Department's patrol function. Personnel shall work the full tour of duty until properly relieved.

400.1.3 PATROL BEATS
Patrol beats will be determined by the Field Services Assistant Chief, with approval from the Chief of Police.

400.1.4 PATROL AREA ACCOUNTABILITY
Personnel are responsible for providing appropriate police services within their assigned area. Personnel may leave their assigned area when handling department business and non-department business only when authorized by a supervisor or the provisions of this Policy Manual.

400.1.5 UNIT SELF-DISPATCHING
The self-dispatching of units (where field personnel elect to respond to calls for service without being dispatched or having other authorization) is prohibited, except for self-initiated activity (i.e., where criminal activity is observed and/or circumstances require it). If, in the officer's judgment, they believe the call dispatched to another unit should be handled by them self, he/she should request authorization from Dispatch. Officers will be held accountable for "jumping calls."

400.2 INFORMATION SHARING
To the extent feasible, all information relevant to the mission of the Department should be shared among all sections and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other sections or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and sections.
Patrol Function

400.2.1 CRIME ANALYSIS UNIT
The Crime Analysis Unit (CAU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Records Section for distribution to all sections within the Department through daily and special bulletins.

400.2.2 CRIME REPORTS
A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL ROLL CALL BRIEFINGS
Prior to deploying officers in the field, a briefing session will generally be conducted. supervisors, officers and other personnel of the on-coming watch will be in attendance of the briefing session. Personnel assigned to uniform duty shall attend briefing in the proper uniform of the day, be punctual, and be properly equipped for duty.

During the briefing, information regarding Department Orders and Directives that affect patrol functions and information regarding criminal activity shall be provided. Personnel not present for the briefing(s) on their regularly assigned shift should contact a supervisor to obtain prior briefing information.

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol Roll Call Briefings as time permits.

Personnel attending the briefing shall remain cognizant of the intelligence and operational information disseminated during the course of each briefing session. Officers are responsible for the information disseminated during briefing and shall keep written notes for future reference.

400.2.4 INFORMATION CLIPBOARDS
Several information clipboards will be maintained in the Watch Commander's Office and will be available for review by officers from all sections within the Department. These will include, but not be limited to, the patrol check clipboard, the wanted persons clipboard, and the written directive clipboard.

400.2.5 BULLETIN BOARDS
A bulletin board will be kept in the Roll Call Briefing room and the Detective Section for display of suspect information, intelligence reports and photographs. New Departmental Directives will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the Departmental Directive will be placed on the Watch Commander's Office clipboard.

400.2.6 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander and Supervisory personnel of a watch shall assemble in sufficient time prior to roll call to gather material and information to be presented to the on-duty personnel and are responsible for conducting the briefing session. As a general rule, the Watch Commander will...
secure regular scheduled sworn patrol shift personnel fifteen minutes prior to the end of watch (1815 or 0615 hours).

400.3 CROWDS, EVENTS AND GATHERINGS
Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

400.4 VEHICLE ASSIGNMENTS
Marked vehicles assigned to the Patrol Section are primarily designed for use in carrying out the Department's patrol function. Patrol Section vehicles shall only be used for the necessary business activities of the Alhambra Police Department.

The on-coming supervisor shall be responsible for assigning vehicles for the on-coming watch. All other vehicle assignments are the responsibility of the Watch Commander or on-duty supervisor. All vehicle assignments are to be documented on the appropriate form.

Also refer to Policies 704 – Vehicle Maintenance, and 706 – Vehicle Use.

400.5 FUNCTION
Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Alhambra. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

(a) Responding to emergency calls for service.
(b) Apprehending criminal offenders.
(c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
(d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
(e) Responding to reports of criminal and non-criminal acts.
(f) Responding to routine calls for service, such as public assistance or public safety.
(g) Carrying out crime prevention activities such as residential inspections, business inspections and community presentations.
(h) Carrying out community oriented policing and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
(i) Directing and controlling traffic.
Bias-Based Policing

401.1 PURPOSE AND SCOPE
This policy provides guidance to department members that affirms the Alhambra Police Department’s commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department’s relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS
Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

401.2 POLICY
The Alhambra Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED
Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 CALIFORNIA RELIGIOUS FREEDOM ACT
Members shall not collect information from a person based on religious belief, practice, affiliation, national origin or ethnicity unless permitted under state or federal law (Government Code § 8310.3).

Members shall not assist federal government authorities (Government Code § 8310.3):

(a) In compiling personal information about a person’s religious belief, practice, affiliation, national origin or ethnicity.

(b) By investigating, enforcing or assisting with the investigation or enforcement of any requirement that a person register with the federal government based on religious belief, practice, or affiliation, or national origin or ethnicity.
401.4 MEMBER RESPONSIBILITIES
Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT
Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES
Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

   1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobil Data Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.

   1. Supervisors should document these periodic reviews.

   2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 ADMINISTRATION
Each year, the Field Services Assistant Chief should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police.
The annual report should not contain any identifying information about any specific complaint, member of the public or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

**401.7 TRAINING**
Training on fair and objective policing and review of this policy should be conducted as directed by the Training Section.

(a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of bias-based policing.

(b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.

(c) Each sworn member of this department who received initial bias-based policing training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

**401.8 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE**
The Professional Standards Unit Manager shall ensure that all data required by the California Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and provided to the Records Manager for required reporting to the DOJ (Penal Code § 13012; Penal Code § 13020). See the Records Section Policy.

Supervisors should ensure that data stop reports are provided to the Records Manager for required annual reporting to the DOJ (Government Code § 12525.5) (See Records Bureau Policy).
Roll Call Training

402.1 PURPOSE AND SCOPE
Prior to deploying officers in the field, a thirty minute briefing session will be conducted. Supervisors, officers and other personnel of the on-coming watch shall attend Roll Call. Roll Call provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call; however, officers may conduct Roll Call for training purposes with a supervisor’s approval.

Roll Call should accomplish, at a minimum, the following basic tasks:

(a) Roll-call and announcement of duty assignments.
(b) Reading the Daily Log and briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
(c) Notifying officers of changes in schedules and assignments.
(d) Notifying officers of new Departmental Orders or changes in Departmental Orders.
(e) Reviewing recent incidents for training purposes.
(f) Providing training on a variety of subjects.
(g) Inspection of personnel.

402.2 PREPARATION FOR ROLL CALL
Personnel assigned to uniform duty shall attend briefing in the proper uniform of the day, be punctual, and be properly equipped for duty.

(a) A regular scheduled shift shall be 0600 hours and end at 1830 hours or 1800 hours and end at 0630 hours.
(b) Briefing period for affected sworn employees for a regular scheduled day shift begins at 0615 hours and 1815 hours for a regular scheduled night shift.

402.2.1 SUPERVISOR RESPONSIBILITIES
The Watch Commander and supervisory personnel of a watch shall assemble in sufficient time to gather material and information to be presented at Roll Call.

As a general rule, the Watch Commander will secure regular scheduled sworn patrol shift personnel fifteen minutes prior to the end of watch.

402.2.2 PREPARATION OF MATERIALS
The supervisor conducting Roll Call is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.
402.2.3 ROLL CALL INFORMATION
Personnel that were not present for Roll Call on their regularly assigned shift should contact a supervisor to obtain prior briefing information.

Personnel attending Roll Call shall remain cognizant of the intelligence and operational information disseminated during the course of each briefing session. Officers are responsible for the information disseminated during Roll Call and shall keep written notes for future reference.

402.3 RETENTION OF ROLL CALL TRAINING RECORDS
Roll Call training materials and a curriculum or summary shall be forwarded to the Training Manager for inclusion in training records, as appropriate.
Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 COMMAND RESPONSIBILITY AT A CRIME OR DISASTER SCENE

(a) At the start of a crime/disaster scene, command of Department resources rests with the ranking supervisor. Such person has the authority to direct the operation and is responsible for its outcome. In the absence of a supervisor, the assigned officer shall be responsible.

1. If developments so indicate, the senior officer present shall assume command and so notify the junior officer.

(b) The supervisor or officer in charge at a crime/disaster scene shall be responsible for the scene until they are officially relieved of their duties. No one in charge of a scene should ever assume anyone else has accepted responsibility for the scene until they are officially notified that they have been relieved of their supervisory responsibilities for that scene.

(c) In the absence of a Detective Section supervisor at a crime scene, the assigned detective present is in charge of the crime scene, once it has been established and designated.

403.2.1 ASSIGNED DETECTIVE RESPONSIBILITIES AT CRIME OR DISASTER SCENES

(a) The basic objective is to keep the site of the crime scene in the same physical condition as it was left by the perpetrator, and in furtherance of this objectivity the following guideline applies:

1. Personnel of the APD, or any other person or department representative, shall be allowed access to the crime/disaster scene to the extent that it is officially required, specifically authorized or is requested by the assigned detective or his/her designee.

(b) In the event that the assigned detective requests numerous personnel for an area search (e.g., cadets, explorers, etc.) it shall be the responsibility of the assigned detective, or his/her designee, for the control and coordination of resources, and appropriate inclusion within the reports of the names and titles of the involved personnel.

403.2.2 DEPARTMENT PERSONNEL PRESENT AT CRIME OR DISASTER SCENES

(a) Only personnel specifically authorized pursuant to this policy may be present at major crime or disaster scenes.

(b) Those personnel assigned or officially present at major crime or disaster scenes shall submit appropriate police reports describing in detail their actions at such scenes, if determined pertinent by the assigned detective or supervisor.
1. Such reports shall be submitted in conjunction with the report of the assigned detective or supervisor.

403.2.3 SUPERVISOR’S RESPONSIBILITY AT CRIME OR DISASTER SCENES
Any supervisor present or, in his/her absence, the assigned detective at a crime scene, who becomes aware or is advised of unauthorized police personnel present at a crime or disaster scene, shall take immediate steps to ensure that the officer(s) is returned to their primary assignment/function. The presence of any unauthorized person, who enters a crime or disaster scene, shall be noted within the Incident Report of the person in charge of the scene, or the unauthorized person may be directed to write a report describing their actions.

403.3 COMMAND POST
A mobile Command Post is maintained by this agency for purposes of establishing a versatile base of operations. The Command Post may be utilized at special events, disaster and/or crime scenes or when the communications center radio system is disabled.

   (a) It is the responsibility of each supervisor to be familiar with the operation and capabilities of the Command Post.

   (b) The Watch Commander may authorize the activation of the Command Post.

   (c) The Supervisor responsible for the field incident shall be responsible for the Command Post and the Command Post staff. For a tactical operation, the Supervisor shall designate a member of the Command Post staff to maintain a Major Incident Log.

403.4 POLICY
It is the policy of the Alhambra Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.5 SCENE RESPONSIBILITY
The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

Actions taken at the outset of an investigation at a crime scene can play a pivotal role in the resolution of a case. A careful and thorough investigation is key to ensuring that potential physical evidence is not tainted, destroyed and/or potential witnesses overlooked.
403.6 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Remain alert and attentive. Assume the crime or disaster is ongoing until determined to be otherwise.
(b) Scan the entire area to thoroughly assess the scene, and note any possible secondary crime scenes.
(c) Ensure there is no immediate threat to other responders that may present danger to personnel (e.g., suspects, weapons, haz-mat).
(d) Broadcast emergency information, including requests for additional assistance and resources.
(e) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(f) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(g) Provide first aid to injured parties if it can be done safely.
(h) Evacuate the location safely as required or appropriate.
(i) Secure the inner perimeter.
(j) Protect items of apparent evidentiary value.
(k) Secure an outer perimeter.
(l) Identify potential witnesses.
(m) Start a chronological log noting critical times and personnel who entered the crime scene.
   1. Every person who enters the crime scene shall have his or her name, time of entry and time of exit noted on the Major Incident Log.
   2. The Major Incident Log shall be attached to the follow-up (after action) report and be retained by the Records Section.

403.6.1 PRELIMINARY INVESTIGATIONS
During the stabilization of the scene, personnel should be observant of conditions, events, spontaneous statements and other items of evidentiary nature. Following the stabilization of the scene, personnel should make every attempt to locate and interview reporting parties, witnesses, and suspects, if appropriate; and should collect or arrange for the collection of evidence as appropriate, depending upon the complexity of the investigation, and their expertise.

403.7 SEARCHES
Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat.
Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.7.1  CONSENT
When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.8  EXECUTION OF HEALTH ORDERS
Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).
Special Response Team and SWAT Team

404.1 PURPOSE AND SCOPE
The primary goal of the Alhambra Police Department’s Special Response Team (SRT) and the LASD Special Weapons and Tactics Team is risk reduction and the protection of life and property. The SRT and SWAT Team shall safely execute high-risk missions and resolve hazardous tactical field operations in a manner that minimizes the likelihood of injury or death to citizens, officers and suspects.

The Alhambra Police Department’s Special Response Team will normally be assigned to critical incidents and other high-risk incidents as determined by the Watch Commander, Field Services Assistant Chief or his/her designee. However, in those instances where additional resources are necessary, the Sheriff’s Department’s Special Enforcement Bureau/SWAT Team may be requested.

Through a Mutual Aid Agreement, the Alhambra Police Department has contracted with the Los Angeles County Sheriff’s Department and their Special Enforcement Bureau (SEB) when it is apparent that a situation has developed where a Special Weapons And Tactics Team (SWAT) is needed.

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY
The Policy Manual sections pertaining to the Special Response Team (SRT) are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to department personnel allowing for appropriate on scene decision making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

404.1.2 SWAT/SEB AND SRT TEAMS DEFINED
The Los Angeles County Sheriff’s Department and their Special Enforcement Bureau (SEB) is a designated unit of law enforcement deputies that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders, investigative units or the Special Response Team (SRT) including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents.

As a matter of department policy, the Special Response Team may be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 ACTIVATION OF SWAT
The Los Angeles County Sheriff’s Department Special Weapons and Tactics (SWAT) Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics in such situations as cases where suspects have taken hostages and/
or barricaded themselves as well as prolonged or predictable situations in which persons armed
or suspected of being armed pose a danger to themselves or others.

When it appears necessary or desirable to utilize the Sheriff’s Department Special Enforcement
Bureau, the procedures for notification are as follows:

(a) The Supervisor shall notify the Patrol Section Watch Commander and/or the Field
Services Assistant Chief or his/her designee, or the Support Services Assistant Chief
or his/her designee in that order, of the need for a Special Weapons and Tactics Team
at the location, and

(b) The Chief of Police shall be contacted to obtain final authorization to use the Special
Weapons and Tactics Team.

(c) The Watch Commander shall then contact the Los Angeles County Sheriff’s SEB at
(323) 264-7084 and advise them of the following information:
1. The nature of the request (e.g., barricaded suspect, hostage situation)
2. The address of the incident and a description of the location
3. The address of the Command Post and the name of the person to whom the
Special Weapons Team is to report
4. The best route to the Command Post without driving past the suspect location
5. The number of suspect(s) and physical descriptions, including clothing, and
6. The number of hostage(s) and physical descriptions, including clothing.
7. The Special Weapons Team also requires agencies requesting their services to
obtain either a signed consent-to-enter form or a search warrant prior to entering
the involved premises.

404.2.1 SPECIAL WEAPONS AND TACTICS TEAM STAND-BY
Depending upon the circumstances of the developing incident, the Watch Commander may
request that a Special Weapons Team be notified for a stand-by alert while preliminary attempts
are made to neutralize or conclude the incident.

When the Special Weapons Team arrives, the Supervisor shall provide the ranking Special
Enforcement Bureau deputy with a thorough briefing regarding the status of the situation. If a
decision has been made to turn the situation over to the Special Weapons Team, the Supervisor
shall turn over all responsibility to the ranking LASD deputy present.

The Supervisor shall remain at the Command Post for liaison and command over Alhambra
personnel. Because the Special Weapons Team will provide primary assistance only (i.e., total
responsibility to neutralize the situation), Alhambra Police personnel will remain on the outer
perimeter and provide support as needed.

404.2.2 CONTAINMENT AND INTELLIGENCE PROCEDURES
Prior to the arrival of the Special Weapons Team, the following steps should be completed:
(a) Establish an inner perimeter for location containment and an outer perimeter for crowd and traffic control;
(b) Establish a command post outside of the view and the line of fire of the suspect;
(c) Establish and maintain communications with all police personnel for control of forces and possible reassignment;
(d) Make contact with the suspect, preferably by telephone;
(e) In a hostage situation, do not make any demands or promises. Simply try to calm the suspect;
(f) Assign a handling unit to take statements from any victims, witnesses and obtain names and addresses for probable cause purposes;
(g) Question anyone who can provide intelligence information concerning the suspect, hostages, or the premises. Make a diagram of the building floor plan, if possible;
(h) Evacuate adjoining buildings, and
(i) Have fire equipment and an ambulance standing by.

A Special Weapons Team call-out folder setting forth the aforementioned information, check-off list, and activation forms will be maintained in the Watch Commander's office.

404.3 SPECIAL RESPONSE TEAM POLICY
It shall be the policy of this department to maintain a Special Response Team (SRT) and to provide the equipment, manpower, and training necessary to maintain a Special Response Team. SRT should develop sufficient resources to perform three basic operational functions:

(a) Command and Control
(b) Containment
(c) Entry/Apprehension/Rescue

It is understood it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

404.3.1 POLICY CONSIDERATIONS
A needs assessment should be conducted to determine the type and extent of SRT missions and operations appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SRT Commander in conjunction with the Field Services Assistant Chief or his/her designee.

404.3.2 ORGANIZATIONAL PROCEDURES

(a) This department shall develop a separate written set of organizational procedures which should address, at minimum, the following:
Special Response Team and SWAT Team

(b) Locally identified specific missions the team is capable of performing.
(c) Team organization and function.
(d) Personnel selection and retention criteria.
(e) Training and required competencies.
(f) Procedures for activation and deployment.
(g) Command and control issues, including a clearly defined command structure.
(h) Multi-agency response.
(i) Out-of-jurisdiction response.
(j) Specialized functions and supporting resources.
(k) LASD’s SWAT Team response.

404.3.3 OPERATIONAL PROCEDURES
This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association Suggested SWAT Best Practices. Because such procedures are specific to SRT members and will outline tactical and officer safety issues, they are not included within this policy. The operational procedures should include, at minimum, the following:

(a) Designated personnel responsible for developing an operational or tactical plan prior to, and/or during SRT operations (time permitting).
   1. All SRT team members should have an understanding of operational planning.
   2. SRT team training should consider planning for both spontaneous and planned events.
   3. SRT teams should incorporate medical emergency contingency planning as part of the SRT operational plan.

(b) Plans for mission briefings conducted prior to an operation, unless circumstances require immediate deployment.
   1. When possible, briefings should include the specialized units and supporting resources.

(c) Protocols for a sustained operation should be developed which may include relief, rotation of personnel and augmentation of resources.

(d) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SRT.

(e) The appropriate role for a trained negotiator.

(f) A standard method of determining whether or not a warrant should be regarded as high-risk.
(g) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.

(h) Post incident scene management including:
   1. Documentation of the incident.
   2. Transition to investigations and/or other units.
   3. Debriefing after every deployment of the SWAT team.
      (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments, helps to identify training needs, and reinforces sound risk management practices.
      (b) Such debriefing should not be conducted until involved officers have had the opportunity to individually complete necessary reports or provide formal statements.
      (c) In order to maintain candor and a meaningful exchange, debriefing will generally not be recorded.
      (d) When appropriate, debriefing should include specialized units and resources.

(i) Sound risk management analysis.

(j) Standardization of equipment deployed.

404.4 TRAINING NEEDS ASSESSMENT
The SRT Commander, in conjunction with the Field Services Assistant Chief or his/her designee shall conduct an annual SRT Training needs assessment to ensure that training is conducted within team capabilities, department policy and the training guidelines as established by POST (11 CCR § 1084).

404.4.1 INITIAL TRAINING
SRT operators and SRT supervisors/team leaders should not be deployed until successful completion of the POST-certified Basic SWAT Course or its equivalent.
      (a) To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content (topics) meet or exceed department requirements or POST standardized training recommendations.

404.4.2 UPDATED TRAINING
Appropriate team training for the specialized SRT functions and other supporting resources should be completed prior to full deployment of the team.

SRT team operators and SRT supervisors/team leaders should complete update or refresher training as certified by POST, or its equivalent, every 24 months.
404.4.3 SUPERVISION AND MANAGEMENT TRAINING
Command and executive personnel are encouraged to attend training for managing the SRT function at the organizational level to ensure personnel who provide active oversight at the scene of SRT operations understand the purpose and capabilities of the teams.

Command personnel who may assume incident command responsibilities should attend SRT or Critical Incident Commander course or its equivalent. SRT command personnel should attend a POST-certified SRT commander or tactical commander course, or its equivalent.

404.4.4 SRT ONGOING TRAINING
Training shall be coordinated by the SRT Commander. The SRT Commander may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise in addition to specialized training. Training shall consist of the following:

(a) Each SRT member shall perform a physical fitness test twice once each year. A minimum qualifying score must be attained by each team member.

(b) Any SRT member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.

(c) Those members who are on vacation, ill, or are on light duty status with a doctor’s note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member, who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.

(d) Quarterly, each SRT member shall perform the mandatory SRT handgun qualification course. The qualification course shall consist of the APD Handgun Qualification. Failure to qualify will require that officer to seek remedial training from a team range master approved by the SRT Commander. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.

(e) Each SRT member shall complete the quarterly SRT qualification course for any specialty weapon issued to, or used by, the team member during SRT operations. Failure to qualify will require the team member to seek remedial training from the Rangemaster who has been approved by the SRT commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SRT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

404.4.5 TRAINING SAFETY
Use of a designated safety officer should be considered for all tactical training.
404.4.6 SCENARIO BASED TRAINING
SRT members should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

404.4.7 TRAINING DOCUMENTATION
Individual and team training shall be documented and records maintained by the Training Section. Such documentation shall be maintained in each member's individual training file. A separate agency SRT training file shall be maintained with documentation and records of all team training.

404.5 UNIFORMS, EQUIPMENT, AND FIREARMS

404.5.1 UNIFORMS
SRT members from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

404.5.2 EQUIPMENT
SRT members from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

404.5.3 FIREARMS
Weapons and equipment used by SRT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.

404.5.4 OPERATIONAL READINESS INSPECTIONS
The SRT Commander shall appoint a SRT supervisor to perform operational readiness inspections of all unit equipment at least quarterly. The result of the inspection will be forwarded to the SRT Commander in writing. The inspection will include personal equipment issued to members of the unit, operational equipment maintained in the SRT facility and equipment maintained or used in SRT vehicles.

404.6 MANAGEMENT/SUPERVISION OF CRISIS RESPONSE UNIT
The Commander of the SRT shall be selected by the Chief of Police upon recommendation of staff.

404.6.1 PRIMARY UNIT MANAGER
Under the direction of the Chief of Police, through the Field Services Assistant Chief, the SRT shall be managed by the rank of lieutenant or above.

404.6.2 TEAM SUPERVISORS
SRT teams will be supervised by a sergeant.

The team supervisors shall be selected by the Chief of Police upon specific recommendation by staff and the SRT Commander.
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The SRT supervisor's primary responsibility is to supervise the operations of the SRT, which will include deployment, training, first line participation, and other duties as directed by the SRT Commander.

404.8 SRT TEAM ADMINISTRATIVE PROCEDURES
The following procedures serve as directives for the administrative operation of the SRT.

404.8.1 SELECTION OF PERSONNEL
Interested sworn personnel who are off probation and have a minimum of three years experience as a police officer shall submit a change of assignment request to their respective Assistant Chief via the chain-of-command. A copy of which will be forwarded to the Field Services Division Assistance Chief and the SRT Commander. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the SRT Commander. The testing process will consist of the following:

(a) **Oral Board** - The oral board will consist of personnel selected by the SRT Commander. Applicants will be evaluated by the following criteria:
   1. Recognized competence and ability as evidenced by past and current performance.
   2. Demonstrated good judgment and understanding of the critical role of a SRT member.
   3. Special skills, training, or appropriate education as it pertains to this assignment.
   4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions and training obligations.

(b) **Physical Agility Test (PAT)** - The physical agility test is designed to determine the physical capabilities of the applicant as it relates to performance of SRT-related duties. The “SEB New Test” obstacle course shall be the qualifying PAT for applicants. 6:00 minutes or less shall be a passing time.

(c) **Firearms Qualification** - Candidates will demonstrate their proficiency in the handling of firearms and target acquisition by shooting the duty rifle and handgun courses at the Alhambra Police Department Range.

(d) **Team Evaluation** - Current team members will evaluate each candidate on his or her field tactical skills, teamwork, ability to work under stress, communication skills, judgment and any special skills that could benefit the team.

(e) **Chief of Police Interview Review** - A list of successful applicants shall be submitted to the Chief of Police by the Field Services Division Assistant Chief for interview review and final selection by the Chief of Police.

404.8.2 TEAM EVALUATION
Continual evaluation of a team member’s performance and efficiency as it relates to the positive operation of the unit shall be conducted by the SRT Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SRT members. Any
Special Response Team and SWAT Team

A member of the SRT who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.
Ride-Along Policy

405.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for employee applicants, Cadets, Explorers, Chaplains, Reserves, police applicants, and all others with approval of the Chief of Police to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

405.1.1 ELIGIBILITY
The Department has restricted Ride-Alongs to applicants, Cadets, Explorers, Chaplains, Reserves, police applicants, and all others with approval of the Chief of Police. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Females who are pregnant
- Individuals exhibiting severe cold and/or flu-like symptoms
- Denial by any Watch Commander

405.2 PROCEDURE TO REQUEST A RIDE-ALONG
The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

All requests for a scheduled ride-along shall be forwarded to the Office of the Chief of Police or the Personnel and Training Section for approval. If approved, the Ride-Along will be assigned to ride during a shift when they are available. The Ride-Along may ride for a four (4) hour period or as determined by the on-duty Watch Commander.

The Other will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.
If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

405.2.1 PROGRAM REQUIREMENTS
Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Explorers, RSVP, Chaplains, Reserves, police applicants, and all others with approval of the Watch Commander.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

405.2.2 SUITABLE ATTIRE
Any person approved to ride-along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride-along to anyone not properly dressed or whose general appearance is not conducive to police operations in the field.

405.2.3 PEACE OFFICER RIDE-ALONGS
(a) Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

(b) It will be up to the discretion of the on-duty Watch Commander whether the off-duty officer will be allowed to carry a firearm while on the ride-along.
   1. All ride-alongs shall be questioned as to whether they are armed.
   2. If a ride-along is armed, this information shall be broadcast over the radio and the Mobil Data Computer (MDC).

(c) Off-duty, sworn APD employees are prohibited from participating in a ride-along at the APD per FLSA requirements.

(d) All non-sworn employees must have ride-alongs approved by their immediate supervisor and their respective Division Commander, and complete a ride-along waiver form.

(e) All ride-alongs, who are not on-duty employees, must complete and sign a ride-along waiver form.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All Ride-along applicants are subject to a criminal history check, unless they are an employee of the Alhambra Police Department or a currently employed member of law enforcement. The criminal history check may include a local records check, and a Department of Justice Automated
Ride-Along Policy

Criminal History System check through CLETS, prior to their approval as a ride-along with a
law enforcement officer of the Alhambra Police Department  (CLETS Policies, Practices and
Procedures Manual § 1.6.1.F.2).

405.3 OFFICER'S RESPONSIBILITY
The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into
service. Officers shall consider the safety of the ride-along at all times. Officers should use sound
discretion when encountering a potentially dangerous situation, and if feasible, let the participant
out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation
and as soon as practical have another police unit respond to pick up the participant at that location.
The ride-along may be continued or terminated at this time.

The Other is responsible for the final approval and scheduling of all ride-alongs.

405.4 CONTROL OF RIDE-ALONG
The assigned employee shall maintain control over the ride-along at all times and instruct him/her
in the conditions that necessarily limit their participation. These instructions should include:

(a)  The ride-along will follow the directions of the officer
(b)  The ride-along will not become involved in any investigation, handling of evidence,
     discussions with victims or suspects, or handling any police equipment
(c)  The ride-along may terminate the ride at any time and the officer may return the
     observer to their home or to the station if the ride-along interferes with the performance
     of the officer’s duties
(d)  Ride-alongs may be allowed to continue riding during the transportation and booking
     process provided this does not jeopardize their safety
(e)  Officers will not allow any ride-alongs to be present in any residences or situations
     that would jeopardize their safety or cause undue stress or embarrassment to a victim
     or any other citizen
(f)  Under no circumstance shall a civilian ride along be permitted to enter a private
     residence with an officer without the expressed consent of the resident or other
     authorized person

405.5 ALHAMBRA POLICE DEPARTMENT EXPLORER POST RIDE-ALONGS
Explorer ride--alongs are permissible after approval of the post advisor. Once the post advisor
has approved the Explorer for a ride--along, the following guidelines will be met:

(a)  The Field Services Division Commander or his/her designee will approve all Explorer
     ride--alongs.
(b)  Explorers are allowed to ride no longer than ten hours without prior approval of the
     on-duty Watch Commander.
Ride-Along Policy

(c) Explorers, who are not at least 18 years-old, will not be allowed to ride after 2400 hours.

(d) Explorers, who are not at least 18 years-old, will not be allowed to ride after 2200 hours when school is in session the following morning.

(e) Explorers will wear a uniform, either Class A or B, during the ride--along.

(f) The officer has the discretion to allow the Explorer to assist with appropriate tasks (i.e. talking on the radio, filling out forms, directing traffic, etc.).

(g) Explorers must furnish their own equipment during the ride--along.
Hazardous Material Response

406.1 PURPOSE AND SCOPE
Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED
A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE
Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify the type of hazardous substance.
   1. Identification can be determined by placard, driver’s manifest or statements from the person transporting.
   2. Officers should consult their Emergency Response Guidebook located in their units.

(b) Provide Dispatch with the four-digit Hazmat Hazardous Material Identification Number.

(c) Notify the Fire Department.

(d) Provide first-aid for injured parties if it can be done safely and without contamination.

(e) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.

(f) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).

(g) Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety § 25354.5).

Employees who encounter a situation involving "verified" hazardous materials should not enter the area. Instead, they should notify dispatch of the incident as soon as possible. The employee
should secure the area, prevent entry into it by others and wait for the arrival of properly equipped personnel.

406.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Assistant Chief. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

406.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure. The exposure shall be treated as would any other on-duty illness or injury. The supervisor will complete a Supervisor Report of Injury and Workers Compensation Form. Both of these forms shall immediately be Faxed to the Personnel Department and then given to the employee’s respective Division Commander. The Division Commander shall also be given a copy of the Notice of Supervisory Incident and any other reports pertaining to the incident, including a Potential Claim form, if appropriate.

The supervisor or Watch Commander should immediately notify the Division Commanders and Chief of Police. They will determine if the City Attorney also needs to be notified immediately.

There are instances of potential exposures to a hazardous material that cannot be verified and there is no apparent immediate reaction to the exposure. In these instances, the supervisor shall document the exposure in a Notice of Supervisory Incident or memorandum and make it to the attention of the employee’s Division Commander for their review. A copy of the Notice of Supervisory Incident or memorandum shall be faxed to the City Attorney and a copy given to the involved employee. The Division Commander or Personnel Director may direct the employee for further medical examinations and to establish a medical base-line.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.
Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS
Definitions related to this policy include:

**Barricade situation** - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

**Hostage situation** - An incident where it is reasonable to believe a person is:

(a) Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

(b) Unlawfully held against his/her will under threat or actual use of force.

407.2 POLICY
It is the policy of the Alhambra Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

When responding to a hostage/barricaded suspect situation, officers shall contain the location, maintain a perimeter, and initiate an appropriate course of action to isolate the suspect(s).

Promises of immunity or leniency and payment of ransom demands are rarely effective and will generally not be offered to barricaded suspects. Trained negotiators; however, will be permitted to exercise flexibility in each situation based upon the circumstances presented and consistent with their training.

Personnel involved in barricaded/hostage situations are urged to exercise patience and extreme caution. The use of deadly force against any armed suspect will be governed by Policy 300 - Use of Force, with particular regard directed toward the safety of hostages.

Contact with the suspect by responding field officers should be restricted to encouraging the suspect to surrender. If this initial contact fails, officers should refrain from attempting further dialogue with the suspect until the arrival of trained Hostage Negotiators. However, when involved in a situation where it is necessary to converse with the suspect, the officers should attempt to calm the suspect and avoid making any demands or promises.
Hostage and Barricade Incidents

407.3 COMMUNICATION
When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect’s surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS
Only an officer who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record, or both, oral communication in response to an emergency situation involving a hostage or the barricading of a location, and only when (Penal Code § 633.8(b)):

(a) The officer reasonably determines an emergency situation exists that involves the immediate danger of death or serious physical injury to any person within the meaning of 18 USC § 2518(7)(a)(i),

(b) The officer reasonably determines that the emergency situation requires that eavesdropping on oral communication occur immediately, and

(c) There are grounds upon which an order could be obtained pursuant to 18 USC § 2516(2).

(d) An application for an order approving the eavesdropping and complying with the requirements of Penal Code § 629.50 is made within 48 hours of the beginning of the eavesdropping.

(e) The contents of any oral communications overheard are recorded on tape or other comparable device.

407.4 FIRST RESPONDER CONSIDERATIONS
First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. Therefore, the primary officer shall assume command of the situation, direct responding units in a coordinated effort to contain the situation, and maintain contact with Communications personnel. The Primary Officer will accomplish the containment and establish control over the situation while setting the stage for the arrival of the department's Special Response Team (SRT) or the Los Angeles County
Hostage and Barricade Incidents

Sheriff’s Special Enforcement Bureau (SEB). The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION
Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(d) Provide responding emergency personnel with a safe arrival route to the location.

(e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.

(f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Media Relations Officer (Media Relations Officer).

(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(k) Establish a command post.
407.4.2 HOSTAGE SITUATION
Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
(e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
(f) Provide responding emergency personnel with a safe arrival route to the location.
(g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
(h) Coordinate pursuit or surveillance vehicles and control of travel routes.
(i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
(k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Media Relations Officer.
(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES
Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting
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a Special Weapons and Tactics Team (SRT) response if appropriate and apprising the SRT Commander of the circumstances. In addition, the following options should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.
(b) Ensure the completion of necessary first responder responsibilities or assignments.
(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
(d) Establish a command post location as resources and circumstances permit.
(e) Designate assistants who can help with intelligence information and documentation of the incident.
(f) If it is practicable to do so, arrange for video documentation of the operation.
(g) Consider contacting utility and communication providers to restrict such services (e.g., restricting electric power, gas, telephone service).

When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety (Penal Code § 11471). The supervisor must ensure the Department obtains a court order, in accordance with Penal Code § 11472, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption. If six hours is not possible, then the application for the court order shall be made at the first reasonably available opportunity, but no later than 24 hours in accordance with Penal Code § 11475.

(h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Communications Section.

(i) Identify a media staging area outside the outer perimeter and have the department Media Relations Officer or a designated temporary media representative provide media access in accordance with the Media Relations Policy.

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 SRT RESPONSIBILITIES
The Incident Commander will decide, with input from the SRT Commander, whether to deploy the SRT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SRT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the SRT.
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The Incident Commander and the SRT Commander or the authorized designee shall maintain communications at all times.

407.7 REPORTING
Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.
Response to Bomb Calls

408.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to assist members of the Alhambra Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY
It is the policy of the Alhambra Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.2.1 SUICIDE/HOMICIDE BOMBING INCIDENTS
A homicide bomber scenario has the potential to create serious injury or death. Casualties should be expected. Therefore, first responders must react decisively, but with extreme caution for their own safety as well as the safety of the public. Responders should prepare for a fluid, dynamic situation rather than a static one. First responders could be severely injured or even killed in a homicide bomber situation, so personal safety must be paramount.

The initial officer who responds to the scene where a suspected suicide bombing has occurred shall do the following:

(a) Have Dispatch notify the Support Services Division and LASD's Bomb Squad.

(b) Be aware of the possibility of secondary devices and limit scene access to those that must enter. The LASD's Bomb Squad will conduct a preliminary investigation.

(c) Render aid to injured victims and evacuate them from the area. Consider local and mass casualty incident protocols and initiate them if needed.

(d) Have Dispatch notify the Terrorist Early Warning group (TEW) at (562) 345-1770. The TEW Group will notify other agencies and marshal mutual aid resources. The TEW Group will notify the nearest FBI office, as an act of terrorism falls under their statutes. They will also call the FAA and close the airspace overhead for at least a one-mile radius. As an officer safety precaution, this prohibition could include an exclusion of law enforcement aircraft.

(e) **DO NOT** approach the suspect or their remains. There may be explosives present which have not been detonated. There may also be partially detonated or a secondary device(s) present. Leave the first approach to the suspect for the LASD's Bomb Squad Investigators - no matter how long the wait for their arrival.

(f) Establish a crime scene perimeter. As a general rule: determine the furthest extent of the blast debris/damage from the blast center, then double that distance as a
Response to Bomb Calls

minimum crime scene perimeter. **DO NOT** decrease the crime scene area without first consulting with the LASD Bomb Squad.

(g) Establish a command post and staging area outside the crime scene. Search the intended command post and staging area for secondary devices prior to establishing these areas.

(h) Limit vehicle and personnel access into and out of the blast area/crime scene.

(i) Establish a record of all persons entering the crime/blast scene including Fire and EMS personnel.

(j) Identify and record all emergency vehicles that enter and leave the crime scene. If practical, leave in place any emergency vehicles that were inside the crime scene and impacted by the detonation.

(k) Record locations and pertinent information on moved victims and determine which hospitals they were transported.

(l) Take overall scene photographs as soon as possible.

(m) Do not conduct any preliminary examination of crime scene debris until Arson/Explosives Investigators are on-scene. Await jurisdictional decisions before initiating evidence collection.

(n) Vehicle tires and shoes can pick-up or damage key blast evidence. It is normal to wait hours or even a day before the crime scene is entered for post blast investigation.

(o) Once the scene has been contained and controlled (while waiting for additional resources), begin the identification and interviewing of witnesses and victims.

(p) Any on-scene hazards should be preliminarily assessed and mitigated. Remote intervention is recommended to preserve the crime scene (e.g., turn off damaged electrical or natural gas lines from outside the crime scene).

(q) Make provisions for the arrival of the media to ensure they do not contaminate the crime scene.

**408.3 RECEIPT OF BOMB THREAT**

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Watch Commander is immediately advised and informed of the details. This will enable the Watch Commander to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.
Response to Bomb Calls

408.3.1 WHEN A SUSPECTED BOMB/EXPLOSIVE DEVICE HAS BEEN REPORTED, BUT HAS NOT BEEN LOCATED

(a) Dispatch responsibilities:

1. All calls concerning potential bombs/explosive devices shall be recorded in a manner similar to calls currently classified as "emergency type" calls.
2. A marked unit shall be immediately dispatched to the location involved.
3. Keep the reporting party on the line and attempt to determine the reason for the suspicion that an explosive device may be present.
4. The employee handling the call shall ensure that the Watch Commander is immediately advised and fully informed of the details.
5. Shall notify the Alhambra Fire Department of the threat.
6. When dispatching the original call and any subsequent communications over the police radio, dispatchers and field personnel are to refer to the call as an “Unusual Occurrence,” rather than using the words “bomb” or “explosive device.”

(b) Assigned officer’s responsibilities:

1. When time is a critical factor, the assigned officer should use their discretion in the search for the reported device (i.e., allowing employees to search, pending arrival of sufficient officers to accompany them on a search). Whenever a search will be conducted immediately, the officer assigned shall notify the watch commander of all action proposed to be taken.
   (a) A key person, who is thoroughly familiar with the involved structure or property, should be requested to assist in the search, if practical and/or possible.
2. Whenever a search will be conducted immediately, the assigned officer shall notify the Watch Commander of all action proposed to be taken.
3. When time is not a critical factor, the actual search of a building should be coordinated between the assigned officer(s) and personnel of the area of the building.
4. When a suspected bomb/explosive device has been reported, but has not been located and a large number of employees are involved, the evacuation of private property premises shall be at the discretion of a company executive and, in no case, will the assigned officer direct an evacuation.

408.4 GOVERNMENT FACILITY OR PROPERTY
A bomb threat targeting a government facility may require a different response based on the government agency.
Response to Bomb Calls

408.4.1 ALHAMBRA POLICE DEPARTMENT FACILITY
If the bomb threat is against the Alhambra Police Department facility, the Watch Commander will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY
If the bomb threat is against a county or municipal facility within the jurisdiction of the Alhambra Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Watch Commander deems appropriate.

408.4.3 FEDERAL BUILDING OR PROPERTY
If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility’s security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

408.5 PRIVATE FACILITY OR PROPERTY
When a member of this department receives notification of a bomb threat at a location in the City of Alhambra, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.
(b) The nature of the threat.
(c) Whether the type and detonation time of the device is known.
(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
(e) Whether the individual is requesting police assistance at the facility.
(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
   1. No evacuation of personnel and no search for a device.
   2. Search for a device without evacuation of personnel.
   3. Evacuation of personnel without a search for a device.
   4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Watch Commander is immediately notified so that he/she can communicate with the person in charge of the threatened facility.
Response to Bomb Calls

408.5.1 ASSISTANCE
The Watch Commander should be notified when police assistance is requested. The Watch Commander will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Watch Commander determine that the Department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.
(b) The plan for assistance.
(c) Whether to evacuate and/or search the facility.
(d) Whether to involve facility staff in the search or evacuation of the building.
   1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
   2. The safety of all participants is the paramount concern.
(e) The need for additional resources, including:
   1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

408.6 FOUND DEVICE
When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
(c) The first concern of the initial officer on-scene is the protection of human life, then the protection of property.
(d) The initial officer on-scene shall be responsible for the assignment and coordination of personnel responding to the scene, unless relieved by a supervisor.
(e) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
   1. Two-way radios
   2. Cell phones
Response to Bomb Calls

3. Other personal communication devices

(f) The Los Angeles County Sheriff’s Department Bomb Squad or military explosive ordnance disposal team should be summoned for assistance.

1. Whenever the Los Angeles County Sheriff’s Department Bomb Squad responds to the scene of a known or suspected hazardous device, the responsibility for the supervision, containment, control and/or removal of a device(s) from the area lies completely with the members of the Los Angeles County Sheriff’s Department Bomb Squad. If a suspected device is located, the assigned officer shall be responsible for obtaining complete preliminary information (i.e., witness statements, calling party, persons present, etc.) and relaying this information to the Los Angeles County Sheriff’s Department Bomb Squad as soon as possible.

(g) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(h) A safe access route should be provided for support personnel and equipment.

(i) Search the area for secondary devices as appropriate and based upon available resources.

(j) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(k) Promptly relay available information to the Watch Commander including:
   1. The time of discovery.
   2. The exact location of the device.
   3. A full description of the device (e.g., size, shape, markings, construction).
   4. The anticipated danger zone and perimeter.
   5. The areas to be evacuated or cleared.

408.7 EXPLOSION/BOMBING INCIDENTS
When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS
Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid, the Alhambra Fire Department has primary responsibility.
Response to Bomb Calls

(d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.

(e) Assist the Alhambra Fire Department with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate if necessary.

(i) Identify witnesses.

408.7.2 NOTIFICATIONS
When an explosion has occurred, the following people should be notified as appropriate:

- Alhambra Fire Department
- Los Angeles County Sheriff’s Bomb Squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

408.7.3 CROWD CONTROL
Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

408.7.4 PRESERVATION OF EVIDENCE
As in any other crime scene, steps should immediately be taken to preserve the scene. The Watch Commander should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.
Mental Illness Commitments

409.1 PURPOSE AND SCOPE
This policy provides guidelines for when officers may take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

409.2 POLICY
It is the policy of the Alhambra Police Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

409.2.1 STATUTORY
(a) Welfare and Institutions Code § 5150.2 states that officers admitting a patient into a mental health facility "shall be detained no longer than the time necessary to complete documentation of the factual basis of the detention under Welfare and Institutions Code § 5150 and a safe and orderly transfer of physical custody of the person."

(b) Health and Safety Code §§ 1257.7 and 1257.8 state in part that all designated facilities licensed pursuant to these sections will be well equipped to handle potentially violent individuals. These licensed designated facilities must have a security plan that is approved by their hospital administrative staff that includes considerations relating to staffing, security personnel availability, and policy and training related to appropriate responses to violent acts. Designated facilities that have emergency departments need to employ sufficient emergency department security personnel to maintain a safe environment. Law enforcement personnel transporting potentially violent individuals for mental health evaluation and treatment cannot be used in lieu of each facility’s security personnel.

(c) Welfare and Institutions Code § 5150 defines a "Designated Facility" as a mental health facility designated by the Los Angeles County Department of Health Services and approved by the State Department of Mental Health as a facility for 72-hour mental health treatment and evaluation. A "Non-Designated Facility" is not licensed to treat any mental health condition on an involuntary basis.

409.3 AUTHORITY
An officer having probable cause may take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the officer believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person’s mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):
Mental Illness Commitments

(a) An individual who is providing or has provided mental health treatment or related support services to the person
(b) A family member
(c) The person subject to the determination or anyone designated by the person

409.3.1 VOLUNTARY EVALUATION
If an officer encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

(a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
(b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.
(c) Document the circumstances surrounding the individual’s desire to pursue voluntary evaluation and/or admission.

409.3.2 RESTRAINTS
If the patient is violent or potentially violent, the officer will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

409.3.3 MENTAL HEALTH DOCUMENTATION
The officer will complete an Application for 72-Hour Detention for Evaluation and Treatment form (MH-302) and provide it to the staff member assigned to that patient. The officer will retain a copy of the 72-hour evaluation for inclusion in the case report. The officer shall also provide a verbal summary to an emergency department staff member regarding the circumstances leading to the involuntary detention.

When an alleged mentally ill person has been transported by officers to any State or County hospital (regardless of whether the person was admitted or not), an incident report shall be made by the primary officer.

Under current law, any designated County Mental Health Facility is required to accept someone who is evaluated as a person requiring treatment under Welfare and Institutions Code § 5150. Non-availability of "bed space" is not acceptable as a rejection of someone requiring treatment.

409.3.4 SECURING OF WEAPONS
If a receiving and secured facility prohibits weapons or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.
409.4 CONSIDERATIONS AND RESPONSIBILITIES
Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the person’s action or stated intentions.
(b) Community or neighborhood mediation services.
(c) Conflict resolution and de-escalation techniques.
(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Officers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

409.4.1 SECURING OF PROPERTY
When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person’s personal property, the officer shall take reasonable precautions to safeguard the individual’s personal property in his/her possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

The officer taking the person into custody shall provide a report to the court that describes the person’s property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the officer shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

409.4.2 NON-EMERGENT CASES OF A MENTALLY ILL PERSON
Non-emergent cases are not normally handled by the police; however, officers may advise a relative or guardian of the proper procedures as follows:

(a) Persons requesting information relative to the filing of an application for petition on behalf of the mentally ill person, drug addict, or inebriate, shall be referred to the Arcadia Mental Health PET Team or the USC Medical Center in Los Angeles.
(b) If a court order is issued to commit a mentally ill person, this "Order of Apprehension" must be signed by a Superior Court Judge and will be served by the Mental Health Detail of the Los Angeles County Sheriff’s Department.
(c) Non-emergent cases shall include mentally ill persons who are desirous of committing themselves to the facility.

If a mentally ill person of a non-emergency nature is to be admitted, the relative or physician must make their own arrangements for transportation.
Mental Illness Commitments

409.4.3 UNIDENTIFIED PERSONS
Persons who are found wandering in a bewildered, confused state of mind, with no identification, and meet the requirements of Welfare and Institutions Code § 5150 WIC (gravely disabled) may be transported to a county mental health facility when all attempts to identify the person have been unsuccessful.

Procedures pertaining to the admittance of this person will be the same as those set forth in the emergency admittance of mentally ill individuals.

409.4.4 NOTIFICATION
In every incident involving the detention or transportation to another agency of a mentally ill person, the officer assigned shall have the responsibility of making every reasonable effort to notify the family of the mentally ill person of the individual's whereabouts as soon as possible. The officer shall record the efforts made and the results in the incident report.

The Watch Commander shall be advised of the officer's intent to transport the subject prior to transportation in a patrol unit.

409.4.5 MENTAL HEALTH DETENTION AND COMMITMENT OF JUVENILES
When any minor, as a result of a mental disorder, is a danger to others, or to himself or herself, or gravely disabled and authorization for voluntary treatment is not available, a peace officer with probable cause may admit the minor into a mental health facility for 72-hour treatment and evaluation. Prior to admittance, the officer shall make an effort to notify the minor's parent or legal guardian as soon as possible after the minor is detained.

Upon admittance, the officer shall provide the mental health facility with a written application describing the circumstances under which the minor’s condition was brought to his/her attention and the probable cause to believe the minor is, as a result of a mental disorder, a danger to others, or to himself or herself, or gravely disabled and authorization for voluntary treatment is not available (Welfare and Institutions Code § 5585.50).

Gravely Disabled Minor - means a minor who, as a result of a mental disorder, is unable to use the elements of life that are essential to health, safety, and development, including food, clothing, and shelter, even though provided to the minor by others. Intellectual disability, epilepsy, or other developmental disabilities, alcoholism, other drug abuse, or repeated antisocial behavior do not, by themselves, constitute a mental disorder Welfare and Institutions Code § 5585.25).

409.5 TRANSPORTATION
When transporting any individual for a 5150 commitment, the transporting officer should have Communications Section notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

All individuals being transported for a 5150 commitment shall be transported by a two person unit. Any deviations to this will be approved by the watch commander.
**Mental Illness Commitments**

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Watch Commander approval is required before transport commences.

**409.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a 5150 commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

**409.7 DOCUMENTATION**

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The application shall include the circumstances for officer involvement; the probable cause to believe the person is, as a result of a mental health disorder, a danger to others or him/herself or gravely disabled; and all information used for the determination of probable cause (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

**409.7.1 ADVISEMENT**

The officer taking a person into custody for evaluation shall advise the person of:

(a) The officer’s name and agency.

(b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals and the mental health staff will advise him/her of their rights.

(c) The name of the facility to which the person is being taken.

(d) If the person is being taken into custody at his/her residence, he/she should also be advised that he/she may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where he/she is being taken. The officer should also ask if the person needs assistance turning off any appliance or water.
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The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150).

409.8 CRIMINAL OFFENSES
Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.
(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.
(c) Facilitate the individual’s transfer to jail.
(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor’s judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS
Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institutions Code § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A search warrant may also be needed before searching for or seizing weapons.

The handling officers shall issue a receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).
409.9.1   PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS
Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Detective Section, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

409.10   TRAINING
This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, 5150 commitments and crisis intervention.
Cite and Release Policy

410.1 PURPOSE AND SCOPE
This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

410.1.1 STATUTORY REQUIREMENTS
Citation releases are authorized by Penal Code § 853.6. Release by citation for misdemeanor offenses can be accomplished in two separate ways:

(a) A field release is when the violator is released in the field without being transported to a jail facility.

(b) A jail release is when a violator is released after being transported to the jail and then photographed and fingerprinted.

410.2 POLICY
It is the policy of the Alhambra Police Department to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department’s mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

410.2.1 ARREST/BOOKING
When a person is arrested and is not eligible for a field release from custody, the arresting officer shall transport the arrestee to the Alhambra Police Department Jail Facility. The Watch Commander shall be advised of all arrests prior to booking the arrestee. After the Watch Commander has approved the arrest and the appropriate charges, the arrestee shall be booked.

410.2.2 POST-ARREST PROCEDURES
The arresting officer should make a reasonable effort to ensure that animals or pets under a person’s care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals.

Relatives or neighbors may be contacted, with the owner’s consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

410.3 RELEASE BY CITATION
Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private persons arrest, shall be released from custody on a citation (Penal Code § 853.6).
The citing officer shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

410.3.1 FIELD CITATIONS
In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

Officers may also release subjects who were taken into custody for an Alhambra Municipal Code violation.

Prior to releasing a person in the field, the officer shall:
(a) Verify the person’s identity
(b) Conduct a want and warrant check of the person
(c) Complete a citation, citing the person to the appropriate court on the appropriate date
(d) Obtain a report number and place the number in the space provided on the citation, and
(e) Obtain the signature and thumb print of the person on the citation and issue the person the violator’s copy.
(f) Whenever a person is to be released in the field for a petty theft violation (Penal Code § 488), conduct a RAPS through records for priors.
(g) Whenever a person is cited for a misdemeanor violation and they have not been fingerprinted and photographed at the station, the officer shall obtain the person’s thumbprint on the back of the citation.
(h) When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

410.3.2 RELEASE AFTER BOOKING
In some cases it may not be feasible or desirable to release a person in the field. The person should instead be released on citation after booking at the jail. All bookings shall be approved by the Watch Commander or the authorized designee.

410.3.3 PRIVATE PERSONS ARREST
When a person arrested pursuant to a private person’s arrest is to be released in the field, the responding officer shall include the name of the private person making the arrest in the “Arresting Officer” space on the citation.
Cite and Release Policy

410.3.4 REQUESTS FOR CHANGE OF VENUE
Under certain circumstances, a person cited for a traffic violation may request to appear at the court designated as the County Seat. When this occurs, the person will be cited to appear at one of the given branch courts such as Metro Traffic Court (L.A.), Van Nuys Court, West Los Angeles Court, or Chatsworth Court during the business hours of that court.

410.3.5 REPORTING RELEASE FROM CUSTODY
When a person is released in the field, the arresting officer shall prepare a report under the applicable heading. When completing the personal information section for the person arrested, the citation number shall be substituted for the booking number. The remaining copies of the citation shall be forwarded with the completed report.

410.3.6 FIELD CITATIONS FOR MUNICIPAL CODE VIOLATIONS
The Field Citation Release form is a combination of a Booking Sheet and a Crime Report. The Field Citation Release form is to be used whenever an officer is issuing a field citation for any Alhambra Municipal Code (AMC) violation, as long as the suspect is not being physically arrested and there is no victim.

**Adult Cited** - The officer will complete a citation for the suspect. The officer will then complete the Field Citation Release form, checking the adult box at the top of the page. Any boxes that are specific to juveniles may be left blank. A line should be drawn through the “Right from Wrong” questions on the back of the form. The officer will then complete a short handwritten narrative.

**Juvenile Cited** - The officer will complete a citation for the juvenile detainee. The officer will then complete the Field Citation Release form, checking the juvenile box at the top of the page. The officer will fill-out the appropriate boxes including whom the juvenile was released to, if appropriate. If the “Right from Wrong” section is not used, a line should be drawn through it. The officer will then complete a short narrative. The Field Citation Release form does not change the procedures for a juvenile citation (also refer to Policy 516 – Traffic Citations).

410.4 NON-RELEASE

410.4.1 DISQUALIFYING OFFENSES
An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking (Penal Code § 1270.1):

(a) Misdemeanor domestic battery (Penal Code § 243(e)(1))
(b) Felony domestic battery (Penal Code § 273.5)
(c) Serious or violent felonies (Penal Code § 1270.1(a)(1))
(d) Felony intimidation of witnesses and victims (Penal Code § 136.1)
(e) Rape of a spouse (Penal Code § 262)
Cite and Release Policy

410.4.2 REASONS FOR NON-RELEASE
A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release. The Watch Commander may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the Department and does not present an unreasonable risk to the community (e.g., release of an intoxicated or ill person to a responsible adult).

Reasons for non-release include (Penal Code § 853.6(i)):

(a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.

(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety

1. The Alhambra Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).

(c) The person is arrested for one or more of the offenses listed in Vehicle Code § 40302, Vehicle Code § 40303, and Vehicle Code § 40305.

(d) The person has been cited, arrested, or convicted for theft from a store or vehicle in the previous six months, or there is probable cause to believe the person is guilty of committing organized retail theft, as defined in Penal Code § 490.4(a).

(e) There are one or more outstanding arrest warrants for the person or failures to appear in court on previous misdemeanor citations that have not been resolved (see Misdemeanor Warrants elsewhere in this policy).

(f) The person could not provide satisfactory evidence of personal identification.

1. If a person released on citation does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.

(g) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.
Cite and Release Policy

(h) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.

(i) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

(j) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. An arrest warrant or failure to appear that is currently pending shall constitute reason to believe that the person will not appear. Other reasons may include:

(a) Previous failure to appear is on record
(b) The person lacks ties to the area, such as a residence, job, or family
(c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be submitted to the Watch Commander for approval and included with the case file in the Records Section.

410.5 MISDEMEANOR WARRANTS

An adult arrested on a misdemeanor warrant may be released, subject to Watch Commander approval, unless any of the following conditions exist:

(a) The misdemeanor cited in the warrant involves violence.
(b) The misdemeanor cited in the warrant involves a firearm.
(c) The misdemeanor cited in the warrant involves resisting arrest.
(d) The misdemeanor cited in the warrant involves giving false information to a peace officer.
(e) The person arrested is a danger to him/herself or others due to intoxication or being under the influence of drugs or narcotics.
(f) The person requires medical examination or medical care or was otherwise unable to care for his/her own safety.
(g) The person has other ineligible charges pending against him/her.
(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person.
(i) The person refuses to sign the notice to appear.
(j) The person cannot provide satisfactory evidence of personal identification.
(k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear.
Release under this section shall be done in accordance with the provisions of this policy.

410.6 JUVENILE CITATIONS
Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the Vehicle Code
- Violations of the Alhambra City codes

(a) All citations for traffic infractions for youth under the age of 18 shall be sent to the Pasadena Traffic Court to be handled and processed in the same manner as an adult traffic ticket.

(b) All other juvenile citations for most misdemeanor violations shall be sent to the Probation Department at the below listed address (also refer to §§ 516.2.6 - Citation Diversion Program, and 516.2.7 - Juvenile Violations Eligible for Citation Diversion):

1. Los Angeles County Probation Department, Central Records, JAI Referrals, 320 West Temple Street, Room 110, Los Angeles, California 90012, Contact: Juvenile Consultant, (562) 940-2533.

2. Probation will decide whether to dismiss the citation, counsel the youth, place the youth on diversion or refer to the District Attorney for filing of a petition in the Delinquency Court.

(c) All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Detective Section for further action including diversion.

410.7 REQUESTING CASE NUMBERS
Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.
Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that members of the Alhambra Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.1.1 DEFINITIONS
Foreign National - Anyone who is not a citizen of the United States (U.S.). A person with dual-citizenship, U.S. and foreign, is not a foreign national.

Foreign Officials - Titles and Credentials: There are several types of foreign officials attached to foreign diplomatic and consular missions in the United States. The scope of a person's immunity is determined by title and credentials.

Anyone claiming immunity can be identified by credentials issued by the United States Department of State, the United Nations, the California State Department, the Los Angeles Police Department or the Los Angeles County Sheriff’s Department.

Diplomatic Officers - Diplomatic officers are: Ambassadors, Ministers, Minister Counselor, Counselor, First Secretary, Second Secretary, Third Secretary, and Attaché. These persons are diplomats and represent their governments in the affairs of state. They are not consular officers.

Consular Officer - A Consular Officer is any person officially authorized and entrusted by a foreign government to represent the commercial interests of the citizens of the appointing country. Persons so appointed have been approved by the United States Government to exercise consular functions in this country. Consular Officers include the Consul-General, Deputy Consul-General, Consuls, and Vice Consuls. Consular Officers may be either Career Consular Officers or Honorary Consular Officers.

A career Consular Officer is a citizen of a foreign country empowered by its government to act in its behalf on matters of trade and limited governmental functions. Each career Consular Officer possesses U.S. State Department credentials bearing the State Department's seal, the name of the officer, title, and the signatures of State Department officials and other official identification.

An honorary Consular Officer is a citizen of the United States or a citizen of a foreign country who is a permanent resident of the United States. The honorary Consular Officer is appointed to perform the functions of a career Consular Officer. Unlike the career officer, an honorary Consular Officer does not possess a State Department identification card but may have other official identification.

Official Guests - Official guests carry letters of introduction or other documentation identifying them as official guests of the United States Government.

Immunity - Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments.
These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official “missions” (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the U.S. Department of State's Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. Additionally, the host country's right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

411.2 POLICY
The Alhambra Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.3 CLAIMS OF IMMUNITY
If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person’s status.

(c) Request the person’s identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating “US” as the state.
411.4 ENFORCEMENT
If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
   1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
   1. Diplomatic-level staff of missions to international organizations and recognized family members
   2. Diplomatic agents and recognized family members
   3. Members of administrative and technical staff of a diplomatic mission and recognized family members
   4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:
   1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
   2. Support staff of missions to international organizations
   3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
   4. Honorary consular officers
   5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.
Foreign Diplomatic and Consular Representatives

411.5 DOCUMENTATION
All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

411.6 DIPLOMATIC IMMUNITY TABLE
Reference table on diplomatic immunity:

<table>
<thead>
<tr>
<th>Category</th>
<th>Arrested or Detained</th>
<th>Enter Residence Subject to Ordinary Procedures</th>
<th>Issued Traffic Citation</th>
<th>Subpoenaed as Witness</th>
<th>Prosecuted</th>
<th>Recognized Family Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic Agent</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Member of Admin and Tech Staff</td>
<td>No (note (b))</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Same as sponsor (full immunity &amp; inviolability)</td>
</tr>
<tr>
<td>Service Staff</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
<tr>
<td>Career Consul Officer</td>
<td>Yes if for a felony and pursuant to a warrant (note (a))</td>
<td>Yes (note (d))</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise (note (a))</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Honorable Consul Officer</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise</td>
<td>No immunity or inviolability</td>
</tr>
<tr>
<td>Consulate Employees</td>
<td>Yes (note (a))</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts. Yes otherwise.</td>
<td>No for official acts. Yes otherwise</td>
<td>No immunity or inviolability (note (a))</td>
</tr>
<tr>
<td>Int’l Org Staff (note (b))</td>
<td>Yes (note (c))</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes (note (c))</td>
<td>No for official acts. Yes otherwise (note (c))</td>
<td>No immunity or inviolability</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Diplomatic-Level Staff of Missions to Int'l Org</th>
<th>No (note (b))</th>
<th>No</th>
<th>Yes</th>
<th>No</th>
<th>No</th>
<th>Same as sponsor (full immunity &amp; inviolability)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support Staff of Missions to Int'l Orgs</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No for official acts</td>
<td>No immunity or inviolability</td>
</tr>
</tbody>
</table>

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

411.6.1 PARKING VIOLATIONS

Consular immunity does not prohibit citing and/or impounding consular vehicles which constitute a traffic hazard or which are in clear violation of local codes. However, as a matter of courtesy, officers should make a reasonable attempt to warn the concerned driver or Consular Officer of the pending action, and allow the vehicle to be moved prior to taking any action.
Rapid Response and Deployment

412.1 PURPOSE AND SCOPE
Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

412.1.1 DEFINITIONS
Active Shooter - An Active Shooter is defined as a suspect(s) whose activity is immediately causing death and/or serious bodily injury. The active shooter is not contained and there may also be further immediate risk of death or serious bodily injury to potential victims.

Immediate Action Rapid Deployment - The swift and immediate deployment of law enforcement personnel and resources to an on-going, life threatening situation where delayed deployment could otherwise result in death or great bodily injury to innocent persons. Immediate Action Rapid Deployment tactics are not a substitute for conventional response tactics to incidents such as a barricaded gunman.

412.2 POLICY
The Alhambra Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

412.2.1 INTRODUCTION
Some scenarios may require immediate action and rapid deployment of law enforcement personnel prior to the arrival of a tactical team. In these cases, delayed deployment could have significant consequences. These scenarios often involve an on-going "shots fired or downed officer/civilian rescue." It may also necessitate the immediate and rapid deployment of law enforcement personnel to contain and prevent the escape of an armed and dangerous person(s).

These "active shooter" incidents are unique in that the behavior of the suspects is very different from that typically associated with other violent behaviors. Suspect(s) generally begin to shoot at numbers of people without warning. The motives for these behaviors can range from rage, vengeance or mental dysfunction.

These incidents make it clear that the typical police response of containment, isolation and negotiation may not be adequate. Unlike most criminals, active shooters are likely to continue to use deadly physical force until intervention occurs or until the shooter decides to stop. The active shooter response concept represents a shift in law enforcement tactics, equipment needs and command protocol. These situations require the initial police responders arriving on-scene
to have the authority and the capability to take action without waiting for command staff or for the arrival of specialty units such as SWAT or Crisis Negotiators.

412.2.2 CHARACTERISTICS OF AN ACTIVE SHOOTER
The following is a list of characteristics commonly associated with active shooter suspects. The list is compiled from descriptions of past active shooters and not meant to be a comprehensive list describing all active shooters. Each active shooter situation is unique.

(a) Active shooters usually focus on assaulting persons with whom they come into contact. Their intention is usually an expression of hatred or rage rather than the commission of a crime.

(b) An active shooter is likely to engage more than one target. Active shooters may be intent on killing a number of people as quickly as possible.

(c) Generally, the first indication of the presence of an active shooter is when he or she begins to assault victims.

(d) Active shooters often go to locations where potential victims are close at hand, such as schools, theaters, concerts or shopping malls, but can occur at any location. While most active shooters carry out their attacks at close range, they may also act in the manner of a sniper, assaulting victims from a distance. Active shooters may also engage multiple targets while remaining constantly mobile.

(e) Tactics, such as containment and negotiation, normally associated with standoff incidents may not be adequate in active shooter events. Active shooters typically either commit suicide upon the arrival of law enforcement or continue their attack despite the arrival of emergency responders.

(f) Active shooters are often better armed than the police, sometimes making use of explosives, booby traps and body armor. Active shooters are not limited to the use of firearms in accomplishing their attacks on victims. They may use bladed weapons, vehicles or any tool that in the circumstance in which it is used, constitutes deadly physical force.

(g) Active shooters may have a planned attack and be prepared for a sustained confrontation with the police. Historically, active shooters have not attempted to hide their identity or conceal the commission of their attacks. Escape from the police is usually not a priority of the active shooter.

(h) Active shooters may employ some type of diversion.

(i) Active shooters may be indiscriminate in their violence or they may seek specific victims.

(j) Active shooters are normally suicidal, deciding to die in the course of their actions either at the hand of others or by self-inflicted wounds.

(k) Active shooters usually have some degree of familiarity with the building or location they choose to occupy. Active shooter events are not limited to just one type of location such as a school or university. Anywhere may become the site of such an attack.
(l) Active shooter events are dynamic but may also go in and out of an "active" status. What appears to be a static incident may quickly turn into a dynamic active shooter event, or conversely may go "inactive" by the suspect barricading with or without access to victims.

412.3 CONSIDERATIONS
When dealing with a crisis situation members should:

(a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.

(b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.

(c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.

(d) Attempt, if feasible and based upon the suspect’s actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.4 FIRST RESPONSE
If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

- Under most circumstances an advance on a suspect should be made using teams of two or more officers whenever reasonably possible.
- It is recognized; however, that under certain circumstances, a solo officer’s decision to enter a location and begin efforts to stop the violence may be an acceptable alternative to waiting for additional officers while innocent people are being assaulted.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.

(b) Whether to wait for additional resources or personnel.
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(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the officers have the ability to effectively communicate with other personnel or resources.

(f) Whether planned tactics can be effectively deployed.

(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (SWAT, Special Response Team and/or hostage negotiation team response).

412.4.1 GUIDELINES
The following guidelines are for response to active shooter incidents. These incidents are sufficiently unique such that their effective handling cannot be totally reduced to procedures.

These guidelines are not meant to limit conventional law enforcement tactics, which are appropriate in more conventional crisis situations. The significant factors regarding these tactics are that they represent a means of intervention available to officers and there is the potential of elevated risk to bystanders and officers. The risk may be acceptable in light of the potential these tactics have for saving lives. Another significant aspect of the active shooter tactical doctrine is that based on department policy and the law, officers arriving at the scene of an active shooter incident are authorized to intervene prior to the arrival of command personnel and special units.

(a) **Goal** - The overall purpose of these tactics is to save lives and prevent serious injuries. The goal for law enforcement response at an active shooter event is neutralization by taking action to stop the violence, denying access to additional victims, rescuing injured victims and/or rescuing potential victims.

(b) **Assume Tactical Responsibility** - One initial supervisor or officer must take charge as the Incident Commander. Assumption of tactical responsibility may be based on rank, expertise or seniority. However, it must be made immediately clear to both the Communications Centers and other officers, who is in charge. An officer of superior rank, who is on-scene and fully briefed, may ultimately assume incident command. Any change in incident command will be made known to Dispatch and other officers.

(c) **Situational Analysis** - The supervisor or officer taking charge must, based on all information available, make a situation analysis. The analysis will be continuous, taking into account new information from dispatch and observations from other officers and civilians. The analysis must lead to a decision as to whether the situation is an active shooter event, whether an opportunity exists for immediate intervention leading to accomplishment of one of the goals listed above, and how responding resources should be deployed at the scene.
(d) **Incident Command** - No action will be taken that is unplanned or without controls. Depending upon the circumstances, the first supervisor or officer arriving on-scene will initiate Unified Incident Command, pursuant to NIMS guidelines. When appropriate, the Incident Commander will directly or through delegation, establish a Command Post, analyze the situation and determine deployment of responding resources. At least one person possessing all available information on tactical plans should remain at the command post to brief arriving personnel. All personnel enroute to the incident will monitor the radio to gain information, but should not obstruct ongoing intervention. Command personnel must be on-scene and fully briefed before assuming incident command.

(e) **First Responder Tactical Intervention** - When responding to active shooter incidents, the Alhambra Police Department endorses the concept of first responder tactical intervention. It is critical that all officers, supervisors, and command personnel are familiar with the definition of an active shooter as well as the tactics deemed appropriate for active shooter response. The traditional uniform responses of contain, isolate, evacuate, and wait for SWAT and Crisis Negotiators are not appropriate responses in an active shooter incident. The first officer on-scene will need to consider the following:

(f) 1. **Contact Team** - First responder intervention will be based on opportunity. Rescue teams will be in the form of officers with an identified team leader. Team movement will be in a controlled and disciplined tactical action under the control and direction of the team leader. An Assistant Team Leader should also be designated.

2. **Rescue Team** - May include Fire Department personnel. In such cases, they will be designated as a Rescue Task Force. Tactical control and decision making will rest with the law enforcement team leader. It is the team leader’s responsibility to maintain protection for fire personnel. Medical decisions and evacuation priorities will be determined by the ranking fire department representative.

3. **Containment** – When appropriate in the evolution of a law enforcement response, dedicated containment elements should always be a component of intervention teams. Individual action is discouraged, as it is usually counterproductive to a coordinated, focused response to an active shooter event. Site containment will be left to the discretion of the first officer on scene, who assumes incident responsibility and initiates the situation assessment. Containment of an active shooter incident may take the form of officers serving in an "observe and report" capacity.

4. **Cover or Suppression Fire** – Is defined as target-specific controlled fire, which is directed at an adversary who possesses an immediate and on-going lethal threat. This tactic shall only be utilized when the use of deadly force is legally justified. Target acquisition and communication are key elements in the successful use of this tactic. Department members employing cover fire must be able to articulate their reason(s) for utilizing this tactic.

(g) **Active Shooter Site Security** - No location associated with an active shooter will be considered secure until a supervisor of the rank of sergeant, or any designated team...
leader declares it is so. Officers assigned to security functions will maintain positions until properly relieved.

(h) **Special Weapons and Tactics (SWAT)** - When SWAT units are prepared to deploy, the initial responding officers may be relieved or redeployed by SWAT.

412.4.2 DECISION TO ADVANCE ON A SUSPECT
The decision to advance on the suspect(s) is a decision that the on scene law enforcement personnel must make. The multitude of variables in such a circumstance requires a rapid assessment of the situation, reasonable decisions as to the best tactics to implement and the timely action necessary to resolve the incident. The following are some examples:

(a) **Suspect actively killing or harming civilians, hostages or others** - take immediate action, if reasonable, to neutralize the threat presented by the suspect, rescue victims where possible and call for additional for assistance.

(b) **Barricaded suspect without hostages** - wait for additional assistance, probable SWAT response unless timely resolved.

(c) **Barricaded suspect with hostages and no harm done to the hostages** - wait for additional assistance or SWAT response.

412.5 PLANNING
The Field Services Assistant Chief should coordinate critical incident planning. Planning efforts should consider:

(a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Availability of building plans and venue schematics of likely critical incident target sites.

(c) Communications interoperability with other law enforcement and emergency service agencies.

(d) Training opportunities in critical incident target sites, including joint training with site occupants.

(e) Evacuation routes in critical incident target sites.

(f) Patrol first-response training.

(g) Response coordination and resources of emergency medical and fire services.

(h) Equipment needs.

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.

412.6 TRAINING
The Training Manager should include rapid response to critical incidents in the training plan. This training should address:
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(a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.

   1. This should include the POST terrorism incident training required for officers assigned to field duties (Penal Code § 13519.12).

(d) First aid, including gunshot trauma.

(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).
Public Recording of Law Enforcement Activity

413.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

413.2 POLICY
The Alhambra Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

413.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
   1. Tampering with a witness or suspect.
   2. Inciting others to violate the law.
   3. Being so close to the activity as to present a clear safety hazard to the officers.
   4. Being so close to the activity as to interfere with an officer’s effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others

413.4 OFFICER RESPONSE
Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or
behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

The officer should note anything that may identify the person recording their activities (identity of news channel, press credentials, etc.). This information shall be noted in any subsequent Incident Report or, if there is no police report, in a memorandum directed to their immediate supervisor or the Watch Commander.

413.5 SUPERVISOR RESPONSIBILITIES
A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

   1. The supervisor should consider asking the individual to provide a copy of the recording or identifying themselves for future contact.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

413.6 SEIZING RECORDINGS AS EVIDENCE
Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

   1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
(c) The person consents.

1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
Immigration Violations

414.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Alhambra Police Department relating to immigration and interacting with federal immigration officials.

414.1.1 DEFINITIONS
The following definitions apply to this policy (Government Code § 7284.4):

**Criminal immigration violation** - Any federal criminal immigration violation that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

**Immigration enforcement** - Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

**Judicial warrant** - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

414.2 POLICY
It is the policy of the Alhambra Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

414.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or California constitutions.

414.4 IMMIGRATION INQUIRIES PROHIBITED
Officers shall not inquire into an individual’s immigration status for immigration enforcement purposes (Government Code § 7284.6).

414.4.1 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)
Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).
Members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual’s record (Government Code § 15160).

414.5 DETENTIONS AND ARRESTS
An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6).

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 USC § 1326(a) (unlawful reentry) that may be subject to an enhancement due to a previous conviction of an aggravated felony under 8 USC § 1326(b) (2), may detain the person for a reasonable period of time to contact federal immigration officials to verify whether the United States Attorney General has granted the individual permission for reentry and whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual’s status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has violated 8 USC § 1326(a) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense (Government Code § 7284.6).

An officer shall not detain any individual, for any length of time, for any other criminal immigration violation of federal immigration laws (Government Code § 7284.6).

An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).

414.5.1 SUPERVISOR RESPONSIBILITIES
When notified that an officer has arrested an individual for violation of 8 USC § 1326(a) or under the authority of a judicial warrant, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Transfer the person to jail.

414.6 FEDERAL REQUESTS FOR ASSISTANCE
Absent an urgent issue of officer safety or other emergency circumstances, requests by federal immigration officials for assistance from this department should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

414.7 INFORMATION SHARING
No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):
Immigration Violations

(a) Sending information to, or requesting or receiving such information from federal immigration officials
(b) Maintaining such information in department records
(c) Exchanging such information with any other federal, state, or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

414.7.1 IMMIGRATION DETAINERS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 7284.6):

(a) The individual has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).
(b) The individual has been arrested and had a judicial probable cause determination for a felony punishable by time in a state prison.
(c) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
(d) The individual is a current registrant on the California Sex and Arson Registry.
(e) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

414.7.2 NOTICE TO INDIVIDUALS
Individuals in custody shall be given a copy of documentation received from U.S. Immigration and Customs Enforcement (ICE) regarding a hold, notification, or transfer request along with information as to whether the Alhambra Police Department intends to comply with the request (Government Code § 7283.1).

If the Alhambra Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate (Government Code § 7283.1).

414.7.3 ICE INTERVIEWS
Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Alhambra Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary, and that he/she may decline to be interviewed or may choose to be interviewed only with his/her
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attorney present. The consent form must be available in the languages specified in Government Code § 7283.1.

414.7.4 TRANSFERS TO IMMIGRATION AUTHORITIES
Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

414.8 U VISA AND T VISA NONIMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Section supervisor assigned to oversee the handling of any related case. The Detective Section supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

(e) Inform the victim liaison of any requests and their status.
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414.8.1 TIME FRAMES FOR COMPLETION
Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 30 days of a request from the victim, victim's family, or authorized representative (as defined in Penal Code § 679.10 and Penal Code § 679.11) related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within seven days of the first business day following the day the request was received.

414.8.2 REPORTING TO LEGISLATURE
The Detective Section supervisor or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).

414.8.3 POLICE REPORTS
Upon request, an officer or supervisor should provide a victim or authorized representative with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

414.9 TRAINING
The Training Manager should ensure that all appropriate members receive training on immigration issues.

Training should include:

(a) Identifying civil versus criminal immigration violations.

(b) Factors that may be considered in determining whether a criminal immigration violation has been committed.

(c) Prohibitions contained in the California Values Act (Government Code § 7284 et seq.).
Emergency Utility Service

415.1 PURPOSE AND SCOPE
The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

415.1.1 BROKEN WATER LINES
The City's responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by Communications Section.

415.1.2 ELECTRICAL LINES
City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The Electric Company or Public Works should be promptly notified, as appropriate.

415.1.3 RESERVOIRS, PUMPS, WELLS, ETC.
Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

415.1.4 EMERGENCY NUMBERS
A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by Communications Section.

415.2 TRAFFIC SIGNAL MAINTENANCE
The City of Alhambra contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of California.

415.2.1 OFFICER'S RESPONSIBILITY
Upon observing a damaged or malfunctioning signal, the officer will advise the Communications Section of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.
Patrol Rifles

416.1 PURPOSE AND SCOPE
In order to more effectively and accurately address the increasing level of fire power and body armor utilized by criminal suspects, the Alhambra Police Department will make patrol rifles available to qualified patrol officers as an additional and more immediate tactical resource.

This policy only applies to those members who are authorized to carry patrol rifles. Also refer to Policy 312 - Firearms and Qualification.

416.2 PATROL RIFLE

416.2.1 DEFINITION
A patrol rifle is an authorized weapon which is owned by the Department and which is made available to properly trained and qualified officers as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried for patrol duty unless pre-approved in writing by the Chief of Police and the department Range Master.

416.3 SPECIFICATIONS
Only weapons and ammunition that meet agency authorized and specifications, approved by the Chief of Police, may be used by officers in their law enforcement responsibilities. The authorized patrol rifle issued by the Department is the Ameetec WM-15 carbine, hereby referred to as the M-4.

All personally owned patrol rifles shall be an AR-15 type rifle chambered in .223 caliber / 5.56mm ammunition. The rifle shall have a barrel length of at least 16 inches or 14.5 inches with a pinned and fixed flash suppressor or compensator, to make the overall barrel length 16 inches and not more and 20 inches, and a retractable stock so that it can be secured in the patrol unit gun rack. Rifles shall be from a reputable manufacturer and meet industry standards as designated by the Range Masters, with the final approval being made by the Chief of Police or his/her designee. Rifles shall have fixed sights and may be augmented with an optical sight or laser aiming device that has met the approval of a department Range Master. Magazines for the rifles shall be standard .223 box styles that have a capacity of 20 or 30 rounds only.

416.3.1 RIFLE AMMUNITION
The only ammunition authorized for a patrol rifle is that which has been issued by the Alhambra Police Department.

416.3.2 REQUIREMENTS FOR PERSONALLY OWNED PATROL RIFLES
Authorized members of this department may carry an approved AR-15 style rifle for the purpose of carrying that weapon for on-duty use, when they comply with the following requirements:

(a) Participating officers shall purchase and maintain the rifle at their own expense. These expenses shall include any repairs or modifications that are made to the rifle.
Patrol Rifles

(b) In addition to the rifle, magazines and any accessories shall be purchased at the officer's own expense and must meet the approval of the Chief of Police or his/her designee.

(c) Any modifications must meet the approval the Chief of Police and his/her designee, and a Range Master's inspection prior to the rifle being deployed in the field. All modifications will be documented by the approving Range Master and kept in a retainable file system. Department Range Masters are prohibited from performing repairs or modifications on weapons other than those that are departmentally owned.

(d) The rifle must be a registered assault weapon to the carrying member of this department through the Department of Justice. The Department will provide a letter to the Department of Justice verifying the officer's employment and authorization of the weapon. Verification of rifle ownership from the Department of Justice must be provided to the Department prior to the rifle being approved and deployed.

(e) Duty ammunition shall be provided by the Department. No other ammunition will be used without the approval of a department Range Master.

(f) Any officer who has been approved to carry a rifle under this policy expressly agrees to surrender the rifle to any supervisor upon demand, for the purpose of conducting an investigation or inspection.

(g) An officer may choose to carry their personal rifle in either the patrol unit gun rack or in the patrol unit trunk (inside a rifle case). No rifle or other firearm will be carried on-duty that has not been thoroughly inspected by a Department Range Master or Armorer. Only under exigent circumstances or at the direction of a supervisor will a firearm be carried by a member who has not qualified with that firearm.

(h) The approved rifle shall be stored inside a hard or soft case, unloaded in the officer's individual department locker when not in use. Officers may also store the rifle at their residence and may use the rifle for the purposes of training off-duty. The rifle shall be unloaded (detached magazine and clear chamber) and on 'Safe' when it is being transported in its case between the officer's locker and the patrol unit.

(i) Officers choosing to carry a personally owned rifle shall complete a department “Weapon Authorization” form requesting such usage via the following steps:

1. Purchase Request - Complete the Purchase Request portion of the authorization form and submit to a Range Master for review. Once the Range Master confirms that the rifle choice meets the department standard, a Range Master will then submit the authorization form to the Chief of Police for approval. Upon approval of the Chief of Police, the authorization form shall be routed back to a Range Master via the Professional Standards Section (PSS). A Range Master shall notify the officer of approval to purchase a rifle and the officer may then make the purchase.

2. Inspection and Qualification - Upon purchase and receipt of rifle, the officer shall contact a Range Master to schedule an inspection of the rifle, a demonstration of assembling and disassembling of the rifle, and a shooting qualification. Upon an approved inspection of the rifle and successful shooting qualification, the PSS Sergeant Personnel and Training Section supervisor will forward the
authorization form and ownership verification documentation to the Chief of Police for final approval

(j) Under the direction of a department Range Master, officers carrying personally owned rifles shall meet minimum qualification standards on the range prior to the rifle being deployed.

(k) Upon retirement or other separation from the Alhambra Police Department, personally owned rifles shall be:

1. Relinquished to the Department for destruction or safekeeping, or
2. Modified to conform to standing statutes at the time of separation regulating ownership of such a rifle, currently outlined by the California Attorney General’s Opinion No. 09-901, which states that "a peace officer who purchases and registers an assault weapon in order to use the weapon for law enforcement purposes is not permitted to continue to possess the assault weapon after retirement," unless it is altered so it no longer meets the assault weapon criteria. A department Range Master shall inspect the required alterations and certify that the rifle no longer meets the criteria of an assault weapon.

(l) Under no circumstances will an officer deploy a personally owned rifle prior to approval by the Chief of Police, Field Services Division Commander, inspection by the department Range Master and successful range qualification.

(m) Any officer who choose to purchase a patrol rifle, shall carry that weapon while on patrol or on-duty.

416.4 RIFLE MAINTENANCE

(a) Primary responsibility for maintenance of Department patrol rifles shall fall on the Rangemaster, who shall inspect and service each patrol rifle on a monthly basis.

(b) Each patrol officer carrying a patrol rifle may be required to field strip and clean an assigned patrol rifle as needed.

(c) Each patrol officer shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle.

(d) Any patrol rifle found to be unserviceable shall be removed from service. The rifle shall be clearly labeled as “out of service” and details regarding the weapon’s condition shall be included on the label.

(e) Each patrol rifle shall be subject to inspection by a supervisor or the Rangemaster at any time.

(f) No modification shall be made to any patrol rifle, whether it is issued by the Department or the personal property of the officer, without prior written authorization from the Rangemaster.
Patrol Rifles

416.5 TRAINING
Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial 24-hour patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete quarterly training and qualification conducted by a certified patrol rifle instructor.

Any officer who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol officers user's course and qualification.

The Personnel and Training Section will be responsible for the maintenance of all training records and qualification rosters associated with all patrol rifles.

416.6 DEPLOYMENT OF THE PATROL RIFLE
Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Discharge of rifles must be in strict conformance with the department's policy on the use of force and use of deadly force. Officers deploying their rifles should consider the totality of the situation before and during such deployment, continually balancing the threat presented by the suspect with the potential injury to innocent bystanders. At no time should an officer deploy a patrol rifle solely to gain a perceived psychological advantage. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

(a) Situations where the officer reasonably anticipates an armed encounter.

(b) Other firearms deployed at the scene.
1. Officers at the scene of an incident must remain cognizant of all available force options and consider the limitations inherent to shoulder fired weapons, particularly when they are in close proximity to a suspect and the potential for a hands-on confrontation exists.
2. Supervisors should provide direction, limiting when appropriate, the number of patrol rifles at a scene.

(c) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range.
1. Patrol rifles have a greater effective range than handguns or shotguns. The deployment of a patrol rifle may be considered when it appears that an armed confrontation may occur at extended ranges or when increasing the distance from a suspect, believed to be armed, will provide a tactical advantage to officers.

(d) Situations where an officer reasonably expects the need to meet or exceed a suspect's firepower.
Patrol Rifles

(e) When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage.

(f) When an officer reasonably believes that a suspect may be wearing body armor.

1. Suspects frequently make use of paramilitary tactics that include the use of body armor, cover, and/or concealment during armed confrontations with police. Handguns loaded with duty ammunition and shotguns loaded with 00 buckshot cannot reliably penetrate through body armor or cover. The deployment of a patrol rifle may be considered when suspect(s), reasonably believed to be armed and posing an immediate threat to citizens or police officers, are using body armor and/or cover that are likely to defeat handgun and/or shotgun ammunition.

(g) Geographic area.

1. The time of day, background of potential targets, proximity to schools, churches, homes, roadways and businesses are examples of the variables that may affect the appropriateness of deploying a patrol rifle. Densely populated areas such as multi-story apartment complexes present unique issues when deploying a patrol rifle. These issues include, but are not limited to, the target background, penetration, trajectory and the potential for ricocheting bullets. Officers must take into consideration the geographic area of an incident before and during the deployment of a patrol rifle.

(h) When authorized or requested by a supervisor.

416.6.1 DETECTIVES
Personnel assigned to detectives routinely serve high-risk search warrants and deal with felony and/or violent offenders, who are often heavily armed, utilize military style tactics and wear body armor. The inherently dangerous nature of undercover or plain-clothes enforcement necessitates that personnel assigned to investigations have the ability, when necessary, to deploy an AR 15-type rifle. The Support Services Division Commander may authorize the deployment of a rifle to a detective, who has successfully completed the patrol rifle training and qualification.

416.7 DISCHARGE OF THE PATROL RIFLE
The discharge of the patrol rifle shall be governed by Policy 300 - Use of Force.

416.8 PATROL READY
Any qualified officer carrying a patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned officer, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well.

416.9 RIFLE STORAGE

(a) When not in use, department owned patrol rifles will only be stored in the main floor department armory, or in locked patrol vehicle rifle racks. Department patrol rifles
**Patrol Rifles**

will not be stored or transported in any non-department vehicle unless the officer is enroute to the range or other department approved course of instruction.

(b) At the start of each assigned shift, any qualified, on-duty officer may contact the Watch Commander or a patrol supervisor for access to the main floor department armory if necessary.

(c) The assigned patrol rifle number will be recorded on the Daily Activity Log.

(d) When not deployed, in-service patrol rifles should be secured in the vehicle in a locked gun rack or locked in the trunk.

(e) At the end of the assigned officer's shift, the patrol rifle will be secured in the locked rifle rack of the patrol vehicle or the main floor department armory.

(f) Officers that are off-duty and carrying personally owned rifles are encouraged to secure their weapons in the locked storage areas provided at the Police Department.

(g) Off-duty officers will not store patrol rifles in any unattended vehicle, at any time.

(h) Each patrol rifle officer is required to maintain a clean weapon.
Aircraft Accidents

417.1 PURPOSE AND SCOPE
The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

417.1.1 DEFINITIONS
Definitions related to this policy include:

**Aircraft** - Any fixed wing aircraft, rotorcraft, balloon, blimp/ dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

417.2 POLICY
It is the policy of the Alhambra Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

417.2.1 WATCH COMMANDER’S RESPONSIBILITIES
(a) Notify the Division Commanders, Chief of Police and PIO in a timely manner.
(b) Facilitate the use of the mobile command vehicle.
(c) If appropriate, consult with the Field Services Division Commander and Chief of Police about activation of the EOC.
(d) If appropriate, divert personnel to the scene of the accident and liaison with neighboring agencies to field calls for service.

417.3 ARRIVAL AT SCENE
Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
(e) Maintain a record of persons who enter the accident site.
(f) Consider implementation of an Incident Command System (ICS).
417.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

417.5 NOTIFICATIONS
When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

417.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Coroner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.
**Aircraft Accidents**

417.7 **DANGEROUS MATERIALS**
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

417.8 **DOCUMENTATION**
All aircraft accidents occurring within the City of Alhambra shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of APD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

417.8.1 **WRECKAGE**
When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
   1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

417.8.2 **WITNESSES**
Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.
(b) A detailed description of what was observed or heard.
(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
Aircraft Accidents

(d) The names of all persons reporting the accident, even if not yet interviewed.
(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

417.9 MEDIA RELATIONS
The Media Relations Officer (Media Relations Officer) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The Media Relations Officer should coordinate with other involved entities before the release of information.
Field Training Officer Program

418.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer’s transition from the academic setting to the actual performance of general law enforcement duties of the Alhambra Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive, and professional manner.

418.2 FIELD TRAINING OFFICER - SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training, and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

418.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

(a) Desire to be an FTO
(b) Minimum of four years of patrol experience, two of which shall be with this department
(c) Demonstrated ability as a positive role model
(d) Participate and pass an internal oral interview selection process
(e) Evaluation by supervisors and current FTOs
(f) Possess a POST Basic certificate

418.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer’s Course prior to being assigned as an FTO.

All FTOs must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO (11 CCR 1004).

All FTOs must meet any training mandate regarding crisis intervention behavioral health training pursuant to Penal Code § 13515.28.

418.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor should be selected from the rank of sergeant or above by the Field Services Assistant Chief or a designee and should possess, or be eligible to receive, a POST Supervisory Certificate.

The responsibilities of the FTO Program supervisor include the following:
Field Training Officer Program

(a) Assignment of trainees to FTOs
(b) Conduct FTO meetings
(c) Maintain and ensure FTO/trainee performance evaluations are completed
(d) Maintain, update, and issue the Field Training Manual to each trainee
(e) Monitor individual FTO performance
(f) Monitor overall FTO Program
(g) Maintain liaison with FTO coordinators of other agencies
(h) Maintain liaison with academy staff on recruit performance during the academy
(i) Develop ongoing training for FTOs

The FTO Program supervisor will be required to successfully complete a POST-approved Field Training Administrator’s Course within one year of appointment to this position (11 CCR 1004(c)).

418.4 TRAINEE DEFINED
Any entry level or lateral police officer newly appointed to the Alhambra Police Department who has successfully completed a POST approved Basic Academy.

418.5 REQUIRED TRAINING
Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 16 weeks. Entry level officers may not be released early from the FTO program without prior approval from the Field Services Assistant Chief and the Chief of Police. (11 CCR 1004; 11 CCR 1005).

The training period for a lateral officer may be modified depending on the trainee’s demonstrated performance and level of experience, but shall consist of a minimum of eight weeks. Lateral police officers shall complete the Field Training Manual and receive the approval of the Field Services Assistant Chief before being released from the FTO program. A lateral officer may be exempt from the Field Training Program requirement if the officer qualifies for an exemption as provided in 11 CCR 1005(a)(B).

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

418.5.1 FIELD TRAINING MANUAL
Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Alhambra Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules, and regulations adopted by the Alhambra Police Department.
418.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.

418.6.1 FIELD TRAINING OFFICER
The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO Coordinator on a daily basis.
(b) Review the Daily Trainee Performance Evaluations with the trainee each day.
(c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.
(d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

418.6.2 FIELD TRAINING ADMINISTRATOR
The Field Training Supervisor will review and approve the Daily Trainee Performance Evaluations submitted by the FTO and submit them to the Field Training Officer Manager for his/her review.

418.6.3 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program.

418.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer’s training files and will consist of the following:

(a) Daily Trainee Performance Evaluations
(b) End-of-phase evaluations
(c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training

418.8 EXTENDING OR TERMINATING TRAINEES IN THE FTO PROGRAM
Based on the recommendation of the FTO Sergeant, and a review of the trainee’s performance and evaluation reports, a trainee who is responding to remedial efforts may have their field training extended. The FTO manager shall not extend a trainee’s field training without the prior approval of the Field Services Assistant Chief.

When the recommendation of the FTO Sergeant, and a review of the trainee’s performance and evaluation reports, is that the trainee be released from the FTO Program the FTO manager shall be notified as soon as is practicable. The FTO manager shall advise the Field Services Assistant Chief of the recommendation. If the Field Services Assistant Chief agrees with the recommendation, the Chief of Police shall be immediately notified. Only the Chief of Police has the authority to remove a trainee from the FTO Program.
Corporals

419.1 PURPOSE AND SCOPE
Corporals shall have multiple roles and responsibilities. They shall include, but not be limited to officer-in-charge roles, Field Training Officers (FTOs) when they meet necessary requirements, and the assigning and inspection of marked units before being placed into service at the start of each shift. Corporals, when not otherwise assigned, will be responsible for handling the normal duties and functions of uniformed officers assigned to the Patrol Division. All corporals shall attend the POST Supervisory School within the first year of appointment to this position.

419.2 CORPORALS AS THE OFFICER IN CHARGE
a) During absences of regular supervisors (sergeants), handles field supervision responsibilities as required. During these periods, they will have the same responsibility and authority of the regular supervisor. These responsibilities include, but are not limited to roll call training, shift briefings, equipment inspections, answer job-related questions, disseminate information, directs and controls major incident scenes and visit scenes of police activity to assist and review police operations.

(b) Confers with supervisors to assure proper conduct of police operations. Upon direction from higher authority, counsels officers and investigates citizen complaints. Reviews reports prepared by field officers, prepares reports pertaining to supervisory actions or involvement, and handles all responsibilities normally assigned to police officers.

(c) Corporals may be assigned to investigate incidents involving a potential claim against the city, investigate accidents involving city employees and complete all necessary reports.

419.2.1 CORPORALS AS FIELD TRAINING OFFICERS
    (a) All corporals should strive to complete the POST requirements of becoming a Field Training Officer (FTO). As such, corporals may be called upon to be FTOs. At the very least, corporals should make the training and development of all officers one of their primary missions.

    (b) Corporals should develop their training skills through conducting and/or assisting in presentations during patrol briefings, providing in-service training whenever applicable, and the continuous assessment and training of line level officers.

419.2.2 FIELD ASSIGNMENTS FOR CORPORALS
    (a) A corporal is expected to perform all functions normally associated with that of a patrol officer when not otherwise assigned.

    (b) A corporal is expected to set positive examples by promoting department standards, policies, and procedures and, wherever possible, advance morale and voluntary compliance while maintaining a high degree of proficiency and professionalism.

    (c) If, at the time of promotion to the position of corporal, an officer is working in a special assignment, the newly appointed corporal will be considered for rotation back to Patrol.
Corporals

This decision shall be at the discretion of the Chief of Police, based upon the current needs of the Department.

419.2.3 OTHER ASSIGNMENTS FOR CORPORALS
Corporals may be assigned to other duties as directed by supervision with a rank of sergeant or above.

419.3 SUMMARY OF THE EXPECTATIONS FOR ALL CORPORALS

(a) Corporals will be viewed as the officer-in-charge in the absence of a sergeant or during periods of special assignments. Corporals are subordinate to all sergeants regardless of the sergeant’s assignment.

(b) Persons assigned to the position of corporal have been selected because of their demonstrated ability and potential to become good supervisors. They should be afforded training opportunities and mentoring to enhance their supervisory skills.

(c) Corporals shall be held accountable for their responsibilities as required by this Policy. Upon appointment to the position of corporal, they shall read and sign a copy of this Policy and it shall be placed in their Division File.
Obtaining Air Support

420.1 PURPOSE AND SCOPE
The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request. While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

420.2 REQUEST FOR HELICOPTER ASSISTANCE
If a supervisor, dispatcher or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

420.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY
After determining that a helicopter is needed, a dispatcher will contact the Foothill Air Support Team (FAST) via telephone or radio to request assistance.

420.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED
Police helicopters may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements.
(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.
(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.
(e) Vehicle pursuits.

420.2.3 PREPLANNED HELICOPTER ASSISTANCE
There are times when the use of a helicopter is planned in advance of an operation, such as a long surveillance, or service of a high-risk search warrant. In these instances, the respective Division Commander, or his/her designee, shall be apprised and give approval prior to the request being made for helicopter assistance.
Contacts and Temporary Detentions

421.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

421.1.1 DEFINITIONS
Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person’s freedom of movement.

421.2 POLICY
The Alhambra Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete a field interview (FI), pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.
Contacts and Temporary Detentions

421.3 FIELD INTERVIEWS
Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer’s suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Alhambra Police Department to strengthen community involvement, community awareness, and problem identification.

421.3.1 INITIATING A FIELD INTERVIEW
When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual’s:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act
(b) Actions suggesting that he/she is engaged in a criminal activity
(c) Presence in an area at an inappropriate hour of the day or night
(d) Presence in a particular area is suspicious
(e) Carrying of suspicious objects or items
(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon
(g) Location in proximate time and place to an alleged crime
(h) Physical description or clothing worn that matches a suspect in a recent crime
(i) Prior criminal record or involvement in criminal activity as known by the officer

421.3.2 FIELD INTERVIEW CARDS
Field Interview (FI) Cards are a valuable investigative tool for documenting and disseminating information obtained from both field detentions and consensual contacts. FI Cards are a critical resource, which can assist in identifying potential suspects, witnesses and/or victims of crimes.

When an officer takes a photograph in conjunction with an FI Card, the officer shall check the Photo Box on the FI Card. All FI Card photographs shall comply with § 440.5 - Field Photographs, et sec. and Policy 814 - Computers and Digital Evidence. Digital photographs taken in relation to an FI Card shall be downloaded into DIMS per § 470.7 - Disposition of Field Photographs.

Due to a variety of situations confronting an officer, the decision to FI or photograph a field contact shall be left to the discretion of the involved officer based on the totality of the circumstances available to them at the time of the contact.

FI Cards will be processed as follows:

(a) FI Cards shall be completed and turned in to a supervisor or the Watch Commander by the end of the officer’s shift.
Contacts and Temporary Detentions

1. If the officer believes that the FI Card would be of particular assistance to another supervisor or investigator, the officer should make a photo copy of the FI Card and provide it to them.

   (b) After reviewing the FI Card, the supervisor or Watch Commander shall forward it to the Crime Analysis Unit as soon as is practicable.

1. If a supervisor or Watch Commander believes an FI Card would be of particular assistance to another supervisor or investigator, they should make a photo copy of the FI Card and provide it to them.

   (c) The Crime Analysis Unit will be responsible for inputting the information contained on the FI Card into the RMS, and ensuring a FI Card number has been assigned.

   **NOTE:** An original FI Card should not be retained by anyone until it has been approved by a supervisor and submitted to the Crime Analysis Unit for input into RMS.

### 421.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer’s training and experience, an officer may pat a suspect’s outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

   (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.

   (b) Where more than one suspect must be handled by a single officer.

   (c) The hour of the day and the location or neighborhood where the stop takes place.

   (d) Prior knowledge of the suspect’s use of force and/or propensity to carry weapons.

   (e) The actions and demeanor of the suspect.

   (f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officershould be positioned to ensure safety and should not be involved in the search.

### 421.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

421.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.
CONTACTS AND TEMPORARY DETENTIONS

421.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

421.5.3 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to the Watch Commander with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Watch Commander should review and forward the photograph to one of the following locations:

(a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Watch Commander will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

(b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Section.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

421.5.4 SUPERVISOR RESPONSIBILITIES
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

421.6 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the
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In determining the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

(a) Identifying all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.

2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Alhambra Police Department members.

1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.
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422.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that the Alhambra Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

422.1.1 DEFINITIONS
Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

422.2 POLICY
The Alhambra Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It also is the policy of this department to establish a procedure for identifying criminal street gangs, participants of criminal street gangs, and patterns of criminal activity as outlined in Penal Code § 186.20 through Penal Code § 186.33 of the “Street Terrorism Enforcement and Prevention Act.”

The intent of this policy is to provide for the collection and management of criminal street gang information so as to enhance officer safety and the criminal prosecution of criminal street gang participants. This policy is not intended or designed to establish a formal gang intelligence database.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

422.3 CRIMINAL INTELLIGENCE SYSTEMS
No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

(a) Members using any such system are appropriately selected and trained.

(b) Use of every criminal intelligence system is appropriately reviewed and audited.
422.3.1 SYSTEM ENTRIES

It is the designated supervisor’s responsibility to approve the entry of any information from a report, field interview (FI), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.

422.3.2 GANG DATABASES

The Chief of Police may approve participation by the gang unit in a shared criminal gang intelligence database, such as CALGANG®. Members must obtain the requisite training before accessing any such database.

It is the gang unit supervisor’s responsibility to determine whether any report or FI contains information that would qualify for entry into the database. Prior to designating any person as a suspected gang member, associate or affiliate in a shared gang database; or submitting a document to the Attorney General’s office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the gang unit supervisor shall provide written notice to the person and, if the person is under the age of 18, to his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor. Notice shall also describe the process to contest the designation (Penal Code § 186.34).

The person, an attorney working on his/her behalf or his/her parent or guardian (if the person is under 18 years of age) may request, in writing, information as to whether the person is designated as a suspected gang member, associate or affiliate in a shared gang database accessible by the department, the basis for that designation and the name of the agency that made the designation. The department shall respond to a valid request in writing within 30 days, and shall provide the information requested unless doing so would compromise an active investigation or compromise the health and safety of the person if he/she is under 18 years of age (Penal Code § 186.34).

The person, or his/her parent or guardian if the person is under 18 years of age, may contest the designation by submitting written documentation which shall be reviewed by the gang unit supervisor. If it is determined that the person is not a suspected gang member, associate or affiliate, the person shall be removed from the database. The person and the parent or guardian shall be provided written verification of the department’s decision within 30 days of receipt of the
written documentation contesting the designation and shall include the reason for a denial when applicable (Penal Code § 186.34).

The gang unit supervisor should forward reports or FIs to the Records Section after appropriate database entries are made. The supervisor should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Records Section supervisor to retain reports and FIs in compliance with the database rules and any applicable end user agreement.

Records contained in a shared gang database shall not be disclosed for employment or military screening purposes, and shall not be disclosed for the purpose of enforcing federal immigration law unless required by state or federal statute or regulation (Penal Code § 186.36).

422.4 TEMPORARY INFORMATION FILE
No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

422.4.1 FILE CONTENTS
A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

(a) Must only be included upon documented authorization of the responsible department supervisor.

(b) Should not be originals that would ordinarily be retained by the Records Section or Property and Evidence Section, but should be copies of, or references to, retained documents such as copies of reports, field interview (FI) forms, Communications Section records or booking forms.

(c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

(d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

422.4.2 FILE REVIEW AND PURGING
The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.
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The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

**422.5 INFORMATION RECOGNITION**
Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Manager to train members to identify information that may be particularly relevant for inclusion.

**422.5.1 FIELD CONTACTS**
Officers who contact individuals who are, or may be participants in criminal street gang activity should complete a FI Card and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he or she is a member of XYZ gang; XYZ tattoo on right hand near thumb; wearing ball cap with gang name printed in blue or red ink, etc.). Also refer to Policy Manual § 442.3 - Identification of Criminal Street Gangs / Participants.

Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of Policy 440 - Detentions and Photographing Field Detainees.

**422.6 RELEASE OF INFORMATION**
Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy. This means information that may be of use in the prevention of gang-related criminal activity or information concerning the investigation of gang-related crimes shall only be released to members of this department and other law enforcement agencies.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary criminal street gang participant's file, such information should be provided by the Special Enforcement Unit supervisor, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.
NOTE: Employees must observe strict compliance with the rules of a department approved gang intelligence database or any other criminal intelligence database regarding release of information from that database.

422.7 CRIMINAL STREET GANGS
The Detective Section supervisor should ensure that there are an appropriate number of department members who can:

(a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with:
   1. Any organization, associate or group of three or more persons that meets the definition of a criminal street gang under Penal Code § 186.22(f).
   2. Identification of a person as a criminal street gang member and criminal street gang-related crimes.
   3. The California Street Terrorism Enforcement and Prevention Act (Penal Code § 186.21 et seq.), associated crimes and what defines a criminal street gang (Penal Code § 186.22).

(b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

422.7.1 IDENTIFICATION OF CRIMINAL STREET GANGS / PARTICIPANTS
The Special Enforcement Unit shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

(a) A group of three or more individuals shall be designated a criminal street gang when:
   1. They have a common name or common identifying sign or symbol.
   2. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal acts enumerated in Policy Manual § 442.2.
   3. One or more members individually or collectively have engaged in a pattern of criminal gang activity as defined in Policy Manual § 442.2 of this policy.
   4. A designated representative of the District Attorney's Office reviews the available evidence and concurs with a Department finding that the group meets the criteria for being a criminal street gang.

(b) An individual shall be designated as a participant in a criminal street gang and included in a gang file, when one or more of the following elements have been verified by a
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Special Enforcement Unit member and a reasonable basis for believing such affiliation has been established and approved by a supervisor:

1. An individual admits membership in a criminal street gang.
2. A reliable informant or known gang member identifies an individual as a participant in a criminal street gang.
3. An informant of previously untested reliability identifies an individual as a participant in a criminal street gang when that identification is corroborated by independent information.
4. An individual resides in or frequents a particular criminal street gang's area, and affects their style of dress, color of dress, use of jewelry, tattoos, monikers, or any other identifiable mannerism associated to that particular criminal street gang, and where the officer documents reasonable suspicion that the individual is involved in criminal gang activity or enterprise.
5. A person has been arrested in the company of identified criminal street gang members for offenses that are consistent with criminal street gang activity or criminal street gang related crimes.
6. An individual is identified as a gang member in a criminal street gang document or the individual is depicted in a criminal street gang member’s photograph(s) in such a manner as to clearly indicate membership in a criminal street gang.
7. An individual otherwise meets the criteria of a criminal street gang participant under the guidelines of a department approved gang intelligence database and/or 28 Code of Federal Regulations (CFR) § 23.20.

(c) An individual may be designated as a gang affiliate only when the individual is known to affiliate with active criminal gang members and an officer has established that there is reasonable suspicion that the individual is involved in criminal activity. An officer’s belief must be premised upon reasoning and logic coupled with sound judgment based upon law enforcement experience, rather than a mere hunch or whim.

422.7.2 REPORTING CRITERIA AND ROUTING
Incidents that appear to be criminal street gang related shall be documented on a report form and shall at minimum include the following:

(a) A description of any document, statements, actions, dress or other information that would tend to support the officer’s belief that the incident may be related to the activities of a criminal street gang.
(b) Whether any photographs were taken and a brief description of what they depict.
(c) What physical evidence, if any, was observed, collected or booked.
(d) A specific request that a copy of the report be routed to the Special Enforcement Unit.

Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.
422.7.3 CRIMINAL STREET GANG TEMPORARY FILE CONTENTS
The Special Enforcement Unit Supervisor may maintain a temporary file of reports and FIs that is separate from any criminal gang intelligence database when an individual or group has been identified as a suspected criminal street gang participant or a suspected criminal street gang but does not meet the criteria necessary for entry into a criminal gang intelligence database.

Inclusion in a temporary file may be done only if there is a reasonable likelihood that, within one year of the contact, the individual or group will meet the criteria for entry into a department approved criminal gang intelligence database. Reports and FIs will only be included in a temporary gang file with the written authorization of the Special Enforcement Unit Supervisor. A temporary file of criminal street gang participants or criminal street gangs shall include:

(a) Must only be included upon documented authorization of the responsible department supervisor.

(b) Should not be originals that would ordinarily be retained by the Records Section or Property and Evidence Office, but should be copies of, or references to, retained documents such as copies of reports, field interview (FI) forms, the Communications Center records or booking forms.

(c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

(d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

(e) Names, aliases, monikers, addresses, and other relevant identifying information.

(f) Gang or other criminal organization name.

(g) Justification used to identify an individual as a criminal street gang or other criminal organization participant.

(h) Vehicle(s) known to be used.

(i) Cross references to other identified gangs, or gang members or other criminal organizations.

422.7.4 CRIMINAL GANG INTELLIGENCE DATABASES
While this policy does not establish a criminal gang intelligence database, the Chief of Police may approve one or more criminal gang intelligence databases, such as CALGANG, Los Angeles Regional Gang Information Network (LARGIN), LA CLEAR, and/or Inland Empire Gang Information Network (IEGIN), for use by members of the Special Enforcement Unit. Any such database should be compliant with 28 CFR § 23.20 regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the Special Enforcement Unit Supervisor’s or his/her designee’s responsibility to determine whether any report, STEP or FI Card contains information that would qualify for entry into a department approved criminal gang intelligence database. Prior to designating any person under the age of 18 as a suspected gang member, associate or affiliate in a shared gang database; to
submitting a document to the Attorney General's office for the purpose of designating a person in a shared gang database; or otherwise identifying the person in a shared gang database, the gang unit supervisor shall provide written notice to the person and his/her parent or guardian of the designation and the basis for the designation, unless providing that notification would compromise an active criminal investigation or compromise the health or safety of a minor (Penal Code § 186.34).

The Special Enforcement Unit Supervisor should forward any such reports, STEP or FIs to the Records Section after appropriate database entries are made. The submitting Special Enforcement Unit Supervisor should clearly mark the report, STEP or FI Card as Gang Intelligence Information.

It is the responsibility of the Records Section Supervisor to retain reports and FIs in compliance with the procedures of the department approved criminal gang intelligence database and 28 CFR § 23.20. The Records Section Supervisor may not purge these reports or FIs without the approval of the Special Enforcement Unit Supervisor.

422.8 TRAINING
The Training Manager or his/her designee will annually review organizational criminal intelligence procedures and processes. The Training Manager or his/her designee should also provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

(a) The protection of civil liberties.
(b) Participation in a multiagency criminal intelligence system.
(c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
(d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
(e) The review and purging of temporary information files.
Watch Commanders

423.1 PURPOSE AND SCOPE
Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Lieutenant/Commander heads each watch.

423.2 DESIGNATION AS ACTING WATCH COMMANDER
When a Lieutenant/Commander is unavailable for duty as Watch Commander, a sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits.

423.3 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander and supervisory personnel of a watch shall assemble in sufficient time prior to roll call to gather material and information to be presented to the on-duty personnel and are responsible for conducting the briefing session. As a general rule, the Watch Commander will secure regular scheduled sworn patrol shift personnel fifteen minutes prior to the end of watch (1815 or 0615 hours).

423.3.1 WATCH COMMANDER’S LOG
The Watch Commander’s Log is designed to detail all events of interest that occur during each tour of duty. The Watch Commander will be responsible for the maintenance of a comprehensive log. The Records Section will maintain the original sheets of the Watch Commanders log.
Mobile Audio/Video

424.1 PURPOSE AND SCOPE
The Alhambra Police Department has equipped marked patrol cars with Mobile Audio/Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

424.1.1 DEFINITIONS
Definitions related to this policy include:

Activate - Any process that causes the MAV system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Audio/Video (MAV) system - Synonymous terms which refer to any system that captures audio and video signals, that is capable of installation in a vehicle, and that includes at minimum, a camera, microphone, recorder and monitor.

MAV technician - Personnel certified or trained in the operational use and repair of MAVs, duplicating methods, storage and retrieval methods and procedures, and who have a working knowledge of video forensics and evidentiary procedures.

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

424.2 POLICY
It is the policy of the Alhambra Police Department to use mobile audio and video technology to more effectively fulfill the department’s mission and to ensure these systems are used securely and efficiently.

424.3 OFFICER RESPONSIBILITIES
At the start of each shift, officers should test the MAV system’s operation in accordance with manufacturer specifications and department operating procedures and training. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media.

System documentation is accomplished by the officer logging-in his/her PSN and password. The officer will then confirm or correct the current date and time at the start of each shift. When the officer has returned to the rear lot of the station at the end of shift he/she will select the wireless download media function on the touchscreen and properly log-off the system. If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

424.4 ACTIVATION OF THE MAV
The MAV system is designed to turn on whenever the unit’s emergency lights are activated. The system remains on until it is turned off manually. The in-car audio portion is independently
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controlled and should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

424.4.1 REQUIRED ACTIVATION OF MAV
This policy is not intended to describe every possible situation in which the MAV system may be used; however, the MAV system shall be activated during all operations of the vehicle involving the use of the unit’s emergency lighting system. An officer may also activate the system any time he/she believes it would be appropriate or valuable to document an incident.

424.4.2 CESSATION OF RECORDING
Once activated, the MAV system should remain on continuously until the officer’s direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may cease during significant periods of inactivity such as breaks from direct participation in the incident, an officer is waiting for a tow truck or a family member to arrive, or in other similar situations.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person’s attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

424.4.3 WHEN ACTIVATION IS NOT REQUIRED
Activation of the MAV system is not required when exchanging information with law enforcement members or during breaks, lunch periods, when not in service or actively on patrol.

NOTE: No member of this department may surreptitiously record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or his/her authorized designee for the purpose of conducting a criminal or administrative investigation.

424.4.4 SUPERVISOR RESPONSIBILITIES
Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made, including notification of Communications Section.

At reasonable intervals, supervisors should validate that:

(a) Beginning and end-of-shift recording procedures are followed.

(b) Logs reflect the proper chain of custody, including:

1. The tracking number of the MAV system media.
2. The date it was issued.
3. The law enforcement operator or the vehicle to which it was issued.
4. The date it was submitted.
5. Law enforcement operators submitting the media.
6. Holds for evidence indication and tagging as required.

   (c) The operation of MAV systems by new employees is assessed periodically.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MAV technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

424.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law. Members shall not retain personal copies of recordings.

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members should not use the fact that a recording was made as a reason to write a less detailed report. Members should ensure that their report takes into account consideration of the recording. Obvious discrepancies between what is shown in the video and the member's recollection should be documented in the report. Importantly, the member should document the incident from their initial and personal perspective. The member's knowledge of what they knew and when they knew it is paramount. In addition, the member's state of mind and reactions may or may not be evident in a video recording.

Recordings may be reviewed in any of the following situations:

(a) For use when preparing reports or statements
(b) By a supervisor investigating a specific act of officer conduct
(c) By a supervisor to assess officer performance
(d) To assess proper functioning of MAV systems
(e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
(f) By department personnel who request to review recordings
(g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment
(h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
(i) By the media through proper process or with permission of the Chief of Police or the authorized designee
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(j) To assess possible training value

(k) Recordings may be shown for training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection.

In no event shall any recording be used or shown by any member for the purpose of ridicule, harassment, intimidation or embarrassment.

424.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If a citation is issued, the officer shall make a notation on the back of the records copy of the citation, indicating that the incident was recorded.

424.7 RECORDING MEDIA STORAGE AND INTEGRITY

All recording media is stored as evidence and will be retained for a minimum of 730 days after which time it will be eligible to be erased, destroyed or recycled in accordance with the established records retention schedule.

424.7.1 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Alhambra Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved. Recorded media placed into evidence shall be retained through the final disposition of the criminal case and/or any related civil matter.

424.8 SYSTEM OPERATIONAL STANDARDS

(a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.

(b) The MAV system should be configured to minimally record for 30 seconds prior to and after an event.

(c) The MAV system may not be configured to record audio data occurring prior to activation.

(d) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.

(e) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings. Only a supervisor, MAV technician or other authorized designee may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
(f) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

424.9 MAV TECHNICIAN RESPONSIBILITIES

The MAV technician is responsible for:

(a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
(b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:
   1. Ensures it is stored in a secure location with authorized controlled access.
   2. Makes the appropriate entries in the chain of custody log.
(c) Erasing of media:
   1. Pursuant to a court order.
   2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
(d) Assigning all media an identification number prior to issuance to the field:
   1. Maintaining a record of issued media.
(e) Ensuring that an adequate supply of recording media is available.
(f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

424.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.
Mobil Data Computer Use

425.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobil Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Communications Section.

425.2 USE AND CARE OF THE MDC
(a) Members of this department, who are conducting field operations from a vehicle equipped with a MDC, shall log onto the mobile dispatch system during their shift.
(b) Employees shall not use or install personal computer hardware or software on the MDC, unless receiving prior approval from a supervisor.
(c) No member of this department shall use, nor knowingly permit the use of a computer account or computer password of another member of the Department except as necessary in the performance of his/her official duties with the employee's permission or as directed by a supervisor. Compromised passwords shall be changed immediately.
(d) No member of this department will attempt to decode system or user passwords; manipulate or alter hardware or software; read, delete, copy or modify data without appropriate authorization; attempt to gain unauthorized access to any City equipment, personal computers or technology system; or load game software.
(e) Employees shall not move, alter, connect, disconnect, install, uninstall, or otherwise tamper with the MDC hardware, software, or cabling, unless receiving prior approval from a supervisor.
(f) No member of this department will use any computer hardware or software, whether on or off-duty, for the pursuit of any outside employment, personal business, or profit making venture of any type.
(g) All computer equipment owned by the City and the Department may be subject to seizure or subpoena in criminal and civil cases. In addition, all department-owned mobile computers, laptops, peripherals and communications devices of any type are subject to internal audit and inspection at any time.
(h) Employees shall share in the responsibility to protect the MDCs from physical and environmental damage.
(i) Officers have the ability to unlock and remove the MDCs from the vehicle mounts to allow for remote report writing and other functions in the field. When undocked, the MDC computer shall remain in the custody of the officer and the officer shall ensure the security of both the MDC and the information contained/accessible on the screen.
Mobil Data Computer Use

425.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

425.4 POLICY
Alhambra Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

425.5 RESTRICTED ACCESS AND USE
MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Watch Commanders.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

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

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

425.5.1 USE WHILE DRIVING
Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

425.6 DOCUMENTATION OF ACTIVITY
Except as otherwise directed by the Watch Commander or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.
Mobil Data Computer Use

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.
(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

425.6.1 STATUS CHANGES
All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

425.6.2 EMERGENCY ACTIVATION
If the emergency button is depressed on the MDC, the dispatcher will call the unit and ask if Code-4. If there is no emergency, then he/she should answer "Code-4" and all units will resume their normal activity. If there is no response or the officer answers in some other way, the dispatcher shall proceed as follows:

(a) If the unit is not on a call, send available units to assist in locating the unit transmitting the emergency. Whenever a location is known, immediately dispatch the nearest available unit Code-3.
(b) Members should ensure a field supervisor and the Watch Commander is notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

425.7 EQUIPMENT CONSIDERATIONS

425.7.1 MALFUNCTIONING MDC
Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify Communications Section. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

425.7.2 BOMB CALLS
When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.
Portable Audio/Video Recorders

426.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Alhambra Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

426.2 POLICY
The Alhambra Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

426.3 MEMBER PRIVACY EXPECTATION
All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity for this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

426.4 COORDINATOR
The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18):

(a) Establishing a system for downloading, storing and security of recordings.
(b) Designating persons responsible for downloading recorded data.
(c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
(d) Establishing a system for tagging and categorizing data according to the type of incident captured.
(e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
(f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
(g) Maintaining logs of access and deletions of recordings.
426.5 MEMBER RESPONSIBILITIES
Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, APD identification number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user’s unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

426.5.1 REPORT WRITING RESPONSIBILITIES
Members shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members shall include the reason for deactivation.

426.5.2 SUPERVISOR RESPONSIBILITIES
Supervisors shall take custody of a portable audio/video recording device as soon as practicable when the device may have captured an incident involving the use of force, an officer-involved shooting or death or other serious incident, and ensure the data is downloaded (Penal Code § 832.18).

426.6 ACTIVATION OF THE PORTABLE RECORDER

426.6.1 NOTIFICATIONS REGARDING PORTABLE RECORDER
For the purpose of this policy, it shall further be presumed that any individual contacted by a uniformed officer wearing a conspicuously mounted portable recorder will have knowledge that such a contact is being recorded.

If the officer does not have the portable recorder conspicuously displayed and is not engaged in a criminal investigation, the officer shall notify all involved individuals that they are being recorded.
426.6.2 TIMING OF ACTIVATION OF PORTABLE RECORDER
At no time is a member expected to jeopardize his/her safety in order to activate a recorder or change the recording media. However, the recorder should be activated in required situations as soon as practicable.

426.6.3 MANDATORY ACTIVATION OF PORTABLE RECORDER
In certain situations, the use of the portable recorder is mandatory. Unless use of the recording device is excused by Section 450.6.5 of this policy, the portable recorder shall be activated in any of the following situations:

(a) All enforcement and investigative contacts including stops and field interview (FI) situations.
(b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops.
(c) Self-initiated activity in which a member would normally notify the Communications Center.
(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

426.6.4 DISCRETIONARY ACTIVATION OF PORTABLE RECORDER
The policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Unless otherwise prohibited by the policy, members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

426.6.5 WHEN ACTIVATION OF PORTABLE RECORDER IS EXCUSED
Members are excused from the mandatory recording requirements of Section 450.6.3 of this policy and are not required to activate their portable recorders when:

(a) A witness or victim refuses to provide a statement if recorded and the encounter is non-confrontational.
(b) In the member's judgment, a recording would interfere with his/her ability to conduct an investigation, or may be inappropriate because of the victim or witness's physical condition, emotional state, age, or other sensitive circumstance (e.g. a victim of rape, incest, or other form of sexual assault).
(c) In situations where the recording would risk the safety of a confidential information, citizen informant, or undercover officer.
(d) In patient-care areas of a hospital, rape treatment center or other healthcare facility, unless an enforcement action is taken in these areas.

426.6.6 PROHIBITED ACTIVATION OF PORTABLE RECORDER
Members shall not activate their recording devices in the following circumstances:

(a) When working as a school resource officer or while on the grounds of a school unless activation of the recording device is required by Section 450.6.3 of the policy.
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(b) When discussing administrative, tactical, or law enforcement sensitive information away from the public.

c) Because many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device, these devices shall not be used where an explosive device may be present.

426.6.7 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person’s attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636). Members shall cease recording if any of the criteria set forth in Section 450.6.6 that prohibit the use of the recording device arise.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

426.6.8 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

426.6.9 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

426.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned
recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

426.7.1 PROHIBITED USE OF BIOMETRIC SURVEILLANCE SYSTEM
The installation, activation, or use of biometric surveillance systems, including facial recognition, in connection with portable recorders is prohibited (Penal Code § 832.19).

426.8 IDENTIFICATION AND RETENTION OF RECORDINGS

426.8.1 MEMBER RESPONSIBILITIES
Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and download the file in accordance with Policy 814- Computers and Digital Evidence, and document the existence of the recording and that it has been placed into evidence in the related case report. If a citation was issued or a Field Interview Card was completed, a notation shall be placed on the back of the Record's copy that the incident was recorded.

Any time a member reasonably believes a recorded contact contains Evidentiary Data, as defined by Section 450.9.3 of this policy, the member shall promptly notify a supervisor of the existence of the recording.

Members should upload the file, in accordance with current procedure for storing digital files, at the end of their shift and any time the storage capacity is nearing its limit. Officers, who utilize a digital recorder, shall download the audio recording(s) or file(s) onto a department computer and copy same data onto a compact disc. The compact disc shall be marked as the “original” and then booked into the Property Bureau as evidence, or for safe keeping in non-criminal matters.

Computer data shall be erased after a CD has been created.

426.8.2 RETENTION REQUIREMENTS
Recordings obtained from the recording devices shall be classified as either Evidentiary Data or Non-Evidentiary Data.

426.8.3 EVIDENTIARY DATA
All recordings of Evidentiary Data shall be retained for a minimum of two years or until the conclusion of any criminal or civil matter for which the Evidentiary Data is relevant, whichever is
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the later period. A recording is Evidentiary Data under the following circumstances (Penal Code § 832.18):

(a) The recording is of an incident involving the use of force by an officer or an officer-involved shooting.

(b) The recording is of an incident that leads to the detention or arrest of an individual.

(c) The recording is relevant to a formal or informal complaint against a law enforcement officer or a law enforcement agency.

(d) The recording is of an adversarial contact with a member of the public or may be relevant to active or anticipated civil litigation.

426.8.4 NON-EVIDENTIARY DATA
Any recordings obtained from recording devices that do not fall within the categories of Section 450.9.3 of the policy shall be deemed Non-Evidentiary Data. All Non-Evidentiary Data must be retained for a minimum of 60 days after which it may be erased, destroyed or recycled.

Non-Evidentiary recordings may include, but are not limited to the following:

(a) Disclosure may be an unreasonable violation of someone’s privacy.

(b) Medical or mental health information is contained.

(c) Disclosure may compromise an undercover officer or confidential informant.

(d) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(e) A complainant, victim or witness has requested non-disclosure.

426.8.5 UNINTENDED RECORDING
In the event of an unintended activation of a portable recording device where the resulting recording is of Non-Evidentiary Data, the recording employee may request that the recording be administratively locked from viewing by submitting an email request to the portable recorder system administrator or his/her designee who shall administratively lock the recording as soon as practical. The Professional Standards Unit will review the recording, and approve or deny the request with the authorization of the Chief of Police. The Professional Standards Unit will then forward the decision to the system administrator and employee for appropriate action.

426.8.6 LOGS OF RECORDED DATA
Records or logs of access and deletion of recorded data from portable recording devices should be retained permanently.

426.9 RELEASE OF RECORDINGS
Recordings made using portable recording devices pursuant to this policy are department records and may only be released as provided in Policy 810 - Release of Records and Information, or for other authorized legitimate department business purposes. Nothing in this policy shall be
interpreted to limit the public's right to access recorded data under the California Public Records Act.

426.10 REVIEW OF RECORDED MEDIA FILES
When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members should not use the fact that a recording was made as a reason to write a less detailed report. Members should ensure that their report takes into account consideration of the recording. Obvious discrepancies between what is shown in the video and the member's recollection should be documented in the report. Importantly, the member should document the incident from their initial and personal perspective. The member's knowledge of what they knew and when they knew it is paramount. In addition, the member's state of mind and reactions may or may not be evident in a video recording.

Members shall not retain personal copies of recordings.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

(a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(c) By media personnel with permission of the Chief of Police or his/her authorized designee.

(d) In compliance with a public records request, if permitted, and in accordance with the Policy - Records Maintenance and Release.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

426.11 PORTABLE AUDIO/VIDEO RECORDER SYSTEM ADMINISTRATOR
The portable audio/video recorder system administrator is responsible for overall maintenance, management, training and retention, and acts as a liaison to the Information Technology Manager, the Property and Evidence Section and associated vendors. The portable audio/video recorder system administrator reports to the Support Services Assistant Chief or his/her designee.
Portable Audio/Video Recorders

426.12 TRAINING
All members, who are authorized to use the portable audio/video recording system, shall successfully complete a department approved course of instruction prior to its use.
Medical Marijuana

427.1  PURPOSE AND SCOPE
The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under California’s medical marijuana laws.

427.1.1  DEFINITIONS
Definitions related to this policy include:

Cardholder - A person issued a current identification card.

Compassionate Use Act (CUA) (Health and Safety Code § 11362.5) - California law intended to provide protection from prosecution to those who are seriously ill and whose health would benefit from the use of marijuana in the treatment of illness for which marijuana provides relief. The CUA does not grant immunity from arrest but rather provides an affirmative defense from prosecution for possession of medical marijuana.

Identification card - A valid document issued by the California Department of Public Health to both persons authorized to engage in the medical use of marijuana and also to designated primary caregivers.

Medical marijuana - Marijuana possessed by a patient or primary caregiver for legitimate medical purposes.

Medical Marijuana Program (MMP) (Health and Safety Code § 11362.7 et seq.) - California laws passed following the CUA to facilitate the prompt identification of patients and their designated primary caregivers in order to avoid unnecessary arrests and provide needed guidance to law enforcement officers. MMP prohibits arrest for possession of medical marijuana in certain circumstances and provides a defense in others.

Patient - A person who is entitled to the protections of the CUA because he/she has received a written or oral recommendation or approval from a physician to use marijuana for medical purposes or any person issued a valid identification card.

Primary caregiver - A person designated by the patient, who has consistently assumed responsibility for the patient’s housing, health or safety, who may assist the patient with the medical use of marijuana under the CUA or the MMP (Health and Safety Code § 11362.5; Health and Safety Code § 11362.7).

Statutory amount - No more than 8 ounces of dried, mature, processed female marijuana flowers (“bud”) or the plant conversion (e.g., kief, hash, hash oil), and no more than six mature or 12 immature marijuana plants (roots, stems and stem fibers should not be considered) (Health and Safety Code § 11362.77).
427.2 POLICY
It is the policy of the Alhambra Police Department to prioritize resources to forgo making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

California’s medical marijuana laws are intended to provide protection to those who are seriously ill and whose health would benefit from the use of medical marijuana.

However, California medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Alhambra Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

427.3 INVESTIGATION
Investigations involving the possession, delivery, production or use of marijuana generally fall into one of several categories:

(a) Investigations when no person makes a medicinal claim.
(b) Investigations when a medicinal claim is made by a cardholder.
(c) Investigations when a medicinal claim is made by a non-cardholder.

427.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM
In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1; Health and Safety Code § 11362.2). A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

427.3.2 INVESTIGATIONS INVOLVING A STATE LICENSEE
No person issued a state license under the Business and Professions Code shall be arrested or cited for cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution or sale of medical cannabis or a medical cannabis product related to qualifying patients and primary caregivers when conducted lawfully. Whether conduct is lawful may involve questions of license classifications, local ordinances, specific requirements of the Business and Professions Code and adopted regulations. Officers should consider conferring with a supervisor, the applicable state agency or other member with special knowledge in this area and/or appropriate legal counsel before taking enforcement action against a licensee or an employee or agent (Business and Professions Code § 26032).
427.3.3 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A CARDHOLDER
A cardholder or designated primary caregiver in possession of an identification card shall not be arrested for possession, transportation, delivery or cultivation of medical marijuana at or below the statutory amount unless there is probable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

(a) The information contained in the card is false or falsified.
(b) The card has been obtained or used by means of fraud.
(c) The person is otherwise in violation of the provisions of the MMP.
(d) The person possesses marijuana but not for personal medical purposes.

Officers who reasonably believe that a person who does not have an identification card in his/her possession has been issued an identification card may treat the investigation as if the person had the card in his/her possession.

Cardholders may possess, transport, deliver or cultivate medical marijuana in amounts above the statutory amount if their doctor has concluded that the statutory amount does not meet the patient’s medical needs (Health and Safety Code § 11362.71; Health and Safety Code § 11362.77). Investigations involving cardholders with more than the statutory amount of marijuana should be addressed as provided in this policy for a case involving a medicinal claim made by a non-cardholder.

427.3.4 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A NON-CARDHOLDER
No patient or primary caregiver should be arrested for possession or cultivation of an amount of medical marijuana if the officer reasonably believes that marijuana is in a form and amount reasonably related to the qualified patient’s current medical needs (Health and Safety Code § 11362.5). This arrest guidance also applies to sales, transportation or delivery of medical marijuana, or maintaining/renting a drug house or building that may be a nuisance if otherwise in compliance with MMP (Health and Safety Code § 11362.765).

Officers are not obligated to accept a person’s claim of having a physician’s recommendation when the claim cannot be readily verified with the physician but are expected to use their judgment to assess the validity of the person’s medical-use claim.

Officers should review any available written documentation for validity and whether it contains the recommending physician’s name, telephone number, address and medical license number for verification.

Officers should generally accept verified recommendations by a physician that statutory amounts do not meet the patient’s needs (Health and Safety Code § 11362.77).

427.3.5 ADDITIONAL CONSIDERATIONS
Officers should consider the following when investigating an incident involving marijuana possession, delivery, production, or use:
Medical Marijuana

(a) Because enforcement of medical marijuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:

1. The suspect has been identified and can be easily located at a later time.
2. The case would benefit from review by a person with expertise in medical marijuana investigations.
3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
4. Other relevant factors, such as available department resources and time constraints prohibit making an immediate arrest.

(b) Whenever the initial investigation reveals an amount of marijuana greater than the statutory amount, officers should consider the following when determining whether the form and amount is reasonably related to the patient’s needs:

1. The amount of marijuana recommended by a medical professional to be ingested.
2. The quality of the marijuana.
3. The method of ingestion (e.g., smoking, eating, nebulizer).
4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
5. Whether the marijuana is being cultivated indoors or outdoors.

(c) Before proceeding with enforcement related to collective gardens or dispensaries, officers should consider conferring with a supervisor, an applicable state regulatory agency or other member with special knowledge in this area, and/or appropriate legal counsel (Business and Professions Code § 26010; Business and Professions Code § 26060). Licensing, zoning, and other related issues can be complex. Patients, primary caregivers, and cardholders who collectively or cooperatively cultivate marijuana for medical purposes may be licensed or may have a defense in certain circumstances (Business and Professions Code § 26032; Business and Professions Code § 26033).

(d) Investigating members should not order a patient to destroy marijuana plants under threat of arrest.

427.3.6 EXCEPTIONS
This policy does not apply to, and officers should consider taking enforcement action for the following:

(a) Persons who engage in illegal conduct that endangers others, such as driving under the influence of marijuana in violation of the Vehicle Code (Health and Safety Code § 11362.5).

(b) Marijuana possession in jails or other correctional facilities that prohibit such possession (Health and Safety Code § 11362.785).
Medical Marijuana

(c) Smoking marijuana (Health and Safety Code § 11362.79):
   1. In any place where smoking is prohibited by law.
   2. In or within 1,000 feet of the grounds of a school, recreation center or youth center, unless the medical use occurs within a residence.
   3. On a school bus.
   4. While in a motor vehicle that is being operated.
   5. While operating a boat.

(d) Use of marijuana by a person on probation or parole, or on bail and use is prohibited by the terms of release (Health and Safety Code § 11362.795).

427.4 FEDERAL LAW ENFORCEMENT
Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

427.5 PROPERTY AND EVIDENCE SECTION SUPERVISOR RESPONSIBILITIES
The Property and Evidence Section supervisor should ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed pending any charges and without a court order. The Property and Evidence Section supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor’s decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property and Evidence Section supervisor should, as soon as practicable, return to the person from whom it was seized any useable medical marijuana, plants, drug paraphernalia or other related property.

The Property and Evidence Section supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Section supervisor.
Bicycle Patrol Unit

428.1 PURPOSE AND SCOPE
The Alhambra Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

428.2 POLICY
Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Watch Commander.

428.3 SELECTION OF PERSONNEL
Interested sworn personnel, who are off probation, shall submit a Memorandum of Interest request to their appropriate Assistant Chief. A copy will be forwarded to the BPU supervisor. Qualified applicants will then be invited to an oral interview. The oral board will consist of the BPU supervisor and second person to be selected by the BPU supervisor. Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.
(b) Special skills or training as it pertains to the assignment.
(c) Good physical condition.
(d) Willingness to perform duties using the bicycle as a mode of transportation.

428.3.1 BICYCLE PATROL UNIT SUPERVISOR
The Bicycle Patrol Unit supervisor will be selected from the rank of sergeant by the Field Services Assistant Chief or his/her designee.

The Bicycle Patrol Unit supervisor shall have responsibility for the following:

(a) Organizing bicycle patrol training.
(b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
(c) Scheduling maintenance and repairs.
(d) Evaluating performance of bicycle officers.
(e) Coordinating activities with the Field Services Section.
(f) Other activities as required to maintain the efficient operation of the Bicycle Patrol Unit.

428.4 TRAINING
Participants in the program must complete an initial Department approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies.
- Bicycle safety and accident prevention.
- Operational tactics using bicycles.

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

428.5 UNIFORMS AND EQUIPMENT
Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a radio head set and microphone, and jackets in colder weather. Turtleneck shirts or sweaters are permitted when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

428.6 CARE AND USE OF PATROL BICYCLES
Officers will be assigned a specially marked and equipped patrol bicycle.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a “POLICE” decal affixed to each side of the crossbar or the bike’s saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of Vehicle Code §2800.1(b).

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

Each bicycle gear bag shall include a first aid kit.
Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle. *(Vehicle Code § 21201.3)*

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance twice yearly to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

### 428.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions *(Vehicle Code § 21200(b)(1)):

(a) In response to an emergency call.

(b) While engaged in rescue operations.

(c) In the immediate pursuit of an actual or suspected violator of the law.
Foot Pursuits

429.1 PURPOSE AND SCOPE
This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

429.1.1 POLICY
It is the policy of this department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to department personnel, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department personnel.

429.2 DECISION TO PURSUE
The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual’s involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.
Foot Pursuits

(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.

(c) A canine search.

(d) Thermal imaging or other sensing technology.

(e) Air support.

(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

429.3 GENERAL GUIDELINES
When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with the dispatcher or with assisting or backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.
(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

(o) The officer’s ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

(p) Officers shall not initiate or participate in a foot pursuit when an arrestee or detainee is a passenger in their patrol car.

(q) Plain clothed officers should be mindful that they may not be immediately recognized by pursuing officers or members of the public, especially when outside agencies are involved in the foot pursuit. As such, plain clothed officers should broadcast their clothing description and ensure that their badge is readily visible.

1. If the plain clothed officer is confronted by a uniformed officer and their identity is questioned, the plain clothed officer shall immediately follow the instructions of the uniformed officer.

429.4 RESPONSIBILITIES IN FOOT PURSUITS

429.4.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel

(b) Call sign identifier

(c) Reason for the foot pursuit, such as the crime classification

(d) Number of suspects and description, to include name if known

(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.
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Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

429.4.2 ASSISTING OFFICER RESPONSIBILITIES
Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

429.4.3 SUPERVISOR RESPONSIBILITIES
Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

429.4.4 COMMUNICATIONS SECTION RESPONSIBILITIES
Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

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

429.4.5 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a foot pursuit and apprehension of suspects. When taking suspects into custody, officers shall use reasonable force to properly perform their lawful duties and remain diligent to their surrounding environment.

429.5 REPORTING REQUIREMENTS
The initiating officer shall complete appropriate crime/arrest reports documenting, at minimum:

(a) Date and time of the foot pursuit.
(b) Initial reason and circumstances surrounding the foot pursuit.
(c) Course and approximate distance of the foot pursuit.
(d) Alleged offenses.
(e) Involved vehicles and officers.
(f) Whether a suspect was apprehended as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
(g) Arrestee information, if applicable.
(h) Any injuries and/or medical treatment.
(i) Any property or equipment damage.
(j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

429.6 POLICY
It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.
Automated License Plate Readers (ALPRs)

430.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

430.2 ADMINISTRATION
The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Alhambra Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Fleet Coordinator and Records Manager, under the oversight of the Field Services Assistant Chief. The Field Services Assistant Chief will assign members under his/her command to administer the day-to-day operation of the ALPR equipment and data. Each section will assign personnel to be responsible for maintaining and updating their section’s list of license plates entered into the ALPR system, also known as a “hot list.” The Department shall utilize hot lists that further the specific goals of the ALPR system where there is a legitimate and specific law enforcement reason for identifying a vehicle or a person reasonably believed to be associated with that vehicle.

430.2.1 ALPR ADMINISTRATOR
The Field Services Assistant Chief shall be responsible for developing guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.

(b) Training requirements for authorized users.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

(e) The title and name of the current designee in overseeing the ALPR operation.

(f) Working with the Records Manager on the retention and destruction of ALPR data.

(g) Ensuring this policy and related procedures are conspicuously posted on the department’s website.
430.3 OPERATIONS
Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).
(a) An ALPR shall only be used for official law enforcement business.
(b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
(e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.
(f) Hot List Administrators shall document the reason for manually entering a license plate number into the ALPR system.
(g) The Field Services Assistant Chief may approve a mutual aid request to assist law enforcement from other agencies and share ALPR data when they become aware of a serious incident, as to which they reasonably believe the ALPR may be useful, as resources permit.

430.3.1 ALPR ALERT PROTOCOLS
When an ALPR alerts on a stolen vehicle the officer shall, prior to initiating a traffic stop or detaining the occupants of the vehicle:
(a) Verify that the ALPR has recorded the license plate number correctly
(b) Verify through CLETS/Dispatch that the car is currently reported as stolen.
   1. Do this before stopping the vehicle or detaining the occupants of a parked or stopped vehicle. Do not simply assume that another officer has done so.

In the event the suspect vehicle or an occupant commits a violation of the law then the vehicle can be stopped or the occupants detained as in any other such incident.

430.4 DATA COLLECTION AND RETENTION
The Support Services Assistant Chief is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.
Automated License Plate Readers (ALPRs)

The Records Manager is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

Collection and retention of ALPR data is subject to the following guidelines:

(a) Files will be transferred from field units to department servers in accordance with the Alhambra Police Department file storage procedures.

(b) All ALPR data captured during a shift should be transferred to the department server before the end of each shift.

(c) All ALPR data is temporarily stored on the ALPR computer, separate from the MDC, before uploading to the server where the data is permanently stored.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

430.5 ACCOUNTABILITY
All data will be closely safeguarded and protected by both procedural and technological means. The Alhambra Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with applicable law.

(b) All ALPR data downloaded to the mobile workstation and in storage shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

(c) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) ALPR system audits should be conducted on a regular basis. The Records Manager will provide a monthly audit report of the ALPR usage, records sharing, and hotlists entries.

(e) Any equipment that falls outside expected functionality shall be removed from service until deficiencies have been corrected. Officers shall not attempt to modify or change the ALPR equipment or software unless authorized to do so by a supervisor.

(f) All successful uses of the ALPR shall be documented and forwarded to the Field Services Assistant Chief or his/her designee. The Field Services Assistant Chief or
Automated License Plate Readers (ALPRs)

their designee will compile statistics of these uses and provide monthly updates on such uses to the Department’s command staff.

For security or data breaches, see the Records Release and Maintenance Policy.

430.6 POLICY
The policy of the Alhambra Police Department is to utilize ALPR technology to capture and store digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for the official use of this department. Because such data may contain confidential information, it is not open to public review.

430.7 RELEASING ALPR DATA
The ALPR data may be shared only with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law, using the following procedures:

(a) The agency makes a written request for the ALPR data that includes:
   1. The name of the agency.
   2. The name of the person requesting.
   3. The intended purpose of obtaining the information.

(b) The request is reviewed by the Support Services Assistant Chief or the authorized designee and approved before the request is fulfilled.

(c) The approved request is retained on file.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

430.8 TRAINING
The Training Manager should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).
Homeless Persons

431.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Alhambra Police Department recognizes that members of the homeless community are often in need of special protection and services. The Alhambra Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

431.1.1 POLICY
It is the policy of the Alhambra Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

431.1.2 COMMUNITY ORIENTED POLICING AND PROBLEM SOLVING SECTION
The Community Oriented Policing and Problem Solving (COPPS) Section of the Field Services Division facilitates the Department's and community's efforts to solve problems and reduce crime by utilizing community policing strategies. The COPPS Section Supervisor organizes various City departments and outside agencies to build rapport between city government and the neighborhoods we serve.

431.2 COMMUNITY LIAISON OFFICER PROGRAM FOR THE HOMELESS
The Community Liaison Officer Program has been developed to enhance the overall quality of life for all of the residents of Alhambra, continue community outreach programs and further the Police Department's mission.

The Community Liaison Officer is assigned to COPPS Section in the Field Services Division. The Supervisor will be responsible for administrating, managing and directing the Community Liaison Officer Program.

The Community Liaison Officer will also serve as an ambassador for police relationships with the homeless community. The responsibilities of the Community Liaison Officer include the following:

(a) Patrol public grounds, City owned buildings and other areas for community gatherings to ensure security, safety and orderly conduct of people that visit those locations.

(b) Observe and assist people utilizing those areas, generate goodwill and relations, issue verbal warnings and/or notify sworn police personnel upon observing violations of the law.

(c) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.
Homeless Persons

(d) Meet with social services and representatives of other organizations that render assistance to the homeless.

(e) Maintain a list of the areas within and near this jurisdiction that are used as frequent homeless encampments.

(f) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless (also refer to § 464.4 - Personal Property). This will include:
   1. Proper posting of notices of trespass and clean-up operations.
   2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with Policy 804 - Property and Evidence Policy and other established procedures.

(g) Be present during any clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure that the rights of the homeless are not violated.

(h) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

431.3 FIELD CONTACTS
Officers are encouraged to contact the homeless for purposes of checking their welfare, rendering aid, providing support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate. If a homeless person desires to be relocated to their original home town, place of birth or where their family is currently located the officer shall ascertain exactly where and why the person desires to be assisted. The officer should not make any promises to the homeless person, but instead shall contact the Community Liaison Officer for assistance.

431.3.1 OTHER CONSIDERATIONS
Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:
Homeless Persons

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.

(e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with Policy 326 – Adult Abuse.

(f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that he/she does not desire prosecution.

431.3.2 HOMELESS BUS TOKENS
The Police Department has available Metropolitan Transportation Authority (MTA) bus tokens for assisting homeless individuals when they are in need of transportation and have no other means available. Each token is good for a single one-way bus fare on a MTA bus route. The tokens will be maintained in a sergeant’s unit along with a log, which will be completed when a token is given out.

Factors to consider when deciding to provide a token are:

- The transportation must be voluntary
- The individual has no other means to get to their desired location
- The destination location is not within Alhambra city limits
- The subject is coherent and able to care for his/her own safety
- The same subject is not repeatedly in need of a token

When an officer gives out a token, he/she is to only give one token, complete the log and assist the individual getting on the bus. The officer will notify the COPPS Section Supervisor advising a token has been utilized.

It shall be the responsibility of the COPPS Section to ensure the token log is maintained and that there is an adequate supply of tokens available.

431.4 PERSONAL PROPERTY
The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.
Homeless Persons

Homeless individuals have a possessory interest in their personal property unless there are objectively reasonable facts that indicate the possessions 1) are abandoned, 2) present an immediate threat to public health or safety, or 3) are evidence of a crime or contraband.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the Department's Community Liaison Officer. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the Community Liaison Officer.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the Department's Community Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Community Liaison Officer to address the matter in a timely fashion.

431.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (See also Policies 418 - Mental Illness Commitments, and 466 - Crisis Intervention Incidents).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

431.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.
Public Recording of Law Enforcement Activity

432.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

432.2 POLICY
The Alhambra Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

432.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity (Penal Code § 69; Penal Code § 148). Examples of interference include, but are not limited to:

1. Tampering with a witness or suspect.
2. Inciting others to violate the law.
3. Being so close to the activity as to present a clear safety hazard to the officers.
4. Being so close to the activity as to interfere with an officer’s effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others.

432.4 OFFICER RESPONSE
Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.
Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

432.5 SUPERVISOR RESPONSIBILITIES
A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.
(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

432.6 SEIZING RECORDINGS AS EVIDENCE
Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
   1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
(c) The person consents.
   1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
Crisis Intervention Incidents

433.1 PURPOSE AND SCOPE
This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person’s mental state and intent in order to effectively and legally interact with the individual.

433.1.1 DEFINITIONS
Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person’s internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

433.2 POLICY
The Alhambra Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members’ interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

433.3 SIGNS
Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia
Crisis Intervention Incidents

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

433.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
The Chief of Police should designate an appropriate Assistant Chief to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

433.5 FIRST RESPONDERS
Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer’s authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).

(e) Take into account the person’s mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Request a supervisor, as warranted.

(j) Evaluate any available information that might assist in determining cause or motivation for the person’s actions or stated intentions.
(k) If circumstances reasonably permit, consider and employ alternatives to force.

433.6 DE-ESCALATION
Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

• Evaluate safety conditions.
• Introduce themselves and attempt to obtain the person’s name.
• Be patient, polite, calm, courteous and avoid overreacting.
• Speak and move slowly and in a non-threatening manner.
• Moderate the level of direct eye contact.
• Remove distractions or disruptive people from the area.
• Demonstrate active listening skills (e.g., summarize the person’s verbal communication).
• Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

• Use stances or tactics that can be interpreted as aggressive.
• Allow others to interrupt or engage the person.
• Corner a person who is not believed to be armed, violent or suicidal.
• Argue, speak with a raised voice or use threats to obtain compliance.

433.7 INCIDENT ORIENTATION
When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.


433.8 SUPERVISOR RESPONSIBILITIES
A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.

(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

(e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Assistant Chief.

(f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

433.9 INCIDENT REPORTING
Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

433.9.1 DIVERSION
Individuals who are not being arrested should be processed in accordance with the Mental Illness Commitments Policy.

433.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS
Non-sworn members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person’s behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person
Crisis Intervention Incidents

may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

433.11 EVALUATION
The Assistant Chief designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

433.12 TRAINING
In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with persons with mental disabilities, welfare checks and crisis intervention (Penal Code § 11106.4; Penal Code § 13515.25; Penal Code § 13515.27; Penal Code § 13515.30).
First Amendment Assemblies

434.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

434.2 POLICY
The Alhambra Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

434.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members’ interaction with participants and their response to crowd dynamics is appropriate.
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434.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

434.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Communications Section, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

434.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

434.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
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- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

434.5.2 OPERATIONAL PLANS
An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations.
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with City government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
(t) Parameters for the use of body-worn cameras and other portable recording devices.
434.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

434.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

434.7 USE OF FORCE
Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and TASER policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASERSs should be considered only when the participants’ conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the TASER policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.
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Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

434.8 ARRESTS
The Alhambra Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

434.9 MEDIA RELATIONS
The Media Relations Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

434.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

434.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:
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(a) Operational plan
(b) Any incident logs
(c) Any assignment logs
(d) Vehicle, fuel, equipment and supply records
(e) Incident, arrest, use of force, injury and property damage reports
(f) Photographs, audio/video recordings, Communications Section records/tapes
(g) Media accounts (print and broadcast media)

434.11.1   AFTER-ACTION REPORTING
The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
(c) Problems identified
(d) Significant events
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

434.12   TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.
Civil Disputes

435.1 PURPOSE AND SCOPE
This policy provides members of the Alhambra Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by California law.

435.2 POLICY
The Alhambra Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

435.3 GENERAL CONSIDERATIONS
When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.
435.4 COURT ORDERS
Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

(a) The person’s knowledge of the court order or whether proof of service exists.
(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

435.4.1 STANDBY REQUESTS
Officer responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

435.5 VEHICLES AND PERSONAL PROPERTY
Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

435.6 REAL PROPERTY
Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.
Suspicious Activity Reporting

436.1 PURPOSE AND SCOPE
This policy provides guidelines for reporting and investigating suspicious and criminal activity.

436.1.1 DEFINITIONS
Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Race, ethnicity, national origin or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include, but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

436.2 POLICY
The Alhambra Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

436.3 RESPONSIBILITIES
The Special Enforcement Unit and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Special Enforcement Unit include, but are not limited to:

(a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.
(b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.

(c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.

(d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.

(e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.

(f) Coordinating investigative follow-up, if appropriate.

(g) Coordinating with any appropriate agency or fusion center.

(h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

436.4 REPORTING AND INVESTIGATION
Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

436.5 HANDLING INFORMATION
The Records Section will forward copies of SARs, in a timely manner, to the following:

- Special Enforcement Unit supervisor
- Crime Analysis Unit
- Other authorized designees
Medical Aid and Response

437.1 PURPOSE AND SCOPE
This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

437.2 POLICY
It is the policy of the Alhambra Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

437.3 FIRST RESPONDING MEMBER RESPONSIBILITIES
Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Communications Section and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Communications Section with information for relay to EMS personnel in order to enable an appropriate response, including:

(a) The location where EMS is needed.
(b) The nature of the incident.
(c) Any known scene hazards.
(d) Information on the person in need of EMS, such as:
   1. Signs and symptoms as observed by the member.
   2. Changes in apparent condition.
   3. Number of patients, sex, and age, if known.
   4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
   5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.
437.4 TRANSPORTING ILL AND INJURED PERSONS
Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

437.5 PERSONS REFUSING EMS CARE
If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

437.5.1 SICK OR INJURED ARRESTEE
If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.
Medical Aid and Response

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor’s approval.

437.6 MEDICAL ATTENTION RELATED TO USE OF FORCE
Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

437.7 AIR AMBULANCE
Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Field Services Assistant Chief should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider’s minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider’s minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft’s tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
• Ensure that no one smokes near the aircraft.

437.8 AUTOMATED EXTERNAL DEFINIBRILLATOR (AED) USE
A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

437.8.1 AED USER RESPONSIBILITY
Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Manager who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact Communications Section as soon as possible and request response by EMS.

437.8.2 AED REPORTING
Any member using an AED will complete an incident report detailing its use.

437.8.3 AED TRAINING AND MAINTENANCE
The Training Manager should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Training Manager is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).

437.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION
Trained members may administer opioid overdose medication (Civil Code § 1714.22; Business and Professions Code § 4119.9).

437.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members who are qualified to administer opioid overdose medication, such as Naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Manager.

Any member who administers an opioid overdose medication should contact Communications Section as soon as possible and request response by EMS.

The Training Manager will be responsible for conducting monthly inspections of the medication.
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Medical Aid and Response

437.9.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report and complete an Alhambra Police Department Naloxone Administrative Report form.

The Training Manager will ensure that the UCLA Center for Prehospital Care nurse is provided enough information to meet applicable state reporting requirements.

437.9.3 OPIOID OVERDOSE MEDICATION TRAINING
The Training Manager should ensure initial and refresher training is provided to members authorized to administer opioid overdose medication. Training should be coordinated with the UCLA Center for Prehospital Care nurse and comply with the requirements in 22 CCR 100019 and any applicable POST standards (Civil Code § 1714.22).

437.9.4 DESTRUCTION OF OPIOID OVERDOSE MEDICATION
The Training Manager shall ensure the destruction of any expired opioid overdose medication (Business and Professions Code § 4119.9).

437.9.5 OPIOID OVERDOSE MEDICATION RECORD MANAGEMENT
Records regarding acquisition and disposition of opioid overdose medications shall be maintained and retained in accordance with the established records retention schedule and at a minimum of three years from the date the record was created (Business and Professions Code § 4119.9).

437.10 FIRST AID TRAINING
The Training Manager should ensure officers receive initial first aid training within one year of employment and refresher training every two years thereafter (22 CCR 100016; 22 CCR 100022).
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
Several factors are considered in the development of deployment schedules for officers of the Alhambra Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are requests from the public, construction zones or special events.

500.2.1 UNMARKED CARS
Vehicle Code § 40800 prohibits the use of unmarked cars solely for the purpose of traffic enforcement.

500.2.2 CHECKPOINTS
Department members engaged in the planning and operation of checkpoints for the purpose of driving under the influence or driver's license enforcement and education shall plan and conduct such checkpoints in accordance to the protocols of the state Office of Traffic Safety.
Traffic Function and Responsibility

500.2.3 TRAFFIC RECORDS
The data used to deploy traffic officers may include data stored in the Records Management System regarding traffic collision data, traffic enforcement data and roadway hazard information. The Traffic Supervisor is responsible to coordinate data distribution.

500.2.4 TRAFFIC COMPLAINT AND DATA REVIEW PROCESS
The Traffic Supervisor will establish a procedure for responding to traffic complaints and coordinate efforts with Public Works engineers. The procedure will include the collection and examination of roadway traffic data (speed, volume, time of day) and the accident data to determine the responses to complaints.

The Traffic Supervisor will ensure that a report is compiled and includes:

(a) Traffic collision data
(b) Traffic enforcement activities
(c) Traffic complaints
(d) Analysis of enforcement activities and collisions (by location and primary collision factor) to evaluate the efficacy of traffic enforcement activities.

500.2.5 REFERRAL OF COMPLAINTS OR SUGGESTIONS
Complaints and suggestions are routinely received by phone, mail and in person by the Department and Public Works traffic engineers.

Officers will be assigned to investigate complaints or suggestions and when possible go to the area at issue. The officer may add any additional or concurring opinions and forward the information via memorandum to Public Works traffic engineers.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:
Traffic Function and Responsibility

(a) Explanation of the violation or charge
(b) Court appearance procedure including the optional or mandatory appearance by the motorist
(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
(d) When applicable, equipment correction, inspection and sign-off procedures

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter
(b) Felony and misdemeanor driving under the influence of alcohol/drugs
(c) Felony or misdemeanor hit-and-run
(d) Refusal to sign notice to appear
(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.3.4 HANDLING SPECIAL CIRCUMSTANCE - TRAFFIC LAW VIOLATIONS
Foreign Diplomats/Consular Officials will be dealt with in accordance with Policy 422 - Arrest or Detention of Foreign Nationals. Nonresident violators, members of the legislature and military personnel will be processed in the same manner as a private citizen.

500.3.5 UNIFORM ENFORCEMENT GUIDELINES
Officers observing less serious violations are encouraged to take appropriate action. Officers should take enforcement action when serious violations are observed or reported. It is the policy of the Department to take enforcement action when a threat to life and/or public safety is involved. The following are some examples of serious violations:

- Incidents involving drug/alcohol impairment
- Drivers with a suspended or revoked license
- Serious speed violations resulting in added danger to the public
- Hazardous violations including but not limited to reckless driving and speed contests
- Multiple violations
- Violations resulting in traffic collisions

Officers should use discretion in determining enforcement action for things such as:

- Off-road vehicle violations
- Equipment violations
- Public carrier and commercial violations
Traffic Function and Responsibility

- Other non-hazardous violations
- Newly enacted laws and/or regulations
- Pedestrian and bicycle violations

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601. The officer may store the vehicle per Policy 510 - Vehicle Towing and Release.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.4.1 REQUEST FOR RE-EXAMINATION OF A DRIVER
Routine traffic enforcement and collision investigations can lead to the identification of drivers who have suspected incompetency, physical or mental disabilities, or other conditions that might interfere with their ability to safely operate a motor vehicle. Officers finding these circumstances should consider completing DMV form DS 427 - Notice of Priority Reexamination of Driver and Request for Regular Reexamination of Driver. The DS 427 form shall be completed and submitted per the instructions on the form.

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.
Traffic Function and Responsibility

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the re-sealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Manager should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 ROADWAY HAZARDS AND OBSTRUCTIONS
Roadway and roadside hazards can be contributing factors in a collision. Officers should remove hazards or warn motorists when it can be accomplished safely.

In cases where a traffic signal becomes inoperative, the officer should immediately notify Dispatch to contact a repair technician. The officer should assess the situation and take appropriate action (e.g. additional signage, access to the signal control box, temporary traffic control and etcetera).

500.7 TRAFFIC COMMITTEE
The Traffic Safety Committee is the designated forum to insure proper action is taken to investigate traffic complaints, correct traffic deficiencies and enhance the working relationship between public safety and traffic engineering. In addition, the Traffic Section is expected to coordinate regularly with traffic engineers and ensure that necessary information is being shared in a timely manner.

The Traffic Safety Committee is comprised of members of the Traffic Section, Community Policing and Problem Solving Unit, and Public Works Traffic Engineering Department. The Committee is chaired by the Chief of Police or his or her designee. The Traffic Safety Committee shall meet regularly to discuss:

(a) The handling or referring of complaints or suggestions concerning traffic engineering deficiencies or improvements.

(b) Procedures for sharing collision and enforcement data with local and regional traffic engineering authorities.

Department members who become aware of traffic issues, design problems or ideas for improving traffic conditions are encouraged to contact the Traffic Section Supervisor or forward details to the Traffic Clerk for inclusion on the agenda of the Traffic Safety Committee.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Alhambra Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY
The Traffic Section Supervisor will be responsible for distribution of the Collision Investigation Manual. The Traffic Section Supervisor will receive all changes in the state manual and ensure conformity with this policy.

501.2.1 INSPECTION OR SALE OF TRAFFIC COLLISION REPORTS AND/OR ACCIDENT PHOTOGRAPHS
Officers will advise those individuals involved in a traffic collision and who wish to get a copy of the report to wait at least five (5) days:

(a) Persons, who have a recognized proper interest, may be granted permission to inspect or purchase Traffic Collision Reports or photographs. These persons would include:

1. The driver of any vehicle involved in the collision
2. Legal guardians of person(s) involved in the collision
3. Parent(s) of a juvenile driver involved in the collision
4. A duly authorized representative (i.e. insurance carrier)
5. Injured person(s) in the traffic accident
6. Owners of vehicles or property damaged as a result of the collision
7. Person(s) who will likely be incurring civil liability as a result of the traffic accident

(b) Interested parties - Those persons who wish to inspect or purchase Traffic Collision Reports or photographs shall be properly interviewed to determine their interest in the matter prior to release or sale of reports or photographs.

(c) Proper release - If it is determined that the interested person(s) do not meet the criteria listed in items 1 through 7 in the information above, Records Section personnel shall not release any information or permit viewing of any photographs.

(d) Special cases - Certain types of vehicle accidents may be of a controversial nature and may, by their very nature, be prejudicial if released prematurely.

1. In instances where photographs are requested and the photographs are in the below mentioned areas, the Traffic Section supervisor or his/her designee, or higher authority, will be responsible for approving release of such photographs.

   (a) All fatalities
   (b) All felony cases
Traffic Collision Reporting

(c) Hit and run accidents
(d) All other cases where the Traffic Section supervisor or his/her designee places a written hold on the report

(e) Method of operations:

1. No fatal traffic accidents, major traffic accidents or high-profile traffic accidents shall be released without prior permission of the Traffic Section supervisor or his/her designee.
2. No report shall be released unless the report has been investigated, reviewed, approved and signed by a Traffic Section supervisor or his/her designee.
3. A Traffic Section supervisor or his/her designee may authorize the entire report, or any portions thereof, for release or prohibit its release.

(f) Should an involved party wish to contest the contents of a Traffic Collision Report, that individual shall be instructed to submit a written statement concerning the collision to the Traffic Section and the contested report shall be reviewed by a traffic supervisor or his/her designee.

501.2.2 ALTERATION OF A REPORT
Once a report has been completed, approved, and filed with the Records Section, it shall not be altered. If it becomes necessary to record statements or facts in addition to those contained in the original report, a Supplemental Report shall be completed.

501.3 TRAFFIC COLLISION REPORTING
Each traffic collision report shall be reviewed by the investigating officer’s supervisor. Reports that are not complete or in error shall be returned to the investigating officer for correction or completion. After corrections are made, the supervisor shall indicate approval by initialing the report in the spaces indicated.

All approved traffic collision reports shall be forwarded to the Traffic Section supervisor for approval and data entry into the Records Management System. The Traffic Section supervisor will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Field Services Assistant Chief, or other persons as required.

501.4 TRAFFIC COLLISION RESPONSE
The officer is dispatched to handle a traffic collision should assume control of the incident unless relieved by a supervisor or motorcycle traffic officer. The following guidelines should be utilized when responding to any traffic collision:

- Protect involved vehicles, personal property and involved persons from further collisions.
  - Scene safety can be accomplished by placement of the police unit, traffic cones and/or road flares.
- Determine if there are injuries and/or fatalities as a result of the collision.
Traffic Collision Reporting

- Summon paramedics and render first aid, if necessary.
- When fire hazards/hazardous materials are identified immediately summon the Alhambra Fire Department.
- Protect all evidence and document the placement of vehicles.
- Be aware of potential conflicts between the involved parties and separate them, if necessary.
- Ensure that witnesses and involved parties are interviewed separately.
- Refer to Policy 510 - Towing and Release of Vehicles, when moving vehicles that are a traffic hazard or incapacitated.
- Facilitate the clearing of the roadway and the resumption of the traffic flow.

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES
Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report (CHP 555 form) at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Assistant Chief.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
(a) When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Alhambra Police Department resulting in an injury or fatality, the Traffic Section Supervisor or the Watch Commander, may notify the California Highway Patrol or any neighboring agency for assistance.

1. The term serious injury is defined as any injury other than a fatal injury which results in broken or dislocated limbs, severe lacerations, or unconsciousness at or when taken from the collision scene. It does not include minor lacerations.
2. It shall be the discretion of the Watch Commander to request outside assistance when the accident involves potential conflicts of interest (i.e. spouses or children of agency employees, members of our city government, etc.).

(b) Employee responsibilities when they are on-duty and/or in a city vehicle:
1. Notify the APD Dispatcher, the on-duty Traffic Section supervisor or field supervisor, who will in turn call for someone to investigate the collision.
   (a) Officers shall not take an initial report involving their own accidents.
2. Unless safety requires it, do not move vehicles until a supervisor arrives.
3. Make no statements to involved parties or witnesses.
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4. Immediately report any collision-related injury or illness to an immediate supervisor.

(c) Handling officer’s responsibilities (APD officer):
   
   1. Initiate the investigation, and report all available facts of the accident

   2. Consult with the on-scene supervisor to coordinate all information that has been obtained for the investigation (i.e. photos, evidence, statements, etc.)

   3. Submit the investigation to their supervisor for review.

(d) Supervisor’s responsibilities:

   1. If applicable, arrange medical treatment for injured employee(s) and complete a Supervisor’s Report of Injury

   2. Advise the employee’s supervisor

   3. Ensure the involved employee completes a Vehicle Accident / Property Damage Report

   4. Obtain applicable reports

      (a) If incident occurred within the City of Alhambra, make sure the handling officer completes and submits the reports to the Traffic Section supervisor as soon as practical.

      (b) If the incident occurred outside the city limits, obtain a copy of all related reports (if available) and/or available case numbers.

   5. Complete a Notice of Supervisory Incident: City Property Involved report

      (a) Complete only if the employee is actually operating (in control) of the vehicle

      (b) Determine employee’s City Property Involved (CPI) driving record via the Professional Standards Unit and include this information on the Notice of Supervisory Incident: City Property Involved report

   6. The Supervisor is to make two copies of the Traffic Collision Report or Incident Report, the Vehicle Accident / Property Damage Report and any other related reports

      (a) One complete copy goes to the Chief’s office as soon as possible.

      (b) Retain a second copy to go with original Notice of Supervisory Incident: City Property Involved report. Submit these to the respective Division Commander for his/her review.

      (c) All other original reports (Vehicle Accident / Property Damage Report and all Traffic Collision, Incident and/or Arrest Reports) are to be submitted to the Records Section for proper disposition and processing.

   7. Record damage to vehicle in Vehicle Damage Log

   8. If city liability is at issue, complete a Potential Claim Form and direct it to the City Attorney’s Office (refer to Policy 319 - Potential Claims)
9. The Watch Commander may also, depending on the circumstances, wish to contact Alhambra Police Department’s legal counsel and ascertain if they wish to respond to the scene

(e) When a police officer is involved in any type of traffic accident outside the corporate city limits while on-duty or in a city owned or leased vehicle, he/she shall:

1. Notify the appropriate police agency to respond and handle the initial report
2. Notify his/her immediate supervisor, who should respond to the scene
   (a) If the immediate supervisor is unavailable, the traffic supervisor, on-duty field sergeant, or Watch Commander shall respond to the scene if practicable.

3. If the outside agency will not initiate an original report of a serious accident, the responding supervisor shall ensure that Department accident investigators or other designated officer responds to the scene and completes the initial report (within Los Angeles, Orange, San Bernardino or Riverside Counties).

(f) In the event the employee is involved in a serious injury accident or fatality, all previous applicable sections of this order shall apply in addition to:

1. An Alhambra Police Department Traffic Section supervisor shall be notified and respond to the scene, and, in his/her absence
2. The Watch Commander or field sergeant shall respond to the scene if a Traffic Section supervisor is not available
3. The Watch Commander shall ensure that the employee’s respective Assistant Chief and the Chief of Police are immediately notified
4. The Watch Commander shall be responsible for the assignment of the appropriate personnel to conduct the traffic investigation
   (a) EXAMPLES: APD Accident Investigator, a Department supervisor, or outside agency

(g) Involved Assistant Chief’s responsibilities:

1. Review Notice of Supervisory Incident: City Property Involved report and attached copies of related reports
2. Complete Assistant Chief’s portion of any reports and forward all documents to the Chief of Police

(h) Records Section and Traffic Section clerical responsibilities:

1. If the CPI incident is only recorded on a Traffic Collision Report, Records Section personnel are to submit the original Traffic Collision Report and the original a Vehicle Accident / Property Damage Report to the Traffic Section for appropriate processing
2. If an Incident Report, Arrest Report or Vehicle Impound Report accompanies the Traffic Collision Report, Records Section personnel are to process the
Traffic Collision Reporting

reports per existing procedure on a high priority basis. Upon completion of their processing, all original reports shall be submitted to the Traffic Section.

(i) Responsibility of the Professional Standards Unit:

1. Maintain all Departmental CPI records and dispositions for Department employees.

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Traffic Section Supervisor or on-duty Watch Commander may request assistance from the California Highway Patrol or a neighboring agency for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred. It shall be at the discretion of the Watch Commander to request outside assistance when the accident involves potential conflicts of interest (i.e. spouses or children of city employees, members of our city government, etc.).

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

(a) In compliance with the Collision Investigation Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property unless there is a death or injury to any person involved, a hit-and-run violation, or Vehicle Code violation. An Incident Report may be taken at the discretion of any supervisor.

(a) Death or injury to any person involved

(b) A hit-and-run violation where the driver and/or the vehicle can be identified and the report is made in a timely manner

(c) A juvenile is involved and the parents cannot be located

(d) Vehicle Code violation occurred

(b) An Incident Report may be taken at the discretion of any supervisor.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision

(b) An intoxicated driver is involved

(c) The collision involves a hit and run

1. Minor Collision Damage - When the driver and/or the vehicle can be identified and the report is made in a timely manner

(a) If the employee is not certain whether or not a report needs to be taken, he or she should contact a supervisor. If there is not a supervisor available, the employee shall take the Traffic Collision Report

2. Major Collision Damage - When a vehicle sustains major collision damage a Traffic Collision Report shall be taken

(d) At the request of another local, state or federal government agency
Traffic Collision Reporting

(e) As directed by a supervisor

NOTE: If none of the above conditions exist, the involved parties may exchange information at the scene as required by law, or the parties may request a department employee to complete the face page to a Property Damage Only (PDO) Traffic Collision Report. If a request is made for a PDO traffic collision report the department employee shall complete the face page to a PDO report and provide the carbon copies to each involved party. In this case, a report number will be issued for the PDO, and the original document will be submitted to their supervisor for review, and subsequent filing in the Records Section.

501.5 NOTIFICATION OF TRAFFIC SECTION SUPERVISION
In the event of a serious injury or death related traffic collision, the Watch Commander shall notify a Traffic supervisor to relate the circumstances of the traffic collision and seek assistance from the Traffic Bureau. In the absence of a Traffic Section Supervisor, the Watch Commander or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

501.6 TRAFFIC COLLISION REVIEW BOARD

501.6.1 PURPOSE AND SCOPE
The intent of the Alhambra Police Department is to reduce traffic accidents involving department personnel, both in number and severity, through discovery of vehicle/equipment problems, training needs, and compliance.

The purpose of the Traffic Collision Review Board is to make recommendations that will reduce the number and severity of traffic collisions and protect department equipment and its employees. These recommendations may include new procedures, training, or the acquisition of equipment that may enhance vehicle safety. An additional role of the Traffic Collision Review Board is to standardize traffic collision investigations involving police department employees and to create a consistent, impartial hearing to determine responsibility in a traffic collision. The Traffic Collision Review Board shall report its findings to the appropriate Division Commander and include the following:

(a) Degree of responsibility, if any, of involved employee
(b) Identification of vehicle and/or equipment problems
(c) Need for additional training
(d) Department compliance actions (in/out policy)

501.7 INVESTIGATION OF ACCIDENT CAUSES

(a) The purpose of investigating traffic collisions is to determine the cause of the collisions and methods to prevent their occurrence.

(b) Investigating to determine the causes of traffic collisions is the responsibility of the involved employee’s immediate supervisor, the Chief of Police, or his/her designee.
(c) When an employee is involved in a traffic collision, the on-scene supervisor shall submit a memorandum describing the incident to the employee’s respective Assistant Chief, via the Chain of Command. The memorandum shall also include a copy of the traffic collision report and any other related reports and/or memorandums.

501.8 PROCEDURES FOR THE TRAFFIC COLLISION REVIEW BOARD

(a) The composition of the Board will be the responsibility of the Field Services Assistant Chief or his/her designee. The Board will convene on a mutually agreed upon date and time and will review all accidents that occurred within the preceding time period since the last review of employees' traffic collisions. The Board shall convene no less than once every three months, unless otherwise directed by the Field Services Division Commander. The Field Services Assistant Chief shall appoint all members, excluding the Chairperson, for a term of one year. The Traffic Section supervisor shall be responsible for notifying members of the Board and the involved employee(s) of upcoming meetings.

(b) The Traffic Collision Review Board shall consist of the Traffic Section supervisor, Personnel and Training supervisor, a supervisor from the Support Services Division, and an accident investigator. The Traffic Section supervisor shall be the chairperson of the Board, except in cases involving personnel under his/her direct supervision.

1. Traffic Section supervisor (Chairperson)
2. Personnel and Training supervisor
3. Support Services Division supervisor
4. Accident investigator

(c) One representative of the effected employee’s choosing may also accompany the employee, if so desired. If the employee chooses to have a representative present during the collision review, that representative shall not have any involvement in the traffic collision under review. If any member on the Traffic Collision Review Board has any involvement with the accident under review, the member shall recuse himself/herself from the process. It shall be the determination of the Field Services Assistant Chief which person replaces the recusant during the review process or whether that position will remain vacant for that particular accident review.

(d) The employee will be notified of the review of the accident in which he/she was involved at least seven days prior to the meeting. The employee need not appear before the Board unless specifically ordered to attend in order to clarify an issue regarding the collision, or unless he/she wishes to do so.

(e) The collision review may be recorded. If a tape recording is made of the interview with the employee, he/she shall have access to the tape if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The employee shall have the right to bring his/her own recording device and record any and all aspects of the collision review.
501.9 OBJECTIVE OF THE TRAFFIC COLLISION REVIEW BOARD
The Board shall review and evaluate the Traffic Collision Report, involved employee written statements, the Accident Investigator's opinions and conclusions, and all other available evidence. Absent an expressed waiver from the employee, no more than two members of the Board may ask questions of the involved employee. They will then make their conclusions as to the degree of responsibility, if any, of the involved employee.

The Board, by agreement of at least three members, shall classify the employee’s responsibility into one of five classifications listed below:

(a) **Unable to affix responsibility**

(b) **Excusable**
   1. Aware of the impending hazard, alert to its natural consequences and skillful in minimizing the effect of the accident.
   2. Not at fault from the standpoint of exercising ordinary operation skill.
   3. Operating during conditions under which the accident was excusable.
   4. Legally parked or standing.
   5. Excusably deviating from general safety principles due to circumstances.

(c) **Preventable**
   1. Not alert or failing to exercise ordinary skill in avoiding the accident.
   2. Failing to assess hazards of which he/she should have been aware.
   3. Deviating from general safety principles.

(d) **Failure to anticipate**
   1. Aware of the impending hazard, but assumed other party would yield.
   2. Aware of the impending hazard and could have averted same, but not legally required to do so.

(e) **Violation of law or policy**
   1. Acting in violation of a statutory provision or department policy relating to the situation at the time of the accident or immediately prior thereto, even though the other party could have avoided its occurrence by being more alert or skilled.

If the Board determines that there are potential vehicle and/or equipment problems, training needs, or other department actions required, this information shall be included in the subsequent report detailing the issues and proposed solutions.

501.10 TRAFFIC COLLISION REVIEW COMMITTEE PROCEDURES

(a) After a determination of the employee's responsibility has been reached and any other issues and solutions identified, the chairperson will submit written findings in a report that should be forwarded through the chain of command to the respective employee's Assistant Chief. The Assistant Chief may make a recommendation for discipline, if
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warranted. The respective Assistant Chief will consider several factors if discipline is to be recommended, including:

1. The employee's work-related driving record.
2. The severity or potential severity of the collision.
3. The circumstances under which the vehicle was being operated.
4. Any other pertinent information, which may assist the Assistant Chief in forming a fair and consistent recommendation.

(b) Once received, the Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.
Vehicle Towing and Release

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Alhambra Police Department. Nothing in this policy shall require the Department to tow a vehicle.

502.1.1 DEFINITIONS
Stored Vehicle - A stored vehicle is one that has been removed from a highway, public or private property, under legal authority, for the purpose of providing safe custody and is subject to an unconditional release. Ordinarily, when the Alhambra Police Department (APD) stores a vehicle on behalf of a citizen, the citizen is responsible for the charges.

Impounded Vehicle - “To seize and take into custody of the law or of a court” (Reference, Black's Law Dictionary.) An impounded vehicle is one that has been removed from a highway, public or private property, under legal authority, and is subject to a conditional release or is being held as evidence. Instances of impounding entire automobiles as evidence should be rare. Every attempt should be made to avoid impounding vehicles as evidence by completing CSI at the scene.

Impound for Investigation - When a vehicle has been involved in a hit and run accident and the driver has failed to stop or fled the scene of the accident (Vehicle Code § 22655(a)).

Impound for Evidence - When a vehicle is the subject of a search warrant, or in cases where the vehicle is an instrumentality in a serious crime such as assault with the vehicle (ADW), sexual assaults, kidnapping, homicide, etc. (Vehicle Code §§ 22655.5).

(a) A decision to hold the vehicle for further investigation should be predicated on a necessity to facilitate a proper investigation (i.e., search warrant, instrumentality of a serious crime, etcetera).

(b) Officers impounding vehicles as evidence shall obtain prior approval from a supervisor. The vehicle may be taken to an authorized APD tow service facility if evidence would be destroyed or harmed by weather, etc. Authorized APD tow service facilities shall be equipped to provide protection from the elements to preserve the integrity of evidence.

(c) Officers completing the CHP Form 180 shall check the appropriate box indicating "HOLD FOR INVESTIGATION." The officer shall also write "Hold for Prints," or "Hold for CSI" across the top of the CHP Form 180.

502.2 STORAGE AND IMPOUNDS
When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.
502.2.1 VEHICLE STORAGE REPORT
Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Records Section as soon as practicable after the vehicle is stored.

502.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, the Communications Section will contact the official towing garage for the City of Alhambra.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the official towing garage for the City of Alhambra. The officer will then store the vehicle using a CHP Form 180.

502.2.3 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high-crime area).

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases, the owner shall be informed that the Department will not be responsible for theft or damages.

502.2.4 IMPOUNDMENT AT SOBRIETY CHECKPOINTS
Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver's license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized
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by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear or the Statement of Facts Form the name and driver's license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver's license and current vehicle registration.

502.2.5 DRIVING A NON-CITY VEHICLE
Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.2.6 DISPATCHER'S RESPONSIBILITIES
Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the official towing garage for the City of Alhambra.

502.2.7 RECORDS SECTION RESPONSIBILITY
Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the Watch Commander for approval (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).

Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Section to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address, and telephone number of this Department.

(b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.

(c) The authority and purpose for the removal of the vehicle.
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(d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, in writing, or by telephone within 10 days of the date appearing on the notice.

502.3 TOWING SERVICES
The City of Alhambra periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
(b) When a vehicle is being held as evidence in connection with an investigation.
(c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal of vehicles obstructing traffic in violation of state or local regulations.

502.3.1 "NO PREFERENCE" TOW SERVICES
The Police Department will assist citizens by calling any towing company desired. If the citizen has no preference and requests that an officer call a towing company, the official towing garage shall be notified via Dispatch.

All officers are prohibited from directly or indirectly soliciting for or recommending any garage or tow service.

502.4 VEHICLE INVENTORY
All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

502.5 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

502.6 RELEASE OF VEHICLE
The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing.
Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver’s license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit, and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver’s license, and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver’s license or acquires a license and provides proof of proper insurance.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

(d) An autonomous vehicle removed under authority of Vehicle Code § 22651(o)(1)(D) shall be released to the registered owner or person in control of the autonomous vehicle if the requirements of Vehicle Code § 22651(o)(3)(B) are met.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.

502.6.1 RELEASE OF IMPOUNDED VEHICLE

(a) Vehicles impounded for serious investigations, such as a homicide, kidnapping, etc., shall be held until the case has been adjudicated and the appeals process has been exhausted.

1. In death penalty cases the vehicle shall be held until the defendant has been executed.

(b) Vehicles impounded in any other types of criminal cases or pursuant to a search warrant will not be released until the case has been adjudicated and the court has
determined the vehicle is no longer needed as evidence. The vehicle may be released under any of the following criteria:

1. Pursuant to a valid court order
2. With the approval of the District Attorney's Office
3. With the approval of a Division Commander or his or her designee

(c) In the event the vehicle was not introduced or filed-on in the criminal action or preceding, with the approval of a supervisor the assigned case agent may release the vehicle to persons showing proof of ownership or their authorized agent.

502.6.2 RECOVERED STOLEN VEHICLES

(a) If there is a "Hold" on the vehicle, check with the appropriate agency for disposition.

(b) When a stolen vehicle is recovered and it appears feasible that the owner can respond to pick it up, the employee recovering the vehicle and/or the Records Section shall ensure prompt owner notification to allow ample opportunity to pick up the vehicle.

(c) If the owner cannot respond within a reasonable time, the vehicle will be stored.

(d) CSI should be performed on all stolen vehicles.

502.7 REMOVED, DEFACED, ALTERED OR DESTROYED MANUFACTURER'S SERIAL OR IDENTIFICATION NUMBER

Per Vehicle Code § 10751:

(a) No person shall knowingly buy, sell, offer for sale, receive or have in his possession, any vehicle or component part thereof from which the manufacturer's serial or identification number has been removed, defaced, altered, or destroyed, unless such vehicle or component part has attached thereto an identification number assigned or approved by the CHP/DMV in lieu of the manufacturer's number,

(b) Whenever such vehicle or component part comes into the custody of a peace officer, it shall be destroyed, sold or otherwise disposed of under the conditions as provided in an order by the court having jurisdiction. Nothing in this section shall; however, preclude the return of such vehicle or parts to the lawful owner thereof following presentation of satisfactory evidence of ownership and assignment of an identification number by the CHP/DMV. This subdivision shall not apply with respect to such a vehicle or component part used as evidence in any criminal action or proceeding,

(c) This section shall not apply to a scrap metal processor engaged primarily in the acquisition, processing, and shipment of ferrous and nonferrous scrap, and who receives dismantled vehicles from licensed dismantlers, or licensed junk collectors, or licensed junk dealers as scrap metal for the purpose of recycling the dismantled vehicles for their metallic content, the end product of which is the production of material for recycling and remelting purposes for steel mills, foundries, smelters, and refiners.

502.7.1 OFFICER'S RESPONSIBILITY

(a) Whenever a vehicle or component part with mutilated or removed identification numbers comes into the custody of an officer, it shall be impounded. This action shall
be accomplished only with the approval of a supervisor. Whenever the mutilation or removal is obvious, no enforcement document (i.e., citation) will be issued at the time of the observation. The documents required to be completed under these circumstances are CHP Form 180 and a Property Report form.

1. As applicable, the initiating officer shall secure items of value as evidence or for safekeeping, prior to impounding the vehicle.

(b) All vehicles and component part(s), which are seized pursuant to Vehicle Code § 10751 shall be impounded at an appropriate storage facility dependent upon size and number of items seized.

1. Intact motorcycles, motorcycle frames, or engines, will be stored at a site determined in conjunction with a supervisor and/or Property Officer.

2. In all other situations of impound or storage, vehicles shall be removed to one of the authorized police tow facilities.

502.7.2 WATCH COMMANDER'S RESPONSIBILITY
The Watch Commander shall ensure that all necessary reports are submitted to the Records Section for proper processing.

502.7.3 DETECTIVE SECTION RESPONSIBILITY
(a) In those instances where a vehicle or component part is impounded, follow-up investigations, which are initiated, shall be the responsibility of the detective assigned to auto theft investigations. During the 60 day period following the impoundment of vehicle(s) or part(s), the detective shall conduct the necessary follow-up investigation to determine whether or not the vehicle or component part(s) fall within one of the below-listed categories.

(b) Whenever the results of a follow-up investigation indicate that the vehicle is identified as "not stolen," the following procedure shall apply:

1. **Manufacturer's Identity Usable** - If the manufacturer's secondary numbers are satisfactory and in usable condition, an un-numbered replacement VIN plate should be used repeating the complete original identification number and attached to the vehicle. Under these circumstances, the individual involved is not referred to DMV and DMV Reg. Form 124 is not required. The detective will advise the lawful owner of the vehicle to contact the local CHP VIN inspection team for completion and verification of DMV Form 256.

2. **New Identity Needed** - If, in the opinion of the detective, circumstances require the assignment of a new identity to a vehicle or component part, the individual involved shall be referred to DMV in order to obtain DMV Reg. Form 124. The vehicle or component part will then be handled in the normal manner and processed by the assigned investigator.

(c) Whenever the results of a follow-up investigation indicate that the vehicle is identified as "stolen," or "not identified," the following procedure shall be followed:
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1. **Identified–Stolen** - If the vehicle is identified and found to be stolen, an appropriate complaint concerning stolen vehicle(s) or part(s) would be filed in accordance with existing procedures.

2. **Not Identified or Unsatisfactory Ownership** - If the vehicle or part(s) cannot be identified and the detective is not satisfied with the proof of ownership that is offered, he/she shall run appropriate tests to help identify the rightful ownership of the vehicle or component(s).
   
   (a) The detective then returns the packet with his/her original Proof of Personal Service attached to the District Attorney's Office via the Court Liaison.

3. **Satisfactory Ownership Not Identified** - If the vehicle or part(s) cannot be identified, but due to extenuating circumstances the detective is satisfied with the right of possession or ownership, the vehicle can be processed and returned to the assumed owner. This alternative should be used only in the rarest of situations and with review and approval of the City Attorney's Office.
   
   (d) Ensure that all necessary reports are submitted to the District Attorney's Office for processing and court scheduling.

502.7.4 **FINAL DISPOSITION OF VEHICLE(S) OR PART(S) Released to Owner** - If the vehicle(s) or component part(s) are identifiable, they shall be returned to their lawful owner by the Property Officer via the assigned detective.

**Disposition of Property - No Criminal Complaint Issued** - If, as a result of a hearing being conducted, the court approves that the questioned property be disposed of, the Department's Court Liaison will provide a copy of the signed Order for Disposition to the property officer, who will make the necessary disposition of the property in accordance with existing regulations governing such disposition.

502.7.5 **DOCUMENT SERVICE REQUIREMENTS**
Refer to Vehicle Code § 10751 for provisions.
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

503.2 STORED OR IMPOUND HEARING
When a vehicle is stored or impounded by any member of the Alhambra Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code §§ 22650(a) and 22852(a)).

A notice of the storage shall be mailed or personally delivered to the registered and legal owners within 48 hours, excluding weekends and holidays.

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

503.2.1 HEARING PROCEDURES
The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Traffic Section Supervisor or his/her designee, or the Watch Commander will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

Post storage hearings can be conducted at the time the person is making the request for a hearing. However, it must be made clear to the person that the hearing is in fact being conducted.

All post storage hearings shall include a Vehicle Storage Hearing Report. The Post Storage Hearing Report(s) will be filed with the appropriate CHP 180.

Failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.
Vehicle Impound Hearings

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code § 14602.6(b); Vehicle Code § 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department's policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

   1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department's expense (Vehicle Code § 22852(e)).

(c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Assistant Chief. The hearing officer will recommend to the appropriate Assistant Chief that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.
Impaired Driving

504.1 PURPOSE AND SCOPE
This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY
The Alhambra Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California’s impaired driving laws.

504.3 INVESTIGATIONS
Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Section Supervisor will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FSTs) administered and the results.
(b) The officer’s observations that indicate impairment on the part of the individual, and the officer’s health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
(d) Information about any audio and/or video recording of the individual’s driving or subsequent actions.
(e) The location and time frame of the individual’s vehicle operation and how this was determined.
(f) Any prior related convictions in California or another jurisdiction.

504.4 FIELD TESTS
The Traffic Section Supervisor should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.5 CHEMICAL TESTS
A person is deemed to have consented to a chemical test or tests under any of the following (Vehicle Code § 23612):

(a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.
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(b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person’s blood alcohol content is 0.05 or more (Vehicle Code § 23140).

(c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

(d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

(e) The person is dead, unconscious or otherwise in a condition that renders him/her incapable of refusal (Vehicle Code § 23612(a)(5)).

504.5.1 STATUTORY NOTIFICATIONS
Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

504.5.2 CHOICE OF TESTS
Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

504.5.3 BREATH SAMPLES
The Traffic Section Supervisor should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Section Supervisor.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).
Impaired Driving

The breath test should be conducted in the Breathalyzer Room adjacent to the Jail entrance. However, under extenuating circumstances, and with the approval of a supervisor, a breath alcohol machine may be deployed to the scene of the incident. When circumstances permit, it is recommended that the arresting officer conduct the breath test.

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an alcoholic beverage and any drug. Evidence of the officer’s belief shall be included in the officer’s report (Vehicle Code § 23612(a)(2)(C)).

504.5.4 BLOOD SAMPLES
Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

(a) Withdrawal Request: Whenever a blood sample is obtained from an arrestee, the officer should prepare and sign a “Request for Withdrawal of Blood” as requested by the facility. This request form contains a statement regarding the reason for obtaining the blood sample and a waiver stating that the driver is not afflicted with one of the exempting ailments. The driver shall be asked to sign the request and indicate the date and time of the signing in the presence of the officer or another witness. The officer shall then present the form to hospital personnel.

(b) Obtaining the Blood Sample: Hospital personnel should utilize a Los Angeles County Sheriff’s Department Blood Sample Kit when preparing blood samples for the officer. Such kits consist of a white envelope with instructions printed on the front, a vial which contains an anti-coagulant agent, and a seal. Officers shall follow the instructions as specified on the blood sample kit envelope relative to the marking and preparation of the sample and vial.

(c) Booking the Blood Sample: Upon obtaining the blood sample, the officer shall seal the marked vial in the supplied envelope as per the instructions on the envelope. The officer shall complete a Property/Evidence Report for the sample then transport it to the Alhambra Police facility where it will be booked and stored in the Property Section. The location booked shall be indicated on the evidence report which will then be deposited into an evidence locker.
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#### 504.5.5 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The collection kit shall be marked with the person's name, offense, Alhambra Police Department case number and the name of the witnessing officer. If different from the arresting officer, the observing person’s name must be included on the urine test kit and in the arresting officer’s report.

If the subject is unable to urinate a second time, a blood sample must be collected to obtain the necessary evidence.

The officer booking the urine sample shall:

(a) Complete a Property/Evidence Report and note the evidence storage location.

(b) Ensure that the bottle is properly marked according to the label’s instructions and Department policy.

(c) Ensure that the lid is placed tightly on the bottle and sealed.

(d) Book the urine sample into an evidence locker.

#### 504.5.6 TESTING OF CONSCIOUS PERSON AT A HOSPITAL

Most blood, breath and urine tests will be administered at our Jail Facility. However, if a timely breath or urine test cannot be administered because the person is transported to a medical facility where such tests cannot be facilitated, the person shall be advised that a blood test will be the only choice available and a blood sample may be taken at the medical facility (Vehicle Code § 23612(a)(3)).

Based on probable cause, the officer should place the conscious person under arrest in the presence of a witnessing officer or medical personnel and advise the attending physician of the intention to collect a sample of the person’s blood. Unless the attending physician objects for medical reasons, a blood sample will be collected in the prescribed manner.

#### 504.5.7 TESTING OF UNCONSCIOUS OR DECEASED PERSON AT A HOSPITAL

When a person is suspected of driving under the influence of alcohol and/or drugs and the person is unconscious or in a condition rendering him or her incapable of refusal, that person is deemed not to have withdrawn his or her consent and a blood test may be ordered by the arresting officer (refer to Policy Manual § 514.5 - Chemical Test and Vehicle Code § 23612(a)(5)).

The officer shall advise the attending physician of the intention to collect a sample of the person’s blood as evidence. If the physician does not object based on medical reasons, the blood will be collected in the prescribed manner.
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A person who is dead is deemed not to have withdrawn his or her consent and a test or tests may be administered. In such cases the handling officer should coordinate with the Coroner’s Office to ensure that a viable test will be obtained (Vehicle Code § 23612(a)(5)).

504.5.8 PRELIMINARY ALCOHOL SCREENING
Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

504.5.9 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21
If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

504.6 REFUSALS
When an arrestee refuses to provide a viable chemical sample, officers should:

(a) Advise the arrestee of the requirement to provide a sample (Vehicle Code § 23612).
(b) Audio- and/or video-record the admonishment when it is practicable.
(c) Document the refusal in the appropriate report.

504.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL
Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the arrestee and take possession of any state-issued license to operate a motor vehicle that is held by that individual (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

504.6.2 BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (Penal Code § 1524).
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(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

504.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.

1. This dialogue should be recorded on audio and/or video if practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure the extraction of blood is done in an area of the Jail Facility that is being video recorded.

1. At the conclusion of the incident, a copy of the video recording shall be obtained and booked into evidence.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.
504.7 ARREST AND INVESTIGATION

504.7.1 WARRANTLESS ARREST
In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

(a) The person is involved in a traffic accident.
(b) The person is observed in or about a vehicle that is obstructing the roadway.
(c) The person will not be apprehended unless immediately arrested.
(d) The person may cause injury to him/herself or damage property unless immediately arrested.
(e) The person may destroy or conceal evidence of a crime unless immediately arrested.

504.7.2 OFFICER RESPONSIBILITIES
The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver’s license to the Department of Motor Vehicles (DMV).
(b) Forward a sworn report to DMV that contains the required information in Vehicle Code § 13380.
(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.

504.8 RECORDS SECTION RESPONSIBILITIES
The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

504.8.1 ADMINISTRATIVE PER SE: BLOOD AND URINE TEST RESULTS
The Department of Motor Vehicles requires the results of the urine or blood tests if the driver has chosen those mediums for compliance with the Implied Consent Law. The DMV has designated a twenty calendar day deadline from the time of arrest for submission of this information.

A copy of a report involving an Administrative Per Se action shall be routed to the Records Section via a secondary assignment at the time of report review. This report shall become the basis upon which a need for a urine/blood test result mailing will be identified.

Within twenty calendar days of the arrest or as soon as the urine or blood test results are available from the Los Angeles County Sheriff’s Crime lab, the employee designated by the Records Section Supervisor shall review the lab receipt and transfer the information from that document onto a “Supplement to Officer’s Statement Blood/Urine Test Results.” The designated Records Section employee shall mail the DMV copy to the Administrative Per Se office in Sacramento.
504.9 ADMINISTRATIVE HEARINGS
The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

504.10 TRAINING
The Training Manager should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Manager should confer with the prosecuting attorney’s office and update training topics as needed.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.1.1 DEFINITIONS
For purposes of this policy the following definitions will be used:

Void - Refers to the action necessary when a citation has not been processed and where all copies are intact.

Dismissal - Refers to the action necessary when a citation has been written and processed.

505.2 RESPONSIBILITIES
The Traffic Section Supervisor shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Records Section shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

505.2.1 ISSUING CITATION BOOKS
Department personnel shall obtain Citation Books from the Records Section. Employees shall sign and date the citation book log, noting the citation book number series.

Upon receiving a Citation Book, the employee shall check it to ensure that it contains the correct number of consecutively numbered citations. If a discrepancy is found, the employee shall immediately report this information verbally or in a memorandum to a supervisor. The supervisor will document the reported discrepancies in a memorandum and forward this information to the Field Services Division Commander.

505.2.2 MISSING CITATIONS OR CITATION BOOK: EMPLOYEES
Upon the discovery that a citation or a Citation Book is missing, employees shall immediately report this information to their immediate supervisor.

505.2.3 MISSING CITATION OR CITATION BOOK: SUPERVISOR
If a citation or a Citation Book cannot be located, the Traffic Section Supervisor shall inform the Field Services Division Commander. The employee’s Division Commander will direct the employee’s supervisor to investigate the circumstances surrounding the missing Citation Book. The supervisor will submit a written report of his findings to the Field Services Division Commander.

505.2.4 COMPLETION OF CITATIONS
Employees are responsible for writing complete, accurate and legible citations.

(a) Errors or Omissions on Citations:
Traffic Citations

1. When an error is made, and the violator’s copy is still available, the employees shall correct the error by drawing a single line through the error and legibly printing the corrected information next to the error.

2. The employee shall then initial the error on the citation.

3. When an error or omission is noted on the citation after the violator has left, the employee shall notify a supervisor. Violator notification and/or dismissal of the citation (if it cannot be corrected) is the responsibility of the employee issuing the citation to inform the Traffic Section. The Traffic Section will cause a letter to be written to the violator informing him/her of the correction(s).

(b) Returning Completed Citations:

1. The employee shall submit the original and second copy of completed citation(s) to his/her supervisor as soon as possible, but no later than the end of the employee’s tour of duty. The supervisor reviewing the citation shall either forward it to the Traffic Section or return it to the issuing employee with a critique notice.

(c) The following criteria shall be used when determining whether a citation should be canceled or voided:

1. The person issued the citation was subsequently arrested and booked, and the violation for which the person was cited is merged with the arrest offense.

2. The officer mistakenly identified the person to whom the citation was issued.

3. The offender is identified as being entitled to diplomatic immunity.

4. The citing officer made an error in the completion of the citation or it is mutilated and another citation is issued to the offender.

5. The cause for issuance was apparent disobedience to an official sign or traffic control device and it is later determined that the device or sign was obscured, displaced, or malfunctioning.

6. The officer receives an emergent call for service prior to completing the citation.

505.2.5 ADULT COURT APPEARANCE LOCATION

Adults shall be cited into the Pasadena Superior Court, Pasadena, CA, in the prescribed period of time.

Under certain circumstances a person cited for a traffic violation may request to appear at the court designated as the County Seat. When this occurs the person will be cited to appear at one of the given branch courts such as Metro Traffic Court (L.A.), Van Nuys Court, San Fernando Court, West Los Angeles Court, or San Pedro Court during the business hours of that court.

505.2.6 JUVENILE CITATION DIVERSION PROGRAM

All cases listed in Welfare and Institutions Code § 256 are eligible for Citation Diversion as well as:

- Traffic misdemeanors (i.e., Vehicle Code §§ 12500(a) or 14601.1) alone or in conjunction with any other traffic violation, whether a misdemeanor or infraction.
Traffic Citations

- Cases involving local municipal code violations or those which involve loitering.

Citation Diversion cites require an accurately completed citation with the appearance date and location left blank. Citation Diversion will notify the juvenile and family if they are to appear at a Community Based Diversion Program and provide an address and date for appearance or will indicate when and where they are to appear for purposes of handling the citation in some other manner.

The following citations DO NOT qualify for the Citation Diversion Program:

- All traffic infraction cases where there is no other violation, except the infraction listed on the citation (send to the local adult traffic court for handling).
- Cases that do not fall within the purview of WIC § 256 (file with the appropriate Los Angeles County Probation Department sorting venue where they will be evaluated to determine appropriate processing).

Citations eligible for Citation Diversion (WIC § 256) may be mailed or hand delivered to Citation Diversion, 6640 Van Nuys Blvd. Suite #200, Van Nuys, CA 91405.

The following information can be provided to parents who have questions about their child's Citation Diversion cite:

- Citation Diversion
- (818) 901-3001 or (818) 901-3002
- Email: citationdiversion@probation.lacounty.gov
- Hours: 9:00 a.m. to 4:30 p.m. Monday through Friday, except holidays
- Voice messages may be left. Calls will be returned within 24 hours.

Parents of a cited juvenile should be advised that walk-ins aren't able to process their citation on the day they walk into the office without an appointment. However, those who walk in will be provided a date to return.

Also refer to Policy 420 – Cite and Release

505.2.7 JUVENILE VIOLATIONS ELIGIBLE FOR CITATION DIVERSION
Some of the violations listed under Welfare and Institutions Code § 256 that juveniles are eligible for the Citation Diversion Program are as follows:

(a) Any violation of the Vehicle Code, except Section 23136, 23140, 23152, or 23153 of the code, not declared to be a felony.
   1. All traffic infraction cases where there is no other violation, except the infraction listed on the citation, must be sent to the local adult traffic court for handling.

(b) A violation of Penal Code § 602(m) - Entering and occupying real property or structures.

(c) A violation of the Fish and Game Code not declared to be a felony.
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(d) A violation of any of the equipment provisions of the Harbors and Navigation Code or the vessel registration provisions of the Vehicle Code.

(e) A violation of any provision of state or local law relating to traffic offenses, loitering or curfew, or evasion of fares on a public transportation system, as defined by § 99211 of the Public Utilities Code.

(f) A violation of Section 27176 of the Streets and Highways Code.

(g) A violation of Section 640 and 640a of the Penal Code.

(h) A violation of the rules and regulations established pursuant to Sections 5003 and 5008 of the Public Resources Code.

(i) A violation of Section 33211.6 of the Public Resources Code.

(j) A violation of Section 25658, 25658.5, 25661, or 25662 of the Business and Professions Code.

(k) A violation of Penal Code § 647(f) - Public intoxication.

(l) A misdemeanor violation of Section 594 of the Penal Code, involving defacing property with paint or any other liquid.

(m) A violation of subdivision (b), (d), or (e) of Section 594.1 of the Penal Code.

(n) A violation of Health and Safety Code § 11357(b) - Unauthorized possession of marijuana, less than 1 ounce.

(o) Any misdemeanor for which the minor is cited to appear by a probation officer pursuant to subdivision (f) of Section 666.5 of the Welfare and Institutions Code.

(p) Any infraction, not related to the Vehicle Code.

505.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the Traffic Bureau Manager. Upon a review of the circumstances involving the issuance of the traffic citation, the Traffic Bureau Manager may request the Field Services Assistant Chief to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Field Services Assistant Chief for review.
505.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Traffic Bureau.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Traffic Section. The Traffic Section shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.

505.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee’s immediate supervisor for review. The citation copies shall then be filed with the Records Section.

Upon separation from employment with this department, all employees issued traffic citation books shall return any unused citations to the Records Section.

505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE
Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.7.1 APPEAL STAGES
Appeals may be pursued sequentially at three different levels (Vehicle Code § 40215; Vehicle Code § 40230):

(a) Administrative reviews are conducted by the Traffic Bureau who will review written/ documentary data. Requests for administrative reviews are available at the front desk or Traffic Bureau of the Alhambra Police Department. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the Superior Court of California.

505.7.2 TIME REQUIREMENTS
Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.
Traffic Citations

(a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking Violation (Vehicle Code § 40215(a)).

(b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).

(c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).

(d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209; Vehicle Code § 40210).

505.7.3 COSTS

(a) There is no cost for an administrative review.

(b) Appellants must deposit the full amount due for the citation before receiving an administrative hearing, unless the person is indigent, as defined in Vehicle Code § 40220, and provides satisfactory proof of inability to pay (Vehicle Code § 40215).

(c) An appeal through Superior Court requires prior payment of filing costs, including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.

505.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile’s age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

505.8.1 VOIDING JUVENILE NOTICE TO APPEAR

The case Detective may still exercise the option of counseling the subject and not sending a petition request to the court. When this occurs, the Detective shall obtain approval from the Support Services Division Commander prior to voiding the Notice to Appear. An Alhambra Police Department form letter to dismiss the charges will be typed by Detective Bureau personnel and mailed to the address shown on the Notice to Appear. This letter will serve to notify the juvenile that it is not necessary to appear in court on the specified date. Youth Services personnel will retain all copies of the form and Notice to Appear for filing in the Juvenile’s JAIN file.
Disabled Vehicles

506.1 PURPOSE AND SCOPE
Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

506.2 OFFICER RESPONSIBILITY
When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.3.2 RELOCATION OF DISABLED VEHICLES
Only under exceptional circumstances should an officer use a unit’s push-bars to move another vehicle. Such circumstances would occur when the safety of lives and/or the prevention of extensive property damage would necessitate the immediate moving of a disabled vehicle (i.e. an occupied vehicle stuck on railroad tracks, a burning vehicle near-by flammable material, a vehicle in danger of causing a traffic collision, etc.). The use of a unit’s push-bars to move another vehicle should not be done in place of utilizing a tow service, redirecting traffic, or using a cone and/or flare pattern.

(a) If practicable, when an officer opts to use a unit’s push-bars to move another vehicle, the officer shall turn on the unit’s MAV camera prior to making contact with the vehicle.

(b) The officer should attempt to get the permission of the person in control of the vehicle to have the officer move it to a safer location.

1. If permission is not granted, the officer must weigh whether the benefit of moving it off the roadway or out of danger is greater than receipt of the permission.

(c) When utilizing a unit’s push-bars the officer should determine if someone needs to steer the disabled vehicle and if the disabled vehicle has operational breaks to stop it.

(d) The officer should take into account the type of vehicle needing assistance.
Disabled Vehicles

1. The ground level of the police unit’s push-bars might be dramatically different from the bumper region of the vehicle needing assistance. Officers should not attempt to use push-bars on exotic vehicles such as Ferrari’s, Porsche’s, Lamborghini’s or any other vehicle which sits lower to the ground than the police vehicle, or a raised vehicle where its bumper and the push-bars do not align.

506.3.3 RELOCATION OF DISABLED MOTORIST
The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

506.4 PUBLIC ACCESS TO THIS POLICY
This written policy is available upon request.
72-Hour Parking Violations

507.1 PURPOSE AND SCOPE
This policy provides procedures for the issuance of parking citations, marking, recording, and storage of vehicles parked in violation of the Alhambra City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

507.1.1 PARKING ENFORCEMENT

(a) Patrol personnel, including Community Service Officers, are authorized and responsible for enforcing parking laws under state and local law. Parking violations are to be issued on city of Alhambra Parking Citations, which include a three part triplicate format allowing for officer notes on the back of the pink citation and a preaddressed violator's copy response envelope. Once issued, parking violations shall be turned-in at the conclusion of each work day.

(b) Electronic parking citations shall be issued on an official Alhambra Parking Electronic Citation. Authorized parking personnel will electronically fill-in all necessary information as required in Vehicle Code § 40202. Once completed, a parking citation shall be securely attached to the vehicle. All electronic parking citation devices shall be returned at the conclusion of each work day. All devices shall be placed in its docking bay and connected for download and processing.

(c) When responding to complaints of parking violations and it is determined that signage or other markings are damaged, missing or otherwise inadequate to legally determine a violation, it is the responsibility of that employee to not issue a citation. The employee should attempt to notify the property owner of the requisite proper signage and refer the property owner to the Traffic Bureau for further assistance.

(d) The Traffic Section will forward all parking citations to City Hall Finance Department for processing. Processing procedures will be followed in accordance with Vehicle Code §§ 40200, 400200.4, 40200.5 and 40200.6.

507.2 MARKING VEHICLES
Vehicles suspected of being in violation of the City of Alhambra 72-Hour Parking Ordinance shall be marked and noted on the Alhambra Police Department Marked Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Card. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

All Marked Vehicle Cards shall be submitted to the Traffic Section for computer data entry.
72-Hour Parking Violations

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Card completed and forwarded to the Traffic Section.

Parking citations for the 72-hour parking ordinance shall not be issued when the vehicle is stored for the 72-hour parking violation.

507.2.1 MARKED VEHICLE FILE
The Traffic Section shall be responsible for maintaining a file for all Marked Vehicle Cards.

Parking control officers assigned to the Traffic Section shall be responsible for the follow up investigation of all 72-hour parking violations noted on the Marked Vehicle Cards.

507.2.2 VEHICLE STORAGE
Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Section immediately following the storage of the vehicle. It shall be the responsibility of the Records Section to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS) (Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Section to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).

507.3 VEHICLE DISPOSAL
If, after 15 days from the notification date, the vehicle remains unclaimed and the towing and storage fees have not been paid, and if no request for a post-storage hearing was requested or a post-storage hearing was not attended, the Department may provide the lien holder storing the vehicle with authorization on an approved DMV form to dispose of the vehicle. The lienholder may request the public agency to provide the authorization to dispose of the vehicle (Vehicle Code § 22851.3(h)).
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY
It is the policy of the Alhambra Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS
Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.3.1 AUDIO/VIDEO RECORDINGS
Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Section supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.3.2 MANDATORY RECORDING OF ADULTS
Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. The recording should be video with audio if reasonably feasible (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.
Investigation and Prosecution

(b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

The Department shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Penal Code § 859.5).

600.4 INITIAL INVESTIGATION

600.4.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

1. An initial statement from any witnesses or complainants.
2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the officer shall:

1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
Investigation and Prosecution

5. Collect any evidence.
6. Take any appropriate law enforcement action.
7. Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.4.2 REPORT PREPARATION OF PROCESSING CRIME SCENE
It is the responsibility of any personnel who process a crime scene for investigative purposes to submit a complete report on the sequence of events associated with their scene investigation. The reports should contain the following information:

(a) Case number
(b) Date and time of occurrence
(c) Location
(d) Known name of victim(s)
(e) Known name of suspect(s)
(f) Actions taken at the scene
(g) Physical evidence recovered at the scene

Assisting personnel at a scene should submit a completed supplemental report form.

600.4.3 NON-SWORN MEMBER RESPONSIBILITIES
A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.5 COMPUTERS AND DIGITAL EVIDENCE
The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.6 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES
Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters
information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment. Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.6.1 ACCESS RESTRICTIONS
Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party’s account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.6.2 INTERCEPTING ELECTRONIC COMMUNICATION
Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.7 MODIFICATION OF CHARGES FILED
Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of an Assistant Chief or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

All high profile or particularly sensitive cases shall be brought to the attention of the Support Services Division Commander and the Chief of Police in a timely manner for review and/or input.
Case Status Reporting Procedures

601.1 PURPOSE
To conform to Uniform Crime Reporting standards of the United States Department of Justice for the clearing of cases assigned for investigation. Also, to establish Department procedures for closing and inactivating cases that have been assigned for investigation.

601.2 PROCEDURE
Cases assigned for investigation shall be concluded in one of the following three manners:

601.2.1 CASE CLOSED AS “INACTIVE”
After an investigation has been conducted, cases may be declared as "inactive" for any of the following reasons:

(a) No further leads can be developed.
(b) No suspects have been developed.
(c) The victim or witnesses cannot identify the suspect.
(d) The victim is unable to identify his property.

A case that has been declared as “inactive” may eventually be reclassified as being “closed,” when the Statute of Limitations for the criminal act no longer allows for the case to be adjudicated in a court of law.

NOTE: All major cases should remain active until a thorough investigation has been conducted and all possible leads have been exhausted.

601.2.2 CASE CLOSED AS “CLOSED”
After an investigation has been conducted, cases may be declared “closed” for any of the following reasons:

(a) Victim has made the criminal report mainly for insurance purposes and desires no prosecution. However, if the case fulfills requirements listed under § 601.2.3 – Case Closed as “Clear,” it should be cleared.
(b) The District Attorney or the City Attorney refuses to prosecute on the merits of completed investigation.
(c) The Statute of Limitations has expired.
(d) A complaint has been filed, a warrant obtained and no service is effected within 30 days. If service is thereafter made, the case shall be removed from the “closed” list and marked as being “cleared.”

601.2.3 CASE CLOSED AS “CLEARED”
After an investigation has been conducted, a case may be “cleared” for any of the following reasons:
Case Status Reporting Procedures

(a) **Unfounded** - Investigation discovers the offense to be false or baseless. If the investigation shows that no offense occurred nor was attempted, the reported offense can be “unfounded.”

1. The recovery of stolen property, the small value of stolen property, the refusal of the victim to cooperate with prosecution or the failure to make an arrest does not “unfound” a legitimate crime. Also, the findings of a coroner, court, jury or prosecutor do not unfound offenses or attempts that investigations establish to be legitimate.

(b) **Arrest** - An offense is cleared by arrest when at least one person is:

1. Arrested.
2. Although no physical arrest is made, a case may be cleared by arrest when the offender is a person under 18 years of age and is cited to appear in Juvenile Court or before other juvenile authorities.
3. Charged with the commission of the offense.
4. Turned-over to the court for prosecution (whether following arrest, court summons or police notice).

(c) **Exceptional** – In certain situations, an investigator is not able to follow the three steps listed above under “clearance by arrest.” Many times all leads have been exhausted and everything possible has been done in order to clear a case. If the following questions can all be answered “yes” the offense can be cleared as “exceptional.”

1. Has the investigation definitely established the identity of the offender?
2. Is there enough information to support an arrest, charge and turning the case over to the court for prosecution?
3. Is the exact location of the offender known, so the subject could be taken into custody now?
4. Is there some reason outside law enforcements’ control that precludes arresting, charging and/or prosecuting the offender?

(d) Generally, an offense can be cleared as “exceptional” when it falls within one of the following categories:

1. Suicide by the offender.
2. Double murder (two persons kill each other).
3. Deathbed confession (the person responsible dies after making a confession).
4. The offender is killed by police or citizen.
5. There is a confession by offender already in your custody or serving sentence.
6. An offender is prosecuted by state or local authorities in another city for a different offense or prosecuted in another city or state by the federal government for an offense which may be the same (you attempt to return the offender for prosecution, but the other jurisdiction will not allow the release).
7. Extradition is denied.
8. The victim refuses to cooperate in the prosecution (this action does not “unfound” the offense, and the answer must be “yes” to the first three questions listed previously to clear the case as “exceptional”).

9. A warrant is outstanding for the offender, but before being arrested the offender dies.

10. The handling of a juvenile offender either orally or by written notice to parents in instances involving minor offenses such as petty larceny. No referral is made to juvenile court as a matter of publicly accepted law enforcement policy (informal handling).

601.3 RESPONSIBILITIES OF THE ASSIGNED CASE AGENT

(a) The ultimate responsibility for the proper investigation and management of assigned criminal offense(s) lies with the case agent.

(b) The case agent is responsible for the timely and thorough investigation for all assigned cases.

(c) The case agent must notify their immediate supervisor or his/her designee when a significant issue, complication and/or unnecessary delay impacts the thorough and timely completion of an assigned case.

(d) All case closures must be submitted to the case agent’s immediate supervisor or their designee for approval in a timely manner.

601.3.1 RESPONSIBILITIES OF A CASE AGENT’S SUPERVISOR

(a) Supervisors of case agents are responsible for ensuring that all criminal cases are investigated in a thorough and timely manner.

(b) Supervisors should audit all assigned investigations on a monthly basis and at a minimum no less than every three months.

(c) Assigned cases that are particularly significant or sensitive to public scrutiny should be monitored on a continual basis. Significant criminal cases would include, but not be limited to the following:

1. Homicides.
2. Traffic accidents with fatalities or critical injuries.
3. Officer-involved shooting on or off-duty.
4. Significant injury or death to any City of Alhambra employee, public official or prominent person while on-duty or off-duty.
5. Serious injury.
7. Arrest of any Police Department, City of Alhambra employee, public official or prominent Alhambra official.
8. Call-out of the SWAT Team.
9. In-custody injuries or deaths.
10. Crimes that are part of a significant crime pattern.
11. Sexual assaults, particularly those involving minors.

d) Supervisors are responsible for keeping the Support Services Division Commander apprised of any significant issues involving an investigation and/or that may negatively impact the agency or its reputation. The Support Services Division Commander is responsible for keeping the Chief of Police apprised of the above listed investigations in a timely manner.
Sexual Assault Investigations

602.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

602.1.1 DEFINITIONS
Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

602.2 POLICY
It is the policy of the Alhambra Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

602.3 QUALIFIED INVESTIGATORS
Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.
Sexual Assault Investigations

602.4 REPORTING
In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

602.5 RELEASING INFORMATION TO THE PUBLIC
In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Section supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

602.6 TRAINING
Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:
   1. Initial response to sexual assaults.
   2. Legal issues.
   3. Victim advocacy.
   4. Victim’s response to trauma.
   5. Proper use and handling of the California standardized SAFE kit (Penal Code § 13823.14).

(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
   1. Interviewing sexual assault victims.
   2. SART.
   3. Medical and legal aspects of sexual assault investigations.
   4. Serial crimes investigations.
   5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
   6. Techniques for communicating with victims to minimize trauma.

602.7 VICTIM INTERVIEWS
The primary considerations in sexual assault investigations, which begin with the initial call to Communications Section, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.
Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim and Witness Assistance Policy.

602.7.1 VICTIM RIGHTS

Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim’s choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2, and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 679.04).

2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

602.7.2 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim’s parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).
602.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE
Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

602.8.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). SAFE kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer shall ensure that an information profile for the SAFE kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned officer determines that a SAFE kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the officer shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned officer shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

602.8.2 DNA TEST RESULTS
A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant
delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim’s authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim’s authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):

1. To be informed if a DNA profile of the assailant was obtained from the testing of the SAFE kit or other crime scene evidence from their case.

2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.

(c) Provided that the sexual assault victim or the victim’s authorized designee has kept the assigned officer informed with regard to current address, telephone number, and email address (if available), any victim or the victim’s authorized designee shall, upon request, be advised of any known significant changes regarding the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

602.8.3 STANDARDIZED SEXUAL ASSAULT FORENSIC MEDICAL EVIDENCE KIT
The Property and Evidence Section supervisor should make California standardized sexual assault forensic medical evidence (SAFE) kits available to members who may investigate sexual assault cases. Members investigating a sexual assault should use these SAFE kits when appropriate and follow related usage guidelines issued by the California Clinical Forensic Medical Training Center (Penal Code § 13823.14).
602.9 DISPOSITION OF CASES
If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Section supervisor. Classification of a sexual assault case as unfounded requires the Detective Section supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

602.10 CASE REVIEW
The Detective Section supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.
Asset Forfeiture

603.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

603.1.1 OVERVIEW
Forfeiture is the taking by the government of property, which is illegally used or obtained, without compensating the owner. California law provides that certain kinds of property may be forfeited under specified circumstances. The circumstances differ for each type of property, but in general, property may be subject to forfeiture if it is used to "facilitate" drug trafficking or if it is "proceeds traceable" to drug trafficking. Facilitation means involved or used to make drug trafficking easier, while proceeds refers to monies or things acquired directly from illegal drug transactions or which can be traced back to drug transactions. In all contested forfeiture actions, someone must be convicted in an underlying or related criminal action of a California drug trafficking offense. There are no grounds for forfeiture without a criminal conviction, unless there is a disclaimer or in cases of cash in excess of $25,000.

603.1.2 POLICY
The Alhambra Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Alhambra Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with Health and Safety Code §§ 11469 and 11470 and the California District Attorneys Association Asset Seizure and Forfeiture Manual when handling asset seizure and forfeiture matters.

603.2 DEFINITIONS
Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Alhambra Police Department seizes property for forfeiture or when the Alhambra Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.
Asset Forfeiture

Property subject to forfeiture - Property related to a narcotics offense, which includes (Health and Safety Code § 11470; Health and Safety Code § 11470.1).

Seizure - The act of law enforcement officials taking property, cash or assets that have been used in connection with or acquired by specified illegal activities.

603.3 ASSET SEIZURE AUTHORITY

Health & Safety Code § 11470 - Provides for the forfeiture of any currency, and real and/or personal property, which represents proceeds or was used to facilitate narcotic activity in violation of the Health & Safety Code. The offense(s) must involve the manufacturing, distribution, transportation for sale, sales, possession for sale, offer for sale, offer to manufacture, or the conspiracy to commit certain Health & Safety Code violations.

Health & Safety Code § 11488a - Specifies that any peace officer having probable cause, may seize all moneys, negotiable instruments, securities, vehicles, boats, airplanes or other things of value which are forfeitable pursuant to Health & Safety Code § 11470 (e) or (f).

Property may be seized for forfeiture as provided in this policy.

603.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

(a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.

(b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):

1. The property subject to forfeiture is legally seized incident to an arrest.

2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the district attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.
Asset Forfeiture

603.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the forfeiture counsel’s current minimum forfeiture thresholds should not be seized.

(b) Real property is not subject to seizure, absent exigent circumstances, without a court order (Health and Safety Code § 11471).

(c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect’s immediate family (Health and Safety Code § 11470).

(d) Vehicles, boats or airplanes owned by an “innocent owner,” such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).

(e) Any property when the associated activity involves the possession of marijuana or related paraphernalia that is permissible under the Control, Regulate and Tax Adult Use of Marijuana Act (Health and Safety Code § 11362.1).

603.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS
When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

(a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.

(b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.

(c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, “Seized Subject to Forfeiture.” Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.
603.4.1 PROCEDURE FOR SEIZED CURRENCY

(a) When currency is located, summon another officer to witness the find and collection. The officer(s) handling the asset forfeiture shall complete a Chain of Custody form on all cases involving currency.

(b) When currency is found in multiple locations, do not commingle the monies. Each location where money is found should be documented separately. The seizing officer(s) shall complete a denomination Tally Sheet for each location where monies are found.

(c) There shall be at least two officers involved in the counting of all seized currency. A supervisor shall witness or verify the count of all currency seizures.

(d) Any large sums of currency that cannot be counted immediately shall be photographed and described in detail. The currency should be placed into an evidence bag and sealed prior to transportation. If the currency is inside a container that can be sealed (e.g. suitcase, briefcase or box), the officer(s) may seal the container and transport it in its container. The supervisor shall transport the currency to the police department or a financial institution, with another officer following or acting as a witness on all large cash seizures. The supervisor shall transport any seizure that has not yet been counted or is believed to exceed ten thousand dollars, with another officer following or acting as a witness.

(e) The currency will be placed in a money envelope with the denomination of the currency, totals of each denomination and total amount of currency enclosed noted on the money envelope. The officer counting and supervisor verifying money will initial and sign the envelope when sealed. If the currency will not fit into a standard money envelope, place the currency in a larger envelope or bag, sealing and affixing a completed money envelope to the outside of the larger envelope or bag which contains the currency.

(f) Transport all seized currency separate from any controlled substances and secure in a location free from contamination. Officer(s) should utilize the services of a narcotics trained canine on significant currency seizures.

(g) Any currency that is seized and meets asset seizure and forfeiture requirements and threshold amounts shall be deposited into the appropriate interest bearing account through finance. The handling investigator shall obtain a deposit receipt, which shall be retained in the APD asset seizure and forfeiture file and sent to the Los Angeles County District Attorney’s Office with the asset seizure and forfeiture case.

(h) Any currency that is seized and meets asset seizure and forfeiture requirements, but does not meet the threshold amount for asset seizure and forfeiture, as established by the Los Angeles District Attorney’s Office, shall be booked into the APD Property Bureau as evidence or for safekeeping.

(i) Persons present at the premises or persons in control of seized property, such as currency, will often deny knowledge or ownership of the property. In such cases, the officer(s) should request those persons sign a Disclaimer of Ownership of Property form.
(j) The officer handling the asset seizure matter should interview the owner or persons in control of the currency or seized property. The asset seizure and forfeiture is a civil matter and the Miranda warning is not required.

1. In regards to currency, the investigator should ask questions, such as where did the money come from, who is the owner, and how was it obtained (e.g. proceeds from drug sales).

2. The investigator should determine if the subject(s) are employed or have a legitimate source of income. He/she should collect any documents or evidence that would establish a source of income or lack thereof.

3. The location where the money was found should be documented in the officer(s) report. Any items or paperwork that may establish occupancy and control should also be seized as evidence. Any other significant facts should be included in the report(s), such as was the money hidden or stored with drugs.

603.4.2 PROCEDURE FOR SEIZED VEHICLES

(a) When a vehicle meets the legal requirements for seizure it shall be stored at the police department. The officer(s) seizing the vehicle shall provide a Receipt for Seizure form and Personal Notice of Intended Forfeiture form to the persons from whom the property was taken. The vehicle's value, ownership and the amount of equity should all be considered in determining whether or not to proceed with forfeiture proceedings. The value of the vehicle should be determined by reference to the Kelly Blue Book. The current pay-off amount for any liens must be determined and can usually be obtained from the legal owner.

(b) The condition of the seized vehicle, including any damage, shall be documented. The seizing officer(s) shall photograph the vehicle and complete a CHP-180 form regardless of whether or not a tow company is used. The VIN shall be checked to verify ownership and a vehicle history shall be obtained from DMV. The seizing officer(s) should complete a thorough search and inventory of the vehicle and return personal belongings to the owner.

(c) The officer(s) handling the asset seizure and forfeiture proceedings shall be responsible for maintaining the vehicle during storage. The department shall not use the vehicle for any purpose. Upon completion of the forfeiture process, the vehicle will be released to a property management company to be sold at auction.

(d) If a vehicle does not meet the standard or forfeiture proceedings are discontinued, the vehicle shall be returned to the owner or claimant. A court order may be required before the vehicle is released if it was seized pursuant to a search warrant or court order. The officer(s) releasing the vehicle shall have the recipient of the vehicle sign a Hold Harmless Agreement form.

603.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Section Supervisor is responsible for ensuring compliance with the following:
Asset Forfeiture

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.

(b) All property received for forfeiture is checked to determine if the property has been stolen.

(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

603.5.1 ASSET FORFEITURE LOG
A computerized inventory of all asset forfeiture cases shall be kept by the appropriate investigations supervisor. The inventory shall include the following:

- Case number
- Date of seizure
- Value
- Type of seizure (federal or state)
- Status of the seizure

Information maintained on the log will be provided to the Chief of Police or authorized staff, as requested.

603.5.2 FEDERAL ASSET FORFEITURES

(a) All state and local agencies, which request a federal adoption, must submit a Request for Adoption of State or Local Seizure form. Adoption requests must be made to the Drug Enforcement Agency (DEA) within 30 days from the date of initial seizure.

(b) If the state is proceeding with criminal prosecution, you will be required to provide the case number and name of the Deputy District Attorney assigned to the case. A letter from the County District Attorney, on their official letterhead addressed to the DEA Sacramento, declining to proceed against forfeiture of the asset is required and if the asset was seized pursuant to a search warrant, a Release Order, signed by a magistrate, must accompany the Letter of Declination.

(c) The DEA will not accept custody of an asset until the request for adoption has been approved. Adopted assets must be placed into Federal custody within ten days of the approval date. All currency seizures shall be converted into cashiers’ checks, made payable to the U.S. Marshals Service and submitted to the DEA. The U.S. Marshals Service will make arrangements to take custody of all other assets, such as vehicles.

(d) A U.S. DAG-71 form must be submitted in order to receive a share of the forfeited asset and must arrive at the DEA within 60 days of adoption (not seizure date).
(e) Federal guidelines and state law differ regarding asset seizure and forfeiture. The DEA or United States Attorney’s Office should be consulted when considering a federal adoption to ensure thresholds are satisfied.

603.6 FORFEITURE REVIEWER
The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly Health and Safety Code § 11469 et seq. and Penal Code § 186.2 et seq. and the forfeiture policies of the forfeiture counsel.

(b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.

(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.

(d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.

(e) Ensuring that property seized under state law is not referred or otherwise transferred to a federal agency seeking the property for federal forfeiture as prohibited by Health and Safety Code § 11471.2.

(f) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(g) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:

1. Names and contact information for all relevant persons and law enforcement officers involved.

2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).

3. A space for the signature of the person from whom cash or property is being seized.

4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
(h) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Department Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

(i) Reviewing each asset forfeiture case to ensure that:

1. Written documentation of the seizure and the items seized is in the case file.
2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (Health and Safety Code § 11488.4).
4. Property is promptly released to those entitled to its return (Health and Safety Code § 11488.2).
5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
6. Any cash received is deposited with the fiscal agent.
7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
8. Current minimum forfeiture thresholds are communicated appropriately to officers.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(j) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.

(k) Ensuring that the process of selling or adding forfeited property to the department’s regular inventory is in accordance with all applicable laws and consistent with the department’s use and disposition of similar property.

(l) Keeping a manual that details the statutory grounds for forfeitures and department procedures related to asset forfeiture, including procedures for prompt notice to interest holders, the expeditious release of seized property, where appropriate, and the prompt resolution of claims of innocent ownership (Heath and Safety Code § 11469).

(m) Providing copies of seized business records to the person or business from whom such records were seized, when requested (Heath and Safety Code §11471).
(n) Notifying the California Franchise Tax Board when there is reasonable cause to believe that the value of seized property exceeds $5,000.00 (Health and Safety Code § 11471.5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives (Health and Safety Code § 11495).

603.7 DISPOSITION OF FORFEITED PROPERTY
Forfeited funds distributed under Health and Safety Code § 11489 et seq. shall only be used for purposes allowed by law, but in no case shall a peace officer’s employment or salary depend upon the level of seizures or forfeitures he/she achieves (Heath and Safety Code § 11469).

The Department may request a court order so that certain uncontaminated science equipment is relinquished to a school or school district for science classroom education in lieu of destruction (Health and Safety Code § 11473; Health and Safety Code § 11473.5).

603.7.1 RECEIVING EQUITABLE SHARES
When participating in a joint investigation with a federal agency, the Alhambra Police Department shall not receive an equitable share from the federal agency of all or a portion of the forfeiture proceeds absent either a required conviction under Health and Safety Code § 11471.2 or the flight, death or willful failure to appear of the defendant. This does not apply to forfeited cash or negotiable instruments of $40,000 or more.

603.8 CLAIM INVESTIGATIONS
An investigation shall be made as to any claimant of a vehicle, boat or airplane whose right, title, interest or lien is on the record in the Department of Motor Vehicles or in an appropriate federal agency. If investigation reveals that any person, other than the registered owner, is the legal owner, and such ownership did not arise subsequent to the date and time of arrest or notification of the forfeiture proceedings or seizure of the vehicle, boat or airplane, notice shall be made to the legal owner at his/her address appearing on the records of the Department of Motor Vehicles or the appropriate federal agency (Health and Safety Code § 11488.4).

Although civil forfeiture is intended to be remedial by removing the tools and profits from those engaged in the illicit drug trade, it can have harsh effects on property owners in some circumstances. Therefore, law enforcement shall seek to protect the interests of innocent property owners, guarantee adequate notice and due process to property owners, and ensure that forfeiture serves the remedial purpose of the law (Heath and Safety Code § 11469(j)).
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604.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use of informants.

604.1.1 POLICY
It shall be the policy of this department that police officers shall only use a cooperating individual with the prior approval of their respective Division Commander or his/her designee. Officers shall adhere to the rules and regulations for informant use as set forth in this policy.

604.1.2 DEFINITIONS
(a) Cooperating Individual - is any person who knowingly provides information to law enforcement related to another’s criminal activity, whose motivations for doing so are other than that of an uninvolved witness, victim, or private citizen primarily acting through a sense of civic responsibility. As a general rule, a CI expects some benefit or consideration for himself, herself, or another person in exchange for his/her cooperation.

(b) Defendant Cooperating Individual - is generally one who has been arrested and/or may be prosecuted in a criminal matter, including probation and/or parole violations. A defendant CI provides information in hope of receiving a benefit or consideration on his/her pending criminal matter.

(c) In-Custody Cooperating Individual -- is an inmate who provides information or testifies about matters another defendant told him/her while both are in custody. Penal Code §§ 1127a, 1191.25 and 4001.1 govern their use.

(d) Paid Cooperating Individual -- is an individual who receives compensation from law enforcement in return for information regarding criminal activity.

(e) Citizen Cooperating Individual -- is a person who cooperates with law enforcement out of a sense of civic responsibility, without requesting any form of compensation.

(f) Investigative Officer -- means the law enforcement officer or officers who are directly working with the CI. The investigating officer shall comply with the rules and regulations set forth in this policy.

(g) Responsible Deputy District Attorney -- includes the DDA handling the CI’s case or an Assistant District Attorney in charge of the unit responsible for the prosecution of the CI or any cases he/she generated.

(h) Benefit -- includes any consideration or advantage a CI receives in exchange for information and/or participation in a criminal investigation. A benefit or consideration may include:
   1. Financial - payment of any kind, such as room and board, payment of debts, cash.
   2. Custody - leniency in arrest or booking, such as receiving an O. R. release.
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3. Charging - leniency shown in the filing of charges and enhancements, including the non-filing of charges.
4. Delays - continuances in arraignments, preliminary hearings, pre-trials and sentencing.
5. Disposition - dismissal or reduction in charges, custody time, probation terms and length, favorable input by the DDA and/or investigating officer at sentencing.
6. Immunity - exempt from prosecution.
7. Intervention - favorable action with other governmental agencies, such as DMV, INS, IRS, or employers.

604.2 INFORMANT FILES
Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Special Enforcement Unit. The Special Enforcement Unit supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Division Commander, Special Enforcement Unit supervisor or their authorized designees.

The Support Services Division Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Special Enforcement Unit supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

604.2.1 FILE SYSTEM PROCEDURE
A separate file shall be maintained on each cooperating individual. The Cooperating Individual Files shall be maintained in a secure area within the Special Enforcement Unit. These files shall be used to provide a source of background information about the cooperating individual, enable review and evaluation of information given by the informant, and minimize incidents that could be used to question the integrity of detectives or the reliability of the CI.

Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file and include the following information:

(a) Informant's name and/or aliases
(b) Date of birth
(c) Physical description: height, weight, hair color, eye color, race, sex, scars, tattoos or other distinguishing features
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(d) Current home address and telephone numbers
(e) Current employer(s), position, address(es) and telephone numbers
(f) Vehicles owned and registration information
(g) Places frequented
(h) Informant's photograph
(i) Briefs of information provided by the informant and his or her subsequent reliability. If an informant is determined to be unreliable, the informant's file is marked as "Unreliable"
(j) Name of officer initiating use of the informant
(k) Signed informant agreement
(l) Update on active or inactive status of informant

Access to the informant files shall be restricted to the Chief of Police, an Assistant Chief, the Special Enforcement Unit supervisor, or their designees.

604.2.2 OFFICER RESPONSIBILITIES
(a) Debrief the cooperating individual.
   1. The investigating officer shall, at the earliest opportunity, debrief all potential CIs to evaluate and examine their ability to assist law enforcement. The investigating officer should consider the motivations of the CI, his/her truthfulness, and the value of the information when weighed against the potential risks to the CI. The CI’s role, either as an active participant or merely as an intelligence source, should also be considered.
(b) Evaluate the information from the cooperating individual.
   1. The investigating officer shall determine whether a defendant CI is able to provide information which will assist in the investigation of a crime that is significantly greater than that with which the CI is charged. The investigating officer should make a determination as to the extent of the CI’s involvement and address any potential risks or concerns.
(c) Examine the background of the cooperating individual.
   1. The handling officer shall, at the earliest opportunity, conduct an examination of a CI’s background to determine whether he/she is an appropriate candidate for informant status. This evaluation should include:
      (a) Criminal history, including crimes involving violence, domestic violence, substance abuse, weapons, strikes and/or dishonesty,
      (b) Active warrants or failures to appear,
      (c) Probation and/or parole status,
      (d) Immigration status,
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(e) Flight risk,
(f) Control issues,
(g) Contact LA CLEAR regarding prior informant activity.

604.2.3 SUPERVISOR RESPONSIBILITIES

(a) The Division Commander or his/her designee and/or the unit supervisor of the officer handling the CI, shall approve of using the CI prior to any active participation or cooperation.

(b) The Division Commander or his/her designee and/or the supervisor of the unit using the CI shall monitor the case(s) in which the subject is cooperating to ensure that the handling officer and CI are in compliance with the rules and regulations set forth in this policy.

(c) The Division Commander or his/her designee and/or the supervisor of the unit working with the CI shall approve all letters for consideration sent to the District Attorney’s Office.

(d) The Special Enforcement Unit supervisor or his/her designee shall maintain the Police Department’s files for all CIs.

604.2.4 COOPERATING INDIVIDUAL FILES MAINTAINED BY THE ALHAMBRA POLICE DEPARTMENT

(a) The investigator handling the CI shall be responsible for completing a file for the CI. A separate file shall be maintained on each cooperating individual who participates in any criminal investigation.

(b) The Alhambra Police Department CI File shall include the following:

1. CI’s identification sheet
2. CI’s waiver and agreement
3. Debriefing report
4. DMV and CII records
5. Photograph of CI
6. Fingerprints of CI
7. CI’s history card documenting activity or performance

604.3 USE OF INFORMANTS

The investigating officer shall obtain the approval of their Division Commander or his/her designee, and/or unit supervisor prior to using any cooperating individual. The officer shall compile sufficient information through a background investigation in order to determine the reliability, credibility and suitability of the individual; including age, maturity and risk of physical harm.
604.3.1 JUVENILE INFORMANTS
No minor shall be utilized as a cooperating individual (either as a paid CI, or in hopes of receiving consideration on a pending juvenile petition) without prior written approval of the Chief of Police, the District Attorney and compliance with Penal Code § 701.5.

The use of minors does not apply to those CI’s who merely give information, acting through a sense of civic responsibility, without the expectation of a benefit or compensation. Nor does it apply to those being utilized as police decoys in an effort to identify those who sell or furnish alcoholic beverages to minors (Business and Professions Code § 22658) and/or sell or furnish tobacco products to minors (Business and Professions Code § 22950).

For purposes of this policy, a "juvenile informant" means any juvenile who participates, on behalf of this department, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the juvenile.

604.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS
All confidential informants are required to sign and abide by the provisions of the departmental Informant Agreement. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the unit supervisor before being finalized with the confidential informant.

(a) The investigating officer shall advise all CIs, who participate in any criminal investigation, of the rules and regulations contained in the informant waiver and agreement.

1. The CI shall sign the waiver and agreement acknowledging he/she understands and agrees to the terms and conditions.

(b) The investigating officers shall not make any promises or representations, expressed or implied, as to any form of leniency or immunity from criminal prosecution to any CI regarding his/her pending criminal proceedings, or those of any other person(s), without the concurrence of the Deputy District Attorney (DDA) prosecuting the pending case.

(c) Investigating officers shall advise CIs that a request for a benefit and/or consideration are dependent on “truthful information leading to viable prosecutions” and not convictions.

(d) Generally, a CI will not be allowed to provide information or assistance to law enforcement to obtain a benefit or consideration on another person’s pending criminal matter. Prior approval must be obtained from the Deputy District Attorney in charge of prosecuting the third party.

(e) A CI shall not be advised that he/she will not have to testify in court. If the CI makes a condition of his/her cooperation that he/she will not testify, the Deputy District Attorney...
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Attorney in charge of prosecuting the potential CI shall approve of utilization before any participation.

604.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS
No member of the Alhambra Police Department shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the Alhambra Police Department shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Special Enforcement Unit supervisor or their authorized designees.
   1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Alhambra Police Department, and that they shall not represent themselves as such.

(d) The relationship between officers and informants shall always be ethical and professional.
   1. Members shall not become intimately involved with an informant.
   2. Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of the Special Enforcement Unit Sergeant.
   3. No member of the Alhambra Police Department shall maintain a social relationship with an informant while off-duty or otherwise become intimately involved with a CI.

(e) No officer shall meet with any informant unless accompanied by another officer or with prior approval of the Special Enforcement supervisor or his/her designee.

(f) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

604.4.2 NOTIFICATION TO THE DISTRICT ATTORNEY
To ensure proper evaluation of discovery issues, the handling officer shall inform the DDA at the earliest possible time when a case involves a CI.

604.4.3 DISTRICT ATTORNEY APPROVAL REQUIRED
(a) No violent offender (a person charged with a crime of violence, who has a violent criminal background, or is a danger to others) shall be utilized as a CI without prior
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approval of the Division Commander or his/her designee and the DDA in charge of prosecuting the potential CI.

(b) No "striker" (a person charged with a new felony and is subject to Penal Code § 667) shall be utilized as a CI without prior approval of the Division Commander or his/her designee, and the DDA in charge of prosecuting the potential CI.

(c) No defendant with a pending driving under the influence case shall be offered or promised any benefit or consideration and shall not be utilized as a CI without prior approval of the Division Commander or his/her designee, and the DDA in charge of prosecuting the potential CI.

604.4.4 TERMINATION OF RELATIONSHIP WITH A COOPERATING INDIVIDUAL
It may become necessary to terminate the relationship with a CI (e.g. unreliable, no contact, control problems, providing false information, committing new crimes, etc.). The investigating officer shall document the date of notification and reasons for termination in the CI’s agency file, and notify LA CLEAR. The investigating officer shall attempt to notify the CI and his/her attorney of such termination and document the notification and/or any and all attempts to notify.

604.4.5 COMMUNICATION WITH A COOPERATING INDIVIDUAL REPRESENTED BY AN ATTORNEY
There should be no communication with a represented defendant CI without the permission of his/her attorney. If a defendant CI expresses a desire to discuss information or cooperate without the knowledge of his/her attorney, the investigating officer shall consult with the DDA prosecuting the individual’s case prior to communicating with the CI. Any waiver or agreement made by the CI shall be documented in writing or on tape.

604.4.6 NOTIFICATION OF OTHER INTERESTED PARTIES

(a) If the activities of a CI can lead to a violation of probation and/or parole, the investigating officer shall contact the probation officer or parole agent supervising the CI and obtain permission to use the individual as an informant. The investigating officer shall record the name of the person who authorized the use, and the date of approval.

(b) When the investigating officer wishes to use a CI who is: under arrest by another agency; under investigation by another agency or agencies# or being prosecuted by another agency or agencies, the investigating officer shall contact the other agencies and LA CLEAR to ascertain whether any conflicts exist prior to using the informant.

604.5 NARCOTICS INFORMANT PAYMENT PROCEDURES
The potential payment of large sums of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. Additionally, to maintain a good accounting of such funds requires a strict procedure for disbursements.

It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.
604.5.1 PAYMENT PROCEDURE

The amount of funds to be paid to any confidential informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case.
- The significance, value or effect on crime.
- The amount of assets seized.
- The quantity of the drugs seized.
- The informant's previous criminal activity.
- The level of risk taken by the informant.

The Special Enforcement Unit supervisor will discuss the above factors with the Field Services Assistant Chief and arrive at a recommended level of payment that will be subject to the approval of the Chief of Police. The amount of payment will be based on a percentage of the current market price for the drugs or other contraband being sought, not to exceed 15-percent.

604.5.2 CASH DISBURSEMENT POLICY

The following establishes a cash disbursement policy for confidential informants. No informant will be told in advance or given an exact amount or percentage for services rendered.

(a) When both assets and drugs have been seized, the confidential informant shall receive payment based upon overall value and the purchase price of the drugs seized not to exceed a maximum of $150,000.

(b) A confidential informant may receive a cash amount for each quantity of drugs seized whether or not assets are also seized, not to exceed a maximum of $30,000.

604.5.3 PAYMENT PROCESS

(a) A check shall be requested, payable to the case agent. The case number shall be recorded justifying the payment. The Chief of Police and the City Manager's signatures are required for disbursements over $500. Payments $500 and under may be paid in cash out of the Special Enforcement Unit Buy/Expense Fund which is securely maintained in the supervisor's office within the Special Enforcement Unit. The Special Enforcement Unit supervisor will be required to sign the voucher for amounts under $500.

(b) When a CI is paid for his/her cooperation, there shall be at least two officers present during such payment.

(c) To complete the transaction with the confidential informant the case agent shall have the confidential informant initial the cash transfer form. The confidential informant will sign the form indicating the amount received, the date, and that the confidential informant is receiving funds in payment for information voluntarily rendered in the case. The Alhambra Police Department case number shall be recorded on the cash transfer form. The form will be kept in the confidential informant's file.
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(d) The handling officer shall submit an expense voucher, which documents the identity of the informant, reason for such payment, and any related report numbers.

1. The voucher shall contain the signature of at least two officers, including the officer who made the payment and a witness.

(e) Any payment to a CI shall be documented as an investigative expense. Payment(s) under $500 may be paid in cash, out of the Special Enforcement Unit Buy/Expense Fund.

(f) The Division Commander and Chief of Police shall approve any payments(s) exceeding $500.

1. A memorandum or report detailing the CI’s involvement and results of the investigation shall accompany requests for any payment over $500 and shall be directed to the Division Commander and Chief of Police.

(g) If the payment amount exceeds $500.00, a complete written statement of the confidential informant's involvement in the case shall be placed in the confidential informant's file. This statement shall be signed by the confidential informant verifying the statement as a true summary of his/her actions in the case(s).

(h) Each confidential informant receiving a cash payment shall be informed of his or her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

(i) Any and all documentation regarding any payment to a CI shall be kept in the Special Enforcement Unit's money safe, and a copy in the CI's file.

(j) Accounting of the funds and activities will be performed no less than once quarterly. The finance manager and at least one command staff member, selected by the Chief of Police, will review the accuracy of the ledger and funds.

604.5.4 REPORTING OF PAYMENTS

Each confidential informant receiving a cash payment shall be informed of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the confidential informant should be provided IRS Form 1099 (26 CFR § 1.6041-1). If such documentation or reporting may reveal the identity of the confidential informant and by doing so jeopardize any investigation, the safety of peace officers or the safety of the confidential informant (26 CFR § 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the confidential informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the confidential informant's file.
Pawn Shops and other Secondhand Dealers

605.1  PURPOSE AND SCOPE
It is the policy of the Alhambra Police Department to recover stolen property and prosecute offenders through the enforcement of state statutes and Alhambra Municipal Code § 5.16 - Pawnbrokers, Secondhand and Junk Dealers, through the joint cooperation of these businesses, city government and the police department.

It is the purpose of this standard operating procedure to establish a formalized procedure on the regulation and investigation of criminal activity stemming from pawn shops, secondhand and junk dealers to establish departmental procedure for processing Buy Forms.

605.1.1  DEFINITIONS
For the purpose of this policy, the following definitions shall apply unless the context clearly indicates or requires a different meaning (AMC § 5.16.010):

Antique Dealer - A person, other than a secondhand dealer as that term is defined in this section, engaged in conducting, managing, operating or carrying on the business of buying, selling or otherwise dealing in previously used goods, wares or merchandise which, because of age, rarity or historical significance, presently have a greater monetary value than when they were new, or which have an age recognized by the United States Government as entitling such items to an import duty less than that prescribed for contemporary merchandise.

Buy-Form - The form or forms furnished by the Police Department for the purpose of recording and furnishing certain required information relative to purchases, pledges or consignments.

General License - It shall be unlawful for any person, firm or corporation to engage in, conduct, manage or carry on the business of pawnbroker, antique dealer, secondhand dealer, junk dealer or junk collector without having first obtained a proper Alhambra business license.

Junk Collector - A person not having a fixed place of business in the city who goes from house to house or from place to place within the city, gathering, collecting, buying, selling, soliciting to buy, soliciting to sell or otherwise dealing or seeking to deal in any old rags, sacks, bottles, cans, papers, metal, rubber, tires or other articles commonly known as junk. It shall be unlawful for any junk collector to store any junk so gathered, collected or purchased at any place in the city without having first obtained a permit and license as a junk dealer.

Junk Dealer - A person having a fixed place of business in the city and engaged in conducting, managing, operating or carrying on the business of buying, selling or otherwise dealing in, either at wholesale or retail, any old rags, sacks, bottles, cans, paper, metal, rubber, tires or other articles commonly known as junk.

Pawnbroker - A person engaged in conducting, managing or carrying on the business of pawnbroking, or the business of loaning money for himself, or any other person upon pawns or pledges, or the business of purchasing articles of personal property and reselling or agreeing to
resell such articles to the vendors, or their assignees, at prices agreed upon at or before the time of such purchase.

**Pawnshop** - Any room, store or place in which a pawnbroker's business is engaged in, carried on or conducted.

**Secondhand Dealer** - A person, other than an antique dealer, engaged in, conducting, managing or carrying on the business of buying, selling or other-wise dealing in previously used goods, wares or merchandise, other than motor vehicles, trailers or boats, and making two or more sales of such second-hand goods, wares or merchandise during any one calendar month regardless of whether or not such business and such sales are carried on in connection with a regular retail or other business.

605.1.2 BUY FORMS REQUIRED
Every person as defined in Policy Manual § 609.1.1 - Definitions (whether or not properly licensed) shall:

(a) Prepare Buy Forms at the close of each business day and mail or deliver them to the Police Department. All Buy Forms shall contain a complete report of all goods, wares, merchandise or other things received on deposit, pledged or purchased during that day (except used tires or batteries, and/or merchandise originally sold new by the pawnbroker or dealer and subsequently taken as a trade-in on other merchandise sold by the same pawnbroker or dealer).

1. Buy Forms may also contain other required information determined by the Department that may assist in the detection of stolen property.

(b) Enter upon the Buy Form the identification furnished by the seller or consignee (i.e. driver's license number, work badge number, vehicle license number or business license) in addition to the individual's true name and address. The pawnbroker or dealer shall also require the seller or consignee to furnish a legible fingerprint of his or her right index finger, or next finger in the event of amputation, upon the face side of the original sheet of the Buy Form.

(c) Maintain a copy of the Buy Form for a period of two years.

(d) Shall retain and keep on their premises all metals purchased by the individuals or dealers for the purpose of reselling, smelting or refining.

1. The entire purchase of each day shall be put and kept in a separate place designated for that purpose.

2. After the Buy Form has been provided the Department, the property shall be kept for a period of 21 days, or until released by the Department, whichever occurs first, and shall be at all times open to the inspection of the Police Department.

605.2 PROCEDURE

(a) Every record and property pledged, purchased or received shall be produced for inspection to any peace officer upon request.
(b) The designated detective or police services officer assigned to the pawn detail will conduct a quarterly inspection of each pawn shop and secondhand shop. The results of the inspections will be memorialized and appropriate action will be taken on any violations found.

(c) Any designated police officer may release any property which he or she inspects and is satisfied that such property is in the lawful possession of any person, whether or not such person is licensed under this chapter.

(d) The handling of suspected of being lost or stolen property located at a pawnbroker, secondhand dealer or coin dealer shall follow the procedures outlined in Business and Professions Code § 21647, et sec. Whenever any peace officer has probable cause to believe that property, except coins, monetized bullion, or "commercial grade ingots" as defined in Business and Professions Code § 21627 (d), is in the possession of a pawnbroker, secondhand dealer, or coin dealer is stolen, the peace officer may place a hold on the property for a period not to exceed 90 days.

(e) When a designated detective or police services officer places a hold on the property, they shall give the pawnbroker or secondhand dealer, a written notice at the time the hold is placed, describing the item or items to be held. During that period, the pawnbroker or secondhand dealer shall not release or dispose of the property, except pursuant to a court order or upon receipt of a written authorization signed by any peace officer who is a member of the law enforcement agency of which the peace officer placing the hold on the property is a member.

(f) Whenever property that is in the possession of a pawnbroker or secondhand dealer, whether or not the property has been placed on hold, is required by a peace officer in a criminal investigation, the pawnbroker or secondhand dealer, upon reasonable notice, shall produce the property at reasonable times and places or may deliver the property to the peace officer upon the request of any peace officer.

NOTE: Nothing in this Policy Manual shall be construed to alter the authority of a peace officer to seize property pursuant to any other provision of statutory or case law.

605.2.1 RESPONSIBILITY OF THE PAWN DETAIL INVESTIGATOR

(a) It shall be the responsibility of the designated detective or police services officer or their designee, to receive and distribute all Buy Forms.

1. Local Buy Forms shall be distributed as follows:

1. (a) To the Property Crimes sergeant or their designated detective or police services officer or their designee, for computer entry on serialized property and then filed according to the name of the party pawning the property.

(b) To a Buy Forms File in the Detective Section; filed by the date the property was pawned and/or the date the 90 day hold expires.

(c) If the property was pawned outside the City of Alhambra, a copy will be mailed by the Investigative Detective Section secretary to the police department wherein the pawner resides.
(b) Whenever a law enforcement agency has knowledge that property in the possession of a pawnbroker or secondhand dealer has been reported as lost or stolen, the law enforcement agency shall notify, in writing, the person who reported the property as lost or stolen of the following:

1. The name, address and telephone number of the pawnbroker or secondhand dealer, who is known to possess the property or has reported acquisition of the property.
   
   (a) If the person who reported the property lost or stolen does not choose to participate in the prosecution of an identified alleged thief that person shall pay the pawnbroker or secondhand dealer the "out-of-pocket" expenses paid in the acquisition of the property in return for the surrender of the property.

2. A copy of the notice, with the address of the person who reported the property as lost or stolen deleted, will be mailed to the pawnbroker or secondhand dealer in possession of the property.

(c) When property that is in the possession of a pawnbroker or secondhand dealer is subject to a hold as provided above, and the property is no longer required for the purpose of a criminal investigation, the law enforcement agency that placed the hold on the property shall release the hold on the property. When the law enforcement agency has knowledge that the property has been reported lost or stolen, the law enforcement agency shall then make notification to the person who reported the property as lost or stolen pursuant as described above.

(d) When property that is in the possession of a pawnbroker or secondhand dealer is subject to a hold as provided above, and the property is no longer required for the purpose of a criminal investigation, the law enforcement agency that placed the hold on the property shall release the hold on the property. When the law enforcement agency has knowledge that the property has been reported lost or stolen, the law enforcement agency shall then make notification to the person who reported the property as lost or stolen.

(e) If a pledgor seeks to redeem property that is subject to a hold, the pawnbroker or secondhand dealer shall advise the pledge or of the name of the peace officer who placed the hold on the property and the name of the law enforcement agency of which the officer is a member. If the property is not required to be held pursuant to a criminal prosecution the hold shall be released.

605.2.2 RESPONSIBILITY OF RECORDS BUREAU PERSONNEL

(a) NCIC Checks

1. Enter all serialized property, from all local pawnshops, into NCIC.

2. All serialized or identifiable property shall be queried via NCIC.

(b) NCIC "Hits" on Pawned Property
1. Records Bureau personnel shall notify the designated detective or police services officer or their designee, of any NCIC "hits" on pawned property as soon as practicable.

605.3 BUY FORM HOLDS

(a) All Buy Form holds should be marked and filed by the date received and/or the date that constitutes the end of the 90 day hold on the property.

(b) It shall be the responsibility of the designated detective or police services officer to notify the pawnshop owner, in writing, of any police hold(s) placed on any pawned property in OPD's custody.

(c) It shall be the responsibility of the designated detective or police services officer requesting the police hold to make a disposition on the property within 90 days by one of the following means:

1. "Known" Stolen Property

1. (a) Depending upon the severity of the crime, the investigator may confiscate the property and hold it for evidence and court disposition.

(b) In cases where a complaint was obtained, or denied, and ownership of the confiscated property is in question then the property should be retained by the pawnbroker or secondhand dealer and held pending a court disposition.

(c) In cases where a complaint is issued and later dismissed, the property will be held by the pawnbroker or secondhand dealer pending its disposition through court.

2. "Suspected" Stolen Property

1. (a) Place a hold on the suspected stolen property and make a positive identification as soon as practicable, but no later than 90 days.

(b) If no identification can be made, the property reverts back to the pawn owner upon release of the hold, or after 90 days and no identification has been made.
Eyewitness Identification

606.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Penal Code § 859.7).

606.1.1 DEFINITIONS
Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

606.2 POLICY
The Alhambra Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

606.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

606.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Detective Section supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide (Penal Code § 859.7):

(a) The date, time and location of the eyewitness identification procedure.
(b) The name and identifying information of the witness.
Eyewitness Identification

(c) The name of the person administering the identification procedure.
(d) If applicable, the names of all of the individuals present during the identification procedure.
(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.
(k) Any other direction to meet the requirements of Penal Code § 859.7, including direction regarding blind or blinded administrations and filler selection.

The process and related forms should be reviewed at least annually and modified when necessary.

606.5 EYEWITNESS IDENTIFICATION
Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

• The individual was apprehended near the crime scene.
• The evidence points to the individual as the suspect.
• Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and video recorded and the recording should be retained according to current evidence procedures (Penal Code § 859.7).

606.5.1 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS
The member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.
**Eyewitness Identification**

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The placement of the suspect or the photos and fillers should be randomized before being presented to a witness.

(a) An admonishment should be given to each witness that the suspect’s photograph may or may not be among those in the line-up and that the witness is not required to make an identification.

(b) The witness should view all persons in the lineup before being asked if they recognize anyone. The more photographs that are utilized in a photo line-up the better the chances of the line-up being accepted into evidence into a court of law.

(c) In order to avoid undue influence, witnesses viewing a photographic line-up should do so individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the photographic line-up with anyone else.

The procedure employed and the results of any photographic lineup should be documented in the case report. A copy of the photographic line-up presented to the witness should be included in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the appropriate report.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating officer should contact the appropriate prosecuting attorney before proceeding.

606.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:
   1. The length of time the witness observed the suspect.
   2. The distance between the witness and the suspect.
   3. Whether the witness could view the suspect’s face.
   4. The quality of the lighting when the suspect was observed by the witness.
Eyewitness Identification

5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness’s opportunity to observe the suspect.
7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
(d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
(e) The person who is the subject of the show-up should not be shown to the same witness more than once.
(f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
(g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
(h) If a witness positively identifies an individual as the perpetrator, officers should not conduct any further field identifications with other witnesses for that suspect. In such instances officers should document the contact information for any additional witnesses for follow up, if necessary.

606.6 DOCUMENTATION
A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

606.6.1 <B>DOCUMENTATION RELATED TO RECORDINGS</B>
The handling member shall document the reason that a video recording or any other recording of an identification was not obtained (Penal Code § 859.7).

606.6.2 <B>DOCUMENTATION RELATED TO BLIND ADMINISTRATION</B>
If a presentation of a lineup is not conducted using blind administration, the handling member shall document the reason (Penal Code § 859.7).
Brady Information Disclosure

607.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "Brady information") to a prosecuting attorney.

607.1.1 DEFINITIONS
Definitions related to this policy include:

Brady Information - In the Brady v. Maryland decision (373 US 83 (1963)) the United States Supreme Court held that the prosecution has an affirmative duty to disclose to the defendant evidence which is both favorable and material to the guilt and/or punishment of the defendant.

The Prosecution - Refers to the District Attorney and all investigative agencies involved in the criminal prosecution of a defendant, including this department.

Penal Code § 1054.1 - California law also establishes a criminal defendant's right to access potentially exculpatory evidence without regard to materiality.

607.2 POLICY
The Alhambra Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Alhambra Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

607.3 DISCLOSURE OF INVESTIGATIVE INFORMATION
Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., cooperating individual or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered relevant if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are relevant often requires legal or even judicial review. If an officer is unsure whether evidence or facts are relevant, the officer should address the issue with a supervisor. Generally, information regarding
the member’s conduct that rises to the level of moral turpitude and/or dishonesty needs to be brought to the attention of the Los Angeles District Attorney.

Supervisors who are uncertain about whether evidence or facts rise to the level of moral turpitude and/or dishonesty should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

**607.4 DISCLOSURE OF PERSONNEL INFORMATION**

Whenever it is determined that *Brady* information is located in the personnel file of a member of this department who is a witness in a criminal case, the following procedure shall apply:

(a) The LADA's Discovery Compliance Unit shall be notified of the potential presence of *Brady* information in the officer's personnel file. The notification will be accomplished by the Professional Standards Unit supervisor or City Attorney, with prior approval from the Chief of Police or his/her designee.

(b) The prosecuting attorney or LADA's Discovery Compliance Unit should then be requested to file a *Pitchess* motion in order to determine if an in camera review by the court is warranted.

(c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.

(d) The Professional Standards Unit supervisor shall accompany all relevant files during any Pitchess motion and subsequent in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.

(e) If the court determines that there is relevant *Brady* information contained in the files, only the names and addresses of those listed in the Personnel File that directly relate to Brady information (i.e. Internal Investigation, personnel complaint, etc.) shall be provided to the prosecuting attorney. It will then be incumbent upon the prosecuting attorney to contact those named individuals and obtain the necessary Brady information based upon their own investigation.

(f) If the prosecuting attorney is unable to reconstruct the Brady information based upon their investigation, the prosecuting attorney will need to return to the court of issuance and request a second Pitchess motion and in camera hearing. Only, if the court grants the second Pitchess motion can the court order that information contained in the Personnel File be released to the prosecuting attorney. Moreover, the only information that may be released is copies of the transcripts within the Personnel File and not the Internal Investigation report, itself.

1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
Brady Information Disclosure

607.5 INVESTIGATING BRADY ISSUES
If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

607.6 TRAINING
Department members should receive periodic training on the requirements of this policy.
Unmanned Aircraft System (UAS) Operations

608.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of an Unmanned Aircraft System (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

The use of an Unmanned Aircraft System potentially involves privacy considerations, and this policy articulates the restrictions that are in place to protect the privacy rights of the general public that exist under the State and Federal Constitutions and under State and Federal law.

608.1.1 DEFINITIONS
Definitions related to this policy include:

Unmanned Aircraft System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled, and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

All references to UAS devices in this policy pertain to small devices weighing less than 55 pounds, also known as Small Unmanned Aircraft Systems (sUAS).

608.2 POLICY OBJECTIVES
Unmanned Aircraft Systems may be utilized to enhance the Department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

It is the intent of the Alhambra Police Department to use the UAS to effectively fulfill the Department's mission and to ensure these systems are used securely and efficiently. The use of the UAS systems is intended to accomplish the following:

1. UAS provide enhanced officer safety and situational awareness to ground-based personnel. By providing aerial perspectives, UAS can potentially reduce the propensity for force during volatile situations and increase community safety through directed risk management.

2. The use of UAS reduces costs associated with airborne law enforcement by providing an alternative aerial perspective. UAS operate at a significantly lower cost-per-hour than traditional crewed airframes.

3. UAS allows for the recording of specific incidents for criminal investigations outlined in this policy, audit reviews and officer training.
4. UAS provides an opportunity to vividly replay those incidents for prosecutors and courts, thereby increasing rates of convictions of violations of the law.

5. UAS improves Departmental accountability and transparency, and preserves public trust through the use of audits and strict adherence to FAA rules and regulations.

608.3 PRIVACY
The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

608.4 PROGRAM COORDINATOR
The Chief of Police will appoint a program coordinator, usually holding rank of lieutenant or commander, who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current and/or managing Part 107 operation waiver applications

- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.

- Continually evaluating, developing, and maintaining uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

- Continually evaluating, developing, and maintaining protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

- Implementing a system for public notification of UAS deployment with the understanding that notifications may be delayed during instances in which officer safety could be jeopardized prior to commencement of UAS operations and ensuring notifications are made when able to do so in a safe manner.

- Continually evaluating, developing, and maintaining an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
Unmanned Aircraft System (UAS) Operations

- Continually evaluating, developing, and maintaining a protocol for fully documenting all missions.
- Continually evaluating, developing, and maintaining a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Continually evaluating, developing, and maintaining protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Continually evaluating, developing, and maintaining protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing monthly reports on the program to the Chief of Police.

608.5 PERMITTED USES OF UAS
Only authorized operators who have completed the required training shall be permitted to operate the UAS. The Remote Pilot In Command (PIC) must be certified through the FAA as a Remote Pilot in accordance with FAA Regulation, Part 107.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

All UAS operations shall be conducted within the time of day/night limitations and restrictions set forth in FAA Part 107 and/or the limitations set forth in any applicable airspace authorization, waiver, or COA.

UAS deployments will be considered when an aerial view would assist officers or incident commanders during the following types of occurrences:

- Accident Investigations
- Missing Persons Investigations
- Search & Rescue Operations
- Fires
Unmanned Aircraft System (UAS) Operations

- Disaster Management
- Crowd Control Situations
- Explosive Ordinance Disposal/Bomb Threats
- CBRNE Incidents (chemical, biological, radiological, nuclear, and explosive)
- Supporting Criminal Investigations
- Major Event Security Support
- Perimeter Searches and Security
- Routine Training

Requests to deploy the UAS shall be approved by the on-duty Watch Commander or supervisor on the scene prior to accepting the mission.

All UAS deployments will be documented on a supervisor or Watch Commander's daily log and recorded in a manner described in this policy.

### 608.6 PROHIBITED OR RESTRICTED USES

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.
- The UAS shall not be weaponized.

Absent a search warrant or other legal exception, the UAS shall not be activated in places where a reasonable expectation of privacy exists, such as inside a residence. When utilizing a UAS, pilot officers shall be sensitive to the dignity of all individuals being recorded. Pilot officers are to utilize sound judgment and exercise discretion when the respect for privacy indicates that discontinuing video recording is prudent because it reasonably appears to the pilot officer that such privacy may outweigh any legitimate law enforcement interest in the recording. Unless the circumstances no longer fit the criteria for recording under this policy, recording should resume when privacy is no longer at issue.

Requests by members of the public to stop recording should be considered using the activation criteria described in this policy. If the pilot officer believes the contact remains both legal and consistent with the activation criteria, the employee shall balance the decision to continue recording with the request of the members of the public.

### 608.7 MAINTENANCE OF UAS DATA AND UAS
Unmanned Aircraft System (UAS) Operations

- It shall be the responsibility of the UAS Program Coordinator to ensure that all media recorded by the UAS is properly classified for retention when merged into the storage system.
- Any images and video (media) from the UAS system shall not be copied, exported, or recorded in any way for any purpose other than for circumstances authorized in this policy.
- Unauthorized use, duplication, and/or distribution of UAS files is prohibited. Personnel shall not make copies of any UAS file for their personal use and are prohibited from using a recording device such as a cell phone camera or secondary video camera to record UAS files.
- To prevent damage to or altering of the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the Department Systems Support Manager. When reasonably possible, a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.
- UAS systems should be assembled and equipped based on the manufacturer's recommendations.
- Officers shall not erase, alter, reuse, modify or tamper with UAS recordings.
- Only the Systems Administrator, or other authorized designee, may erase and reissue previous recordings and may only do so pursuant to the provisions of this policy.
- To prevent damage, original recordings shall not be viewed on equipment other than the equipment issued or authorized by the Systems Administrator.
- The UAS will be purchased and maintained by the Alhambra Police Department.
- Only the UAS systems authorized by the Alhambra Police Department should be deployed.
- The UAS shall be maintained regularly per the user manual and manufacturer's recommendation. Only properly trained personnel shall complete any repairs or perform maintenance on the UAS.
- Any UAS supervisor that is informed or otherwise becomes aware of a malfunctioning UAS shall ensure that authorized personnel make repairs in a timely manner.

608.8 RETENTION OF UAS DATA
In general, all recordings shall be retained for a minimum of two (2) years. If a recording is identified as evidence, the retention will follow the Evidence/Property Files retention schedule, but the retention period shall be no less than two years. Recordings which become part of a citizen complaint or administrative/internal investigation will follow the retention time identified for the complaint/investigation, but the retention period shall be no less than two years.

Inadvertent or accidental recordings of personal events and conversations may be purged as soon as practicable upon the approval of the Program Coordinator.
Once submitted for evidence storage, all recording media will be labeled and stored in a designated secure area in accordance with proper evidence procedures.

Anyone with the authorization to do so may increase the retention time for recordings when it is believed that retaining said recordings for a longer period of time would be in the best interest of the Department or the City.

608.9 REVIEW OF UAS RECORDINGS

Recordings may be reviewed in any of the following situations:

1. For use by Department personnel when preparing reports or statements.
2. By a supervisor investigating a specific act of officer conduct.
3. To assess proper functioning of the UAS.
4. To assess possible training value.
5. Recordings may be viewed and shown for training purposes. If an involved officer objects to showing a recording, the recording will not be shown to other officers. The recording may, however, be viewed by supervisors for training and performance assessment purposes.
6. By Department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal complaint.
7. Pursuant to a lawful subpoena or by court personnel through proper processes or with permission of the Chief of Police or the Chief’s authorized designee.
8. In the event that any employee is to be interviewed pursuant to an investigation related to an incident which results in injury, bodily harm, death or involves the use of force, the employee will be permitted to review his/her video of the incident prior to providing a recorded statement or completing reports.
9. Employees desiring to view any previously uploaded or archived UAS recording that they would not typically have access to should submit a request in writing to the UAS Program Coordinator.
10. In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing the employee.

608.10 RELEASE OF UAS DATA

All recording media and recorded images are the property of the Alhambra Police Department. Dissemination outside of the agency is strictly prohibited, except to the extent required by law.

If the Department receives a request to release UAS data via a subpoena, a Court Order, a civil discovery request, a criminal discovery request, or a California Public Records Act request, the Department shall contact the City Attorney’s office for advice and guidance on whether dissemination is required by law.

To the extent that release of UAS data is legally required, all media shall be reviewed by the Records Manager or their designee prior to its release. Anything of a personal or confidential
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nature included in the media should be evaluated by the appropriate personnel, and redacted if deemed appropriate and if permitted by law. All redactions shall be approved by the Records Supervisor. An original copy of the media shall be retained by the Department.

The Chief of Police has the discretion to allow viewing or release of recorded media if he/she determines that it is in the best interest of public safety, the Police Department, and/or the City of Alhambra.
Warrant Service, Operations Planning and Deconfliction

609.1 PURPOSE AND SCOPE
This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy also provides guidelines for planning, deconfliction and execution of high-risk operations.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

609.1.1 DEFINITIONS
Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

609.2 POLICY
It is the policy of the Alhambra Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

It is also the policy of this Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

609.3 OPERATIONS DIRECTOR
The Chief of Police will designate a member of this department to be the Operations Director.

The Operations Director will develop and maintain a Search and Arrest Warrant Risk Assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The Operations Director will review Search and Arrest Warrant Risk Assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The Operations Director or his/her designee will also have the responsibility for coordinating operations that are categorized as high risk.
Warrant Service, Operations Planning and Deconfliction

609.4 SEARCH WARRANTS
Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the Search and Arrest Warrant Risk Assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the Operations Director for review and classification of risk.

609.5 ARREST WARRANTS
It is recognized that officers regularly serve arrest warrants that are not subject to this policy. If an officer should reasonably believe that an arrest warrant poses unique or heightened risks the officer should advise his/her immediate supervisor of the higher risks involved.

The supervisor should evaluate the reasonably known risks associated with the subject named in the arrest warrant and confer with the Operations Director as needed. The supervisor may direct the officer to provide a copy of the arrest warrant and a completed Search and Arrest Warrant Risk Assessment form to the Operations Director for review.

The Operations Director should address the risks as they would for a search warrant service. The Operations Director and the supervisor should also weigh the risk of entry into a residence to affect an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

609.6 SEARCH WARRANT PREPARATION
An officer who prepares a search warrant shall ensure the documentation in support of a search warrant contains the following:

(a) Probable cause to support the search.
(b) A clear explanation of the affiant’s training, experience and relevant education.
(c) Opinions, when relevant, are adequately supported and not left to unsubstantiated conclusions.
(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

1. The information establishing these facts should be current and fact-checked for accuracy.
(e) Full disclosure of known or suspected residents at the target location and any indication of separate living spaces at the target location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms are not known.
(f) A specific description of the location to be searched, including a photograph of the location if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Disclosure of any known facts or contradicting statements made by an informant that were relied on to support the search warrant affidavit.

609.6.1 RISK ASSESSMENT FORM PREPARATION
An officer preparing a search warrant application shall also complete a Search and Arrest Warrant Risk Assessment form.

When preparing the form, the officer should check and submit information to all relevant and reasonably available intelligence sources, including regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases, property records and resources for information about the target person and others who may be present. The officer should also gather available information such as photos, including aerial photos, if available, of neighboring yards and obstacles and geographical maps of the location and individual(s) involved, as well as diagrams of the property and the interior of building(s) to be searched. In addition, the officer should include the following information:

(a) The target person (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history, etc.).

(b) Others who may be present (e.g., other criminals, innocent third parties, children, dangerous animals, individuals with known health issues or special needs, etc.). Evidence of children and/or animals being present can include toys and food bowls in the yard and warning signs on fencing and/or gates.

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

(c) The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(d) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(e) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the target person).
609.6.2 RISK ASSESSMENT REVIEW
Officers will present the Search and Arrest Warrant Risk Assessment form to their supervisor. The supervisor shall determine, based on the Search and Arrest Warrant Risk Assessment form, whether the warrant is a lower-risk warrant service. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risk of warrant service.

Once a determination has been made as to the risk level of the Search and Arrest Warrant Risk Assessment form, the supervisor will present their assessment and the Search and Arrest Warrant Risk Assessment form to the Operations Director for review.

609.7 WARRANT SERVICE

609.7.1 LOWER-RISK WARRANTS
While the service of most search warrants involves some level of risk, a lower-risk search warrant involves circumstances that present the same general or lower risks that are commonly faced by officers on a daily basis and would not require all steps to mitigate risk detailed in this policy. Lower-risk search warrants must be categorized as such by a supervisor and may be served under the direction of the preparing officer’s supervisor.

The Search and Arrest Warrant Risk Assessment form should guide the supervisor in categorizing the warrant. Following are examples of what might be deemed a lower-risk warrant by a supervisor:

(a) A search warrant for an unfortified residence where the occupants have been identified and pose no identifiable risk and the suspect of the investigation is not reasonably predicted to be at the location (e.g., suspect already in custody or lives elsewhere).

(b) The search warrant is for records and no actual search by officers is required.

(c) The circumstances reveal no particularized risk of violence, confrontation with multiple suspects or others, and there is no reason to suspect persons anticipate the service of a search warrant.

609.7.2 HIGH-RISK WARRANTS
The Operations Director shall review the search warrant documents and the associated Search and Arrest Warrant Risk Assessment form and proceed as follows:

(a) Direct amendments to the search warrant application as necessary and confirm whether these are approved by the court.

(b) Determine what resources will be needed at the location or placed on stand-by, such as:
   1. Special Response Team (SRT)
   2. Additional personnel
   3. Outside agency assistance
   4. Special equipment
   5. Medical personnel
Warrant Service, Operations Planning and Deconfliction

6. Persons trained in negotiation
7. Additional surveillance or information
8. Canines
9. Fire Department and/or paramedics
10. HazMat / Clandestine Lab Team
11. Animal Control personnel

(c) Contact those department members or other agency members as warranted to begin preparation.
(d) Ensure that all legal documents such as search warrants and affidavits are complete and have any modifications reasonably necessary to support the operation.
(e) Direct or delegate the direction of the actual service of the search warrant.

609.8 DECONFLICTION
Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations. The Alhambra Police Department primarily utilizes the Los Angeles Regional Criminal Information Clearinghouse (LA CLEAR) for this purpose.

The officer applying for the warrant shall ensure the investigation and service event location(s) have been entered in the regional target deconfliction system(s) to determine if there is conflicting activity by other agencies involving the same individuals, groups, or locations. The officer should also enter updated information when received, as appropriate. If there is a target conflict, the officer shall make contact with the other agency to coordinate information.

At least two hours prior to the actual warrant service, the address of the location(s) where the warrants will be served and any related details will be submitted to the regional deconfliction system by the supervisor or his or her designee, or the case agent responsible for the warrant service operation. If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding with the warrant service.

609.9 OPERATIONS PLAN FOR HIGH-RISK WARRANTS
The Operations Director or his/her designee should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:
(a) Operation goals, objectives and strategies.
(b) Operation location and people:
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1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history).

2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids.

3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children.

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.

(k) Communications plan.

(l) Responsibilities for writing, collecting, reviewing and approving reports.
609.9.1 RETENTION OF THE OPERATIONS PLAN
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

609.10 OPERATIONS BRIEFING
A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants’ understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The Operations Director or his/her designee shall ensure that all participants are visually identifiable as law enforcement officers.

1. Exceptions may be made by the Operations Director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.

1. It is the responsibility of the Operations Director or his/her designee to ensure that the Communications Section is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.

2. If the radio channel needs to be monitored by the Communications Section, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.

3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

609.11 HIGH-RISK WARRANT SERVICE
The Operations Director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:
(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

(c) At least one uniformed officer is a member of the primary warrant service team and other officers are clearly identified in order to provide reasonable notice that the service of the warrant is a legitimate law enforcement operation.

(d) A plan is in place to address confronting potentially dangerous domestic animals.

(e) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(f) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(g) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(h) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy). A copy of the search warrant is left at the location.

(i) A list is made of all items seized and a copy of the list is left with a person in charge of the location or, if the location is unoccupied, in a conspicuous place inside the location.

(j) The condition of the property is documented with video recording or photographs after the search.

609.11.1 SRT PARTICIPATION FOR WARRANT SERVICE
If the Operations Director determines that Special Response Team (SRT) participation is appropriate, the Operations Director or his/her designee, and the SRT supervisor shall work together to develop a written plan. The SRT supervisor shall assume operational control until the persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SRT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

609.12 DETENTIONS DURING WARRANT SERVICE
Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).
As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

609.13 ACTIONS AFTER WARRANT SERVICE
The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

609.13.1 OPERATIONS DEBRIEFING
High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any Special Response Team (SRT) debriefing.

609.14 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS
The Operations Director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the Operations Director. The Operations Director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Alhambra Police Department are utilized appropriately. Any concerns regarding the requested use of Alhambra Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the Operations Director is unavailable, the Watch Commander should assume this role.

If officers intend to serve a warrant outside Alhambra Police Department jurisdiction, the Operations Director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.
Warrant Service, Operations Planning and Deconfliction

Officers will remain subject to the policies of the Alhambra Police Department when assisting outside agencies or serving a warrant outside Alhambra Police Department jurisdiction.

609.15 MEDIA ACCESS
No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

609.16 TRAINING
The Training Manager should ensure officers and SRT team members who participate in operations subject to this policy should receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, deconfliction practices, operations planning concepts, warrant service and reporting requirements.
Chapter 7 - Equipment
Department Owned and Personal Property

700.1 PURPOSE AND SCOPE
Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee’s intentional or negligent abuse or misuse of department property may lead to discipline.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.2.1 EQUIPMENT SIGN-OUT PROCEDURE
The Alhambra Police Equipment Sign-out Form shall be used for the purpose of logging in and out Police Department equipment. Each officer will have their own form within the log book.

Explanation of form columns:

- **Equipment** - The equipment being removed from the police facility.
- **Reason** - The reason the equipment is being assigned: K-9, Bike Patrol, Patrol, etc.
- **Date** - Date equipment is being assigned.
- **Time Out** - Time equipment is assigned.
- **Issued By** - Person who issued equipment.
- **Time In** - Time equipment was returned to the police facility.
Department Owned and Personal Property

- Signed-In By - Person signing in equipment.

All personnel who use Department assigned equipment will log the equipment out prior to removing it from the station. At the completion of the users shift, the equipment shall be returned to the station where it will be logged in. The user will complete any documentation required to ensure that the equipment used is in good working order and/or operational for the next user.

There are emergent situations where it would be impractical to complete the logging procedure as described in this section. However, this does not relieve personnel of the responsibility for complying with this order in a timely fashion.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage or loss of personal property shall be made by submission of a memorandum detailing the circumstances of the loss, including reports, repair estimates and witness statements as applicable. The Memorandum of Claim submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

Reimbursement will only be provided if the loss or damage occurs during the course and scope of work. Reimbursement will not be provided if the loss or damage is a result of the employee’s own carelessness or inattention (i.e. driving away with property set on the hood of the car, sitting on glasses that were left on the seat of a chair, etc.). Upon request, damaged items shall be submitted with the claim and if replacement rather than repair is made, the item replaced shall become the property of the city.

Employees are strongly encouraged not to wear expensive items such as jewelry or watches to work, especially if the employee’s work involves physical labor that further exposes these items to being broken or lost. The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work, unless previously authorized by the Chief of Police.

The supervisor shall direct the employee’s Memorandum of Claim to the appropriate Assistant Chief and shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

NOTE: When personal property is lost or damaged in conjunction with a Workers’ Compensation claim, then an itemization of the lost and/or damaged property should accompany the claim. Workers’ Compensation may reimburse for lost and/or stolen property in these types of situations.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit and at a minimum prior to going off-duty.
Department Owned and Personal Property

A Memorandum of Claim shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

**700.4    LOSS OR DAMAGE OF PROPERTY OF ANOTHER**
Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

**700.4.1    DAMAGE BY PERSON OF ANOTHER AGENCY**
If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Assistant Chief.
Personal Communication Devices

701.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY
The Alhambra Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member’s PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

701.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department/Office and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)
No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).
701.4 DEPARTMENT-ISSUED PCD
Depending on a member’s assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause. Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

701.5 PERSONALLY OWNED PCD
Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member’s expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member’s personally owned PCD should be transferred to the Alhambra Police Department and deleted from the member’s PCD as soon as reasonably practicable but no later than the end of the member’s shift.
Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PCD
The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) All PCDs in the workplace shall be set to silent or vibrate mode.

(c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.

(d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

(e) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(f) Members will not access social networking sites for any purpose that is not official department business.

(g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:
Personal Communication Devices

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.

2. Before conducting any administrative search of a member’s personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature.
Vehicle Maintenance

702.1 PURPOSE AND SCOPE
All members are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES
When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

A vehicle’s removal from service is subject to supervisory approval.

City Property Damage Report forms received and approved by the watch commander shall be placed in the designated file tray in the Patrol Sergeant’s Office. If there is significant and/or suspicious damage to a vehicle, or property maintained in the vehicle, then a copy of the City Property Damage Report shall be forwarded to the respective Assistant Chief.

All damage to vehicles shall be recorded in the Vehicle Damage Log binder maintained in the Patrol Sergeant’s Office.

702.2.1 MISSING VEHICLE EQUIPMENT
When an employee notices that items in a vehicle inventory are damaged, or there are items missing from the vehicle’s inventory, the employee will notify a supervisor in a timely manner. Replacement of certain equipment normally contained in the vehicle may be obtained from the appropriate City personnel. However, the missing or damaged equipment shall not be replaced with items from another vehicle without the express approval of a supervisor.

702.2.2 SUPERVISOR RESPONSIBILITIES
When unreported damage to a Field Services Division vehicle is discovered, a supervisor shall, as soon as possible, initiate an investigation in order to determine the cause of the damage.

Regardless of any other reports prepared documenting the circumstances surrounding the damage, the supervisor shall cause a City Property Damage report to be generated documenting all pertinent information. This damage shall be noted in the Vehicle Damage book maintained in the Patrol Sergeant’s office.

When a supervisor becomes aware that the inventory items in a particular vehicle are damaged or missing, the supervisor shall determine the reason for the missing/damaged equipment and take the necessary steps to have the equipment repaired or replaced, and documented on the appropriate report(s).
Vehicle Maintenance

702.2.3 ROUTINE VEHICLE SERVICE: RESPONSIBILITY
Patrol Section vehicles are to be scheduled for routine maintenance on a regular basis by the Fleet Maintenance Detail.

In accordance with the fleet maintenance schedule, the Fleet Maintenance Detail is responsible for having vehicles scheduled for service. The Fleet Maintenance Detail will indicate the unit number and date of the vehicles to be serviced on the Fleet Maintenance Bulletin Board in the Briefing Room.

Parts and General Repairs - Whenever it is determined that a vehicle is in need of repair, it shall be brought to the attention of a supervisor.

Tow Service for a City Vehicle - Tow service will be available through the City’s designated tow service on a twenty-four hour basis. Requests to have a City vehicle towed shall be authorized by a supervisor. All vehicles towed shall be noted on the Watch Commander’s Log indicating the unit’s number and location towed to.

702.2.4 VEHICLE DISINFECTION
Disinfection procedures shall be taken after blood or other bodily fluid discharges into a police vehicle.

A supervisor shall be notified, and the vehicle shall be taken to the station as soon as possible. Depending on the circumstances and location of the vehicle, the Supervisor may elect to have the vehicle towed to the station.

The Supervisor shall determine if the vehicle is to be taken out of service, pending disinfection. If there is a small amount of blood or other bodily fluid, the Supervisor may elect to have the vehicle immediately cleaned by appropriate City personnel, and returned to service. The Supervisor shall ensure that proper disinfection procedures are adhered to, if the vehicle is to be immediately cleaned and returned to service.

702.2.5 DAMAGE OR POOR PERFORMANCE
Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.6 SEVERE USE
Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer’s parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.7 REMOVAL OF WEAPONS
All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.
702.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

No employee shall make any alterations, additions, removals, or repairs to a city-owned or controlled vehicle nor allow any work to be done on a city-owned or controlled vehicle unless specifically authorized to do so.

702.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 20 Emergency road flares
- 2 Sticks yellow crayon or chalk
- 1 Roll Crime Scene Barricade Tape
- 1 First aid kit, CPR mask
- 1 Blanket
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection kit
- 1 Camera

702.3.2 PATROL VEHICLE ASSIGNMENTS
Marked vehicles assigned to the Patrol Section are primarily designed for use in carrying out the Department's patrol function. Patrol Section vehicles shall only be used for the necessary business activities of the Alhambra Police Department.

The on-coming supervisor shall be responsible for assigning vehicles for the on-coming watch. All other vehicle assignments are the responsibility of the Watch Commander or on-duty supervisor. All vehicle assignments are to be documented on the appropriate form.

702.3.3 UNMARKED VEHICLES
An employee driving unmarked department vehicles shall ensure that the minimum following equipment is present in the vehicle:

- 20 Emergency road flares
- 1 Roll Crime Scene Barricade Tape
Vehicle Maintenance

- 1 First aid kit, CPR mask
- 1 Blanket
- 1 Blood-borne pathogen kit, Incl. protective gloves
- 1 Sharps container
- 1 Hazardous waste disposal bag
- 1 Traffic Safety Vest
- 1 Hazardous Materials Emergency Response Handbook
- 1 Evidence collection kit
- 1 Camera

702.3.4 VEHICLE INSPECTIONS: ALL DEPARTMENT VEHICLES

Employee Vehicle Inspection - Each individual using a Departmental vehicle shall conduct a thorough inspection and inventory at the beginning of a tour of duty, or detail, to determine the condition of the assigned vehicle.

The employee’s inspection shall also include the vehicle’s exterior, interior, tires, fluid levels, all lighting devices, police radios, MDTs, safety equipment, weapons, and items of equipment essential for the operation of the vehicle. The employee shall immediately report any equipment noted to be damaged, missing, and/or inoperative, to their respective supervisor, or in their absence, the Patrol Bureau Supervisor prior to placing that vehicle into service.

Supervisory Vehicle Inspection - Vehicles used by on-coming personnel shall be inspected once a week by a Field Services Division Supervisor to ensure the accuracy of the employee vehicle inspections. The supervisor’s inspection shall include, but is not limited to:

- A visual inspection of the vehicle’s interior and exterior, and
- An evaluation of any and all noted damage, inoperable equipment and missing inventory.

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

702.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by
Vehicle Maintenance

a supervisor. Employees should be cautious about leaving sensitive information in the vehicle while it goes through the car wash and is out of the sight of the employee.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

702.6 NON-SWORN EMPLOYEE USE
Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Only authorized and trained employees shall remove any weapons from a vehicle before going into service.

Non-sworn employees shall also prominently display the “out of service” placards or lightbar covers at all times. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.
Vehicle Use

703.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Alhambra to provide assigned take-home vehicles.

This policy does not pertain to vehicles assigned to members of the executive staff. Executive staff are provided reasonable non-work related use of assigned vehicles.

703.2 POLICY
The Department provides vehicles for official business use and may assign take-home vehicles based on its determination of operational efficiency, economic impact to the Department, tactical deployments and other considerations.

Members who operate Department motor vehicles shall possess a valid driver’s license at all times. Loss or suspension of a driver’s license shall immediately be reported to the member’s respective supervisor.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES
The Watch Commander shall ensure a copy of the shift assignment roster indicating member assignments and vehicle numbers is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES
Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Watch Commander. A notation will be made on the shift assignment roster indicating the member’s name and vehicle number.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash.

703.3.3 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.
The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.4 SECURITY AND UNATTENDED VEHICLES
Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.5 MDC
Members assigned to vehicles equipped with a Mobil Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify Communications Section. Use of the MDC is governed by the Mobil Data Computer Use Policy.

703.3.6 VEHICLE LOCATION SYSTEM
Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle’s location. While the system 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 system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Assistant Chief approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.
Vehicle Use

703.3.7 KEYS
Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member’s chain of command.

703.3.8 AUTHORIZED PASSENGERS
Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

703.3.9 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.10 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.12 NON-SWORN MEMBER USE
Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES
Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.
Vehicle Use

703.4.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member’s duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.2 UNSCHEDULED TAKE-HOME USE
Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

(a) The circumstances are unplanned and were created by the needs of the department.
(b) Other reasonable transportation options are not available.
(c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Alhambra City limits.
(d) Off-street parking will be available at the member’s residence.
(e) Vehicles will be locked when not attended.
(f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES
Assignment of take-home vehicles shall be based on the location of the member’s residence, generally a 50 mile radius of the Alhambra City limits. Also, the nature of the member’s duties, job description and essential functions, and employment or appointment status. Members who reside outside the City of Alhambra may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member’s tax adviser.

Criteria for use of take-home vehicles include the following:

(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or an Assistant Chief gives authorization.
(b) Vehicles may be used to transport the member to and from the member’s residence for work-related purposes.
(c) Vehicles will not be used when off-duty except:
Vehicle Use

1. In circumstances when a member has been placed on call by the Chief of Police or Assistant Chiefs and there is a high probability that the member will be called back to duty.

2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or travelling to or from a work-related activity or function.

3. When the member has received permission from the Chief of Police or Assistant Chiefs.

4. When the vehicle is being used by the Chief of Police, Assistant Chiefs or members who are in on-call administrative positions.

5. When the vehicle is being used by on-call investigators.

(d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.

(e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.

(f) Unattended vehicles are to be locked and secured at all times.

1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).

2. All weapons shall be secured while the vehicle is unattended.

3. All department identification, portable radios and equipment should be secured.

(g) Vehicles are to be parked off-street at the member’s residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

(h) Vehicles are to be secured at the member’s residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.

1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.

2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.

(i) The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS
When driving a take-home vehicle to and from work outside of the jurisdiction of the Alhambra Police Department or while off-duty, an officer shall not initiate enforcement actions except in
Vehicle Use

those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.

(b) It is the member’s responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.

(f) All weapons shall be removed from any vehicle left for maintenance.

(g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 UNMARKED VEHICLES

Vehicles are assigned to various sections and their use is restricted to the respective section and the assigned member, unless otherwise approved by a section supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the section for that purpose. Any use of unmarked vehicles by those who are not assigned to the section to which the vehicle is assigned shall also record the use with the Watch Commander on the shift assignment roster.

703.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).
Vehicle Use

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 TOLL ROAD USAGE
Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

(a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.

703.7.1 EMERGENCY VEHICLE TOLL EXEMPTION
An authorized emergency vehicle is exempt from any requirement to pay a toll or other charge on a vehicular crossing, toll highway, or high occupancy toll (HOT) lanes known as Metro Express Lanes, if all the following conditions are satisfied (California Vehicle Code 23301.5):

(a) The authorized emergency vehicle is properly marked.

(b) The vehicle is responding to an "urgent" or emergency call.

(c) Exemption applies to travel to and the return trip from the incident.

(d) The driver of the vehicle determines use of the HOT lane will likely improve availability, response and arrival time to the emergency location.

As soon as practical, members traveling in a HOT lane or through a toll plaza, or booth during a response to an "urgent" or emergency call for service shall make proper documented notification to the appropriate administrator of the toll exempt program.

703.8 ATTIRE AND APPEARANCE
When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.
Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

704.2 POLICY
It is the policy of the Alhambra Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

704.3 PETTY CASH FUNDS
The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS
The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

704.5 PETTY CASH AUDITS
The fund manager shall perform an audit no less than once quarterly. This audit requires that the fund manager and at least one command staff member, selected by the Chief of Police, review the transaction ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or the City.
704.6 ROUTINE CASH HANDLING
Those who handle cash as part of their property or Special Enforcement Unit supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.7 OTHER CASH HANDLING
Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy.

Cash in excess of $1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.
Personal Protective Equipment

705.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that police employees are protected from exposure to respiratory hazards and to comply with the Cal-OSHA Respiratory Protection Standard (California Code of Regulations (CCR) Title 8, § 5144). This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This program applies to all police and associated personnel who may be required to wear respirators during normal work operations and/or during emergency situations. Employees who wear face pieces (dust masks) are not subject to the medical evaluation, fit test, cleaning, maintenance, and storage provisions of this program.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

All respiratory protective equipment shall be approved by the National Institute for Occupational Safety and Health (NIOSH) for the environment in which it is going to be used. The following definitions apply to equipment that will be issued to officers and common language pertaining to this program:

**Air-Purifying Respirator (APR)** - means a respirator that works by removing gas, vapor, or particulate, or combinations of gas, vapor, and/or particulate from the air through the use of filters, cartridges, or canisters that have been tested and approved for use in specific types of contaminated atmospheres by NIOSH. This respirator does not supply oxygen and therefore cannot be used to enter an atmosphere that is oxygen deficient.

**Personal protective equipment (PPE)** - equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

**Powered Air-Purifying Respirator (PAPR)** - means air-purifying respirator that uses a blower to force ambient air through air-purifying elements to the respirator facepiece or hood. Officers who are eligible for a respirator may be issued Powered Air Purifying Respirator (PAPR) under the following conditions:

- The physician or other licensed health care professional (PLHCP) recommends the use of a PAPR for medical reasons.
- The officer cannot be successfully fit-tested for a tight-fitting facepiece. These officers may be issued a PAPR with a loose fitting hood or helmet.

**Qualitative fit test (QLFT)** - means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.
Quantitative fit test (QNFT) - means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

Toxic Substance or Harmful Physical Agent - is defined by section CCR Title 8 § 3204(c)(13) to encompass chemical substances, biological agents, and physical stresses for which there is evidence of harmful health effects.

Respiratory PPE - any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

705.2 POLICY
The Alhambra Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

Prior to the issuance of PPE, all first responders will attend an approved Personal Protective Equipment and Terrorism Course. The personnel classified as first responders shall have their assigned PPE with them while on-duty, ready for immediate deployment.

705.3 OFFICER RESPONSIBILITIES
It is the responsibility of the employee to have an awareness of the respiratory protection requirements for his or her work areas in accordance with the department’s respiratory protection program. Employees are responsible for wearing the appropriate respiratory equipment according to training and instructions.

A powered air-purifying respirator (PAPR) will be issued to a first responder when the use of one is mandated via the medical evaluation.

Employees are also responsible for the following:
(a) To observe all factors and conditions required to demonstrate a good respirator fit and adequate face seal.
(b) Care for and maintain respiratory protection equipment as instructed and store it in a clean and sanitary location.
(c) Inform their supervisors if the respirator no longer fits well and to request one that fits properly.
(d) Inform their supervisor or the Program Administrator of any respiratory hazards that he/she feels are not adequately addressed in the Respiratory Protection Program.

705.3.1 FIRST RESPONDER CLASSIFICATION
The Alhambra Police Department defines first responders as the following:
(a) Sworn personnel from the rank of lieutenant and below
(b) Crime Scene Investigators (CSI)
(c) Police Service Officers (PSO)
(d) Other personnel as determined by the Chief of Police or his/her designee

705.4 HEARING PROTECTION
Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in 8 CCR 5098.

705.5 EYE PROTECTION
Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in 8 CCR 3382.

705.6 HEAD AND BODY PROTECTION
Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

705.7 RESPONSIBILITIES OF THE PROGRAM ADMINISTRATOR
The Support Services Assistant Chief or his/her designee is designated as the Program Administrator for personal protective equipment and is responsible for administration of the respiratory protection program. The Program Administrator is to:

(a) Identify and evaluate work areas and tasks that may require members to wear respirators.

(b) Purchase and maintain a proper inventory of respirators and filter canisters.

1. Purchases shall be based on the evaluation of respiratory hazards and other relevant workplace and user factors.

(c) Administer the medical evaluation program according to CAL-OSHA standards.

(d) Arrange for qualitative fit testing using an accepted CAL-OSHA protocol.

(e) Ensure employees attend the required training.

(f) Ensure that the inventory of respirators are properly cleaned, disinfected, maintained, and stored according to manufacturer’s specifications.

(g) Enforce the proper use of respiratory protection when necessary.

(h) Maintain records required by Cal-OSHA.

(i) Evaluate and update the written program as needed.

(j) Monitor work areas to identify respiratory hazards on a continual basis.
(k) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

705.7.1 ISSUED PERSONAL PROTECTIVE EQUIPMENT
The PPE issued by the Department will consist of the following:

(a) Air Purifying Respirator (APR)
   1. The only approved APR is the Avon C50 Twin Port Mask

(b) Sealed APR filter

(c) Vacuum sealed pouch containing the following:
   1. Level C suit
   2. Pair of protective boots
   3. Pair of inner protective gloves
   4. Pair of outer protective gloves

(d) APR carry case

(e) Organic vapor mask

(f) Roll of “Chem or Duct Tape”

(g) PPE equipment bag

All employees issued PPE will be responsible for the care and operation of the issued items. All PPE, when not in use, shall be carried in the equipment bag provided.

In order to maintain the APR filter quality, filters will remain in the manufacturer's sealed pouch. Filters will not be stored on the APR. If the filter pouch becomes ripped, torn or open, it is considered damaged. If a filter becomes damaged, a memorandum shall be completed indicating the reason for the damage and directed to the Training Manager.

705.7.2 RESPIRATORY PROTECTION USE
This respirator provides limited protection. It is NIOSH approved for respiratory protection against atmospheres containing CBRN (chemical, biological, radiological, and nuclear) warfare agents; however, it cannot protect against all possible warfare agents.

(a) In order to maintain the integrity of the PPE, it shall not be used for anything other than approved departmental training or a Hazardous Material/Weapons of Mass Destruction/CBRNE event, unless directed to do so by a supervisor. The following are examples of when the PPE may be deployed by first responders. The list is not all inclusive and other events may require the use of the issued PPE:
   1. A suspected hazardous material dispersal or spill.
   2. A suspected weapon of mass destruction event.
3. When directed to do so by Fire Department authorities to conduct critical law enforcement functions.

4. When an officer is in sustained contact (including transport in a closed vehicle) with a person who is suspected of carrying an active infection with a serious airborne respiratory disease (such as tuberculosis), and who cannot be masked. Used respirators shall be discarded in appropriate containers, in accordance with the department's infection control procedures.

5. When directed by a ranking supervisor.

(b) The following are examples of when the PPE should not be deployed by first responders and warnings from the manufacturer of our respirators. The list is not all encompassing, but includes the following:

1. Department issued equipment is **not** sufficient to enter conditions where contaminants are present in levels that are “immediately dangerous to life and health” (IDLH atmospheres) or where oxygen deficient conditions exist.

2. **DO NOT** use without a complete understanding of the instructions and limitations for this respirator and proper training. Misuse can prevent the respirator from providing the necessary protection.

3. **DO NOT** remove respirator until respirator and clothing are decontaminated; otherwise exposure to CBRN agent may result. Follow decontamination and disposal procedures established by appropriate authorities.

4. **DO NOT** use this respirator beyond eight hours after initial use in an atmosphere containing CBRN agents or beyond two hours after initial use in an atmosphere containing CBRN agents in liquid of mist form; otherwise agent permeation may occur.

5. **DO NOT** remove respirator until respirator and clothing are decontaminated; otherwise exposure to CBRN agent may result. Follow decontamination and disposal procedures established by appropriate authorities.

6. Leave the contaminated area immediately if:

   (a) Breathing becomes difficult
   (b) Dizziness or other distress occurs
   (c) You taste or smell the contaminant
   (d) You experience nose or throat irritation
   (e) You are instructed to do so by responsible personnel

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member’s degree of exposure or stress may affect respirator effectiveness, the scene commander shall reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (8 CCR 5144):
Personal Protective Equipment

- It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.
- The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.
- The member needs to replace the respirator, filter, cartridge or canister.

It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

705.7.3 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

(a) Employees of the police department are expected to use issued respirators in accordance with their training at all times and not utilize them unless they have completed required training for the equipment.

(b) Employees must don respirators prior to entering any known or suspected hazardous atmospheres in accordance with manufacturer’s specifications.

1. Employees must follow procedures for respirator inspection prior to donning a respirator.
2. Employees must verify that the cartridges to be used with their respirator are adequate for the conditions/atmospheres they are to enter and that the cartridge has not exceeded its service life.

(c) Employees shall verify the seal of their respirators each time they are donned by following a Negative Pressure Seal Test as set forth in the Avon C50 Twin Port Mask guidelines pamphlet.

(d) Employees are prohibited from wearing any jewelry or other personal affects that may affect quality of seals during any duty requiring the use of a respirator.

(e) Employees are prohibited from wearing respirators when any bodily condition is present that may affect seal quality including but not limited to (8 CCR 5144):

1. Visible facial hair presence
2. Facial scarring or swelling
3. Immediately following facial or dental reconstructive surgery without first undergoing additional fit testing
4. Any change in body weight that could affect the proper fit of the PPE

705.7.4 RESPIRATOR CARE AND MAINTENANCE

(a) Respirator inspections will be conducted as follows:

1. At a minimum, respirators are to be inspected before each use and during each cleaning.
2. Respirators that are not regularly used and that are for emergency purposes only must be inspected on at least a monthly basis.
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(a) The person conducting the inspection must be someone who has completed the respiratory protection training program.
(b) Records of monthly inspections must be kept with the respirator.

3. Respirator inspections include the following points:
   (a) Verification that the respirator is functional.
   (b) A check of all fittings for tightness.
   (c) Inspection for the condition of all parts of the respirator including items such as straps, filter cartridges, face piece, valves, and connections.
   (d) All elastomeric parts of the respirator must be checked for pliability and/or signs of deterioration.

4. Any respirator that fails inspection must be removed from service and replaced or repaired according to the manufacturer’s specifications.

5. If an employee believes that their respirator is defective in any manner, the employee shall return the respirator to the Personnel and Training Section supervisor or their designee as soon as practicable.

(b) Cartridge Maintenance

1. Cartridges must be changed out at least once for every eight (8) hours of respirator usage or as follows:
   (a) In accordance with manufacturer’s recommendations.
   (b) If the NIOSH approved labeling becomes worn or illegible.
   (c) Upon detection of any noticeable odor (chemical or otherwise) by the employee wearing the respirator.
   (d) Prior to cartridge expiration date, if applicable.
   (e) If the cartridge is equipped with an end of service life indicator, cartridges must be changed as indicated.
   (f) Upon noticeable increase in breathing resistance by employee.

(c) Respirator cleaning and decontamination

1. Respirators must be kept in a clean and sanitary condition. All respirators are cleaned, at a minimum, at the following intervals:
   (a) Respirators issued to a single individual are cleaned after each usage when possible, but not be cleaned less than once per year.
   (b) Respirators issued to multiple personnel must be cleaned and disinfected prior to being worn by any individual other than the person who last wore it.
   (c) Emergency Respirators must be cleaned and disinfected after each usage, but not less than once per year.
   (d) Any respirators used for the purpose of fit testing multiple individuals must be cleaned and disinfected after each usage.
Personal Protective Equipment

2. Respirators must be cleaned and disinfected by following the methods set forth in Appendix B-2 of CCR Title 8 5144.

3. Respirators that have been contaminated with certain chemical, biological or radioactive (CBRN) agents require special decontamination procedures to reduce the likelihood of secondary exposures to the user or assisting personnel. The HAZMAT incident commander, officer in charge or Program Administrator will inform users of any special decontamination procedures that are required.

705.7.5 STORAGE OF RESPIRATORS
(a) Respirators are kept in the bags provided by the manufacturer or in a bag of sufficient thickness to prevent the respirator from coming into contact with dust, excessive moisture and other forms of contamination.
   1. When possible, bags are to be changed out whenever a respirator is cleaned and disinfected.
(b) Respirators shall be stored in an area which would reasonably protect the respirator from extreme temperatures, sunlight, harmful chemicals or any other exposures that could cause damage.
(c) Respirators must be stored in accordance with manufacturer’s specifications.
(d) Respirators used only for emergency purposes must be stored in an accessible location that is clearly delineated as containing an emergency respirator.

705.7.6 GAS MASK
Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (8 CCR 5144).

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:
   (a) They smell, taste or are irritated by a contaminant.
   (b) They experience difficulty breathing due to filter loading.
   (c) The cartridges or filters become wet.
   (d) The expiration date on the cartridges or canisters has been reached.

705.7.7 SELF-CONTAINED BREATHING APPARATUS
Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair
an individual’s ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.
(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.
(c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

705.7.8 RESPIRATOR FIT TESTING
No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (8 CCR 5144).

After initial testing, fit testing for respiratory PPE shall be repeated (8 CCR 5144):

(a) At least once every 12 months.
(b) Whenever there are changes in the type of SCBA or facepiece used.
(c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

705.7.9 MEDICAL EVALUATION
(a) Any employee of the police department, who is required to wear a respirator during the course of duties must be cleared as medically fit prior to engaging in respirator usage. If any employee declines a medical evaluation, that employee will be prohibited from taking part in activities requiring the use of a respirator.

(b) The City of Alhambra shall designate the physicians or professional licensed health care providers (PLHCPs) for conducting medical evaluations of applicable personnel.

1. To ensure that employees’ medical evaluations remain confidential, employees will be provided with instructions on delivering or sending the completed questionnaire directly to the PLHCP who will review it. This may be accomplished by supplying employees with stamped, pre-addressed envelopes for mailing their completed questionnaires to the PLHCP.

(c) The City of Alhambra shall provide the following information and materials to physicians or PLHCPs prior to any medical evaluations:

1. A copy of the APD’s most current respiratory protection program.
2. A copy of Cal-OSHA Respiratory Protection Standard (CCR Title 8 § 5144).
3. Applicable information related to the individual employee’s expected respirator usage including:

(a) Type and weight of the respirator to be utilized by the employee.
(b) The duration and frequency of respirator use (including use for rescue and escape).
(c) Typical physical demand on employee during tasks in which respirator usage would be necessary.
(d) Any additional personal protective equipment/attire to be worn in conjunction with respirator.
(e) Temperature and humidity extremes that may be encountered by the employee.

(d) The procedure for medical evaluations is as follows:
1. All medical evaluation proceedings are conducted on a confidential basis.
2. The employee is provided a copy of the medical questionnaire found in Appendix C of CCR Title 8 § 5144 to be filled-out and forwarded to approved physician or PLHCP.
3. The physician or PLHCP may elect to conduct a physical examination of the employee based on information provided by the questionnaire.
4. The police department reserves the right to make physical examinations mandatory to all employees engaged in respirator usage regardless of conditions or information provided by the questionnaire.
5. The police department bases its determination of an employee’s ability to safely use a respirator based on written recommendations provided by an approved physician or PLHCP. Such recommendations must include, at a minimum:
   (a) A report of the status of the employee’s medical clearance to use a respirator.
   (b) Any limitations in physical activities or work conditions that must be adhered to in order for the employee to safely use a respirator.
   (c) Whether or not any additional follow-up examinations will be necessary.
   (d) Certification that the employee has been provided a copy of the written results of their medical evaluation and any recommendations provided to the Program Administrator.
6. At the discretion of the physician or PLHCP, an employee may be required to use a powered air purifying respirator if it is discovered that the employee is not medically capable of using a negative pressure air purifying respirator.
7. Subsequent medical evaluations will be required should any of the following events occur:
   (a) The employee reports any symptoms or bodily changes that stem from or are likely to affect the employee’s use of a respirator.
   (b) The employee is required to undergo reevaluation based on the decision of a medical evaluation provider, or the Program Administrator.
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(c) Any changes in work conditions or activities that may affect the employee’s medical ability to wear a respirator.

(e) It is the employee’s responsibility to let his/her supervisor know, as soon as practical, if their physical abilities have changed and require a specialized respirator (i.e. prescription eye wear) or if they have a medical or other condition that prevents them from deploying in a respirator.

705.8 PROGRAM EVALUATION
The Program Administrator is to conduct a thorough review of the program on an annual basis. Such review is to include:

(a) A review of CCR Title 8 § 5144 to ensure that no changes have been made to the Cal-OSHA respiratory protection standards.

(b) A review of the Policy Manual to ensure that it continues to comply with applicable standards and adequately describes procedures and conditions in effect within the Alhambra Police Department. The review should consider the following:
   1. The overall fit of the respirators and whether respirators unnecessarily interfere with the employee’s ability to perform necessary work.
   2. Whether or not the respirators are appropriate for the hazards anticipated to be encountered by employees.
   3. Respirator usage and maintenance procedures.

(c) A review of the workplace to ensure that no changes have been made that would require changes to the Policy Manual.

705.9 RECORD KEEPING
The Program Administrator for personal protective equipment or his/her designee is responsible for ensuring that proper records are kept for this program.

(a) Employee medical records obtained pursuant to the Alhambra Police Department’s respiratory protection program are maintained in compliance with CCR Title 8 § 3204, for a minimum of 30 years after an employee’s separation from service and are available upon request to the employee or designated representative.
   1. The personnel medical records shall be maintained in the Office of the Personnel Department.

(b) Fit Testing records are maintained for each employee that undergoes fit testing until such time as a subsequent fit test is performed on that individual. These records include:
   1. Name and employee ID of the individual.
   2. Type of fit test administered.

(a) Officers who are issued tight-fitting facepiece gas/vapor air purifying respirators (gas masks) shall be provided with either a qualitative
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(employee response to test agent) or quantitative (numerical measurement of leakage) method fit test.

3. Date of fit test.
4. Pass/fail results for any qualitative fit test performed.
5. Any recordings generated during the course of a quantitative fit test,
6. if applicable. Signatures of person that administered the test and the employee fit tested.

(c) The police department maintains records of dates of each program evaluation and/or alterations to the program itself.

(d) A copy of this program and the above records shall be made available to all affected employees, their representatives, and representatives of the Chief of the Division of Occupational Safety and Health. The Program Administrator shall determine the records retention policy for training, inspection, maintenance and fit-test records per the requirements of CCR Title 8 § 3204 and Policy Manual chapter 1026 - Peace Officer Personnel Files. At a minimum, agencies shall retain the most recent record of each type for each employee or piece of equipment. At any time at the discretion of a supervisor or Program Administrator.

705.10 TRAINING

(a) Employees are provided with training compliant with CCR Title 8 § 5144 prior to any other respirator qualification procedures. Training will include, at a minimum, the following topics:

1. The specific circumstances when respirators are to be used, including illustrative scenarios that identify the proper use by first responder employees.
2. How to inspect, put on, remove, use and check the seals of the respirator via Fit Testing Procedures.
3. Hazards and conditions in both standard and emergency situations that require the usage of respirators.
4. Limitations and capabilities of the issued respirators.
5. Procedures for inspection, storage, maintenance, and verification of respirator seals.
6. Emergency procedures to be followed in the event of respirator malfunction.
7. Medical signs and symptoms that may limit or prevent the safe and effective use of respirators.
8. Bodily conditions that may disrupt the proper seal of the respirator.
9. Procedures to decontaminate or safely dispose of a respirator that has been contaminated with chemicals or hazardous biological materials.

(b) After initial training, employees will receive additional refresher training when any of the following occurs:
1. The employee becomes due for annual refresher training.
2. Changes in the workplace or in respirators to be used render previous training deficient.
3. Deficiencies are noted either in employee knowledge or use of the respirator that would indicate a fundamental lack of retention of previously administered training.
4. The Program Administrator or any supervisor observes changes in the employee’s physical condition that could affect respirator fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or any obvious change in body weight.
5. At any time at the discretion of a supervisor or Program Administrator.

(c) Training can be accomplished by in-house instruction or by viewing the POST video on respiratory protective equipment in combination with instruction.
Chapter 8 - Support Services
Crime Analysis

800.1 PURPOSE AND SCOPE
Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.1.1 CRIME ANALYST
The Crime Analyst is overseen by the Support Services Division Commander as part of the Detective Bureau.

The Crime Analyst determines crime trends based upon reported crimes occurring within the community, identifies suspects involved in criminal activity, develops and distributes crime analysis bulletins reflecting trends and suspect information. The Crime Analyst attends job specific meetings, inputs data into various computer databases, compiles statistical information, and oversees various internal computer systems by either repairing the problem or notifying the systems administrator.

800.2 DATA SOURCES
Crime analysis data is extracted from many sources including, but not limited to:

• Crime reports
• Field Interview cards
• Parole and Probation records
• Computer Aided Dispatch data
• Statewide Integrated Traffic Reporting System (SWITRS)
• Automated License Plate Readers (ALPRs)
• CopLink

800.3 CRIME ANALYSIS FACTORS
The following minimum criteria should be used in collecting data for Crime Analysis:

• Frequency by type of crime
• Geographic factors
• Temporal factors
• Victim and target descriptors
• Suspect descriptors
Crime Analysis

- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION
For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

Crime Analysis information is integral to the office of the Chief of Police and all sworn department personnel. It is disseminated in the following manner:

(a) Briefing information
(b) Weekly Bulletins
(c) Monthly Reports and goal assessment
(d) Other reports as requested
Communication Operations

801.1 PURPOSE AND SCOPE
This policy establishes guidelines for the basic functions of Communications Section. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.1.1 LOCATION OF FCC LICENSE AND RULES AND REGULATIONS
A copy of the Federal Communications Commission (FCC) License and Title § 47 Rules and Regulations is maintained by the Communications Supervisor.

801.1.2 RADIO AND MDC COMMUNICATIONS
Technological advances in the workplace have created some new concerns regarding the management of information. These concerns include system security and employment-related system use. The majority of all data falls within the scope of public information due to the very nature of our responsibilities as a public agency. It is commonplace to receive court orders that require disclosure of system information and recorded radio transmissions for evidentiary purposes in civil and criminal trials. Radio transmissions and mobile data messages can quickly become public information. Inappropriate use of the radio and mobile data computers can place the organization in an unfavorable litigious position and/or create a lack of public confidence in the agency.

Statutory controls in this area are especially stringent and expose both the agency and officer to civil and criminal liability, if abuse occurs. Title 18 United States Code § 1464 provides for a fine ($10,000) and imprisonment (two years) for using "obscene, indecent, or profane language" over the radio or mobile data computer. Personnel will conduct themselves at all times in a courteous and professional manner whenever using radio communications. As such, disrespectful and/or abusive language, inappropriately cutting--off or interfering with the communications of others, unnecessarily keying the microphone, conduct that would disparage the reputation of the Alhambra Police Department, and/or any violation of the Federal Communications Commission (FCC) procedures and guidelines may be cause for disciplinary action.

801.1.3 RECORDED AUDIO TRAFFIC
All radio transmissions through communications is digitally recorded by the Communications Section and is retained for a period of at least three years. As such, it may be retrieved for later review for a variety of purposes including, but not limited to, training, investigation, discipline and as evidence.

When obtaining a copy of any radio traffic, the requesting party shall consider the nature of the involved incident and the potential for the audio traffic to be deemed evidence in criminal or civil litigation. When an incident is of a routine nature, the radio traffic may be requested by a supervisor and may be used for training purposes, internal reviews or investigations. Examples of calls of

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a routine nature include; pursuits, felony car stops, perimeters, traffic collisions, foot and vehicle
pursuits, and uses of force.

Where an incident involves significant liability, the request shall be completed by a lieutenant
or above. Calls of significance include, but are not limited to, officer-involved shootings, calls
involving significant officer or suspect injury, calls with obvious political or community ramifications,
homicides, fatality traffic collisions and canine apprehensions. Exceptions to this rule may exist
when a requesting supervisor has a specific need to obtain details found in the radio traffic (i.e.
canine bite investigations, use of force reviews, internal affairs).

In order to obtain a copy of radio traffic, the requesting party shall complete a memorandum
to the Communications Section describing the recording being sought and the justification for
it being copied. This request shall be completed and submitted to the lead dispatcher in the
Communications Section. In all routine circumstances, the request shall be signed by a supervisor
with a rank of sergeant or above. This radio traffic is for use by the requesting party and is not to
be sent outside of the Department without approval of a division commander or his/her designee.
Under no circumstances shall recorded audio traffic be requested or obtained for personal use.

While the radio traffic is recorded by the Communications Section, the traffic is actually the property
of the agency with jurisdiction. Absent a court order/subpoena, radio traffic shall only be released
to the agency of jurisdiction. In the event that another agency asks to obtain copies of radio traffic,
that request will be routed through the primary agency’s division commander or his/her designee
for approval.

Radio traffic is not to be released to outside agencies or the media without the approval of a
division commander or his/her designee.

This policy does not apply to lawfully subpoenaed recordings for use in criminal or civil
proceedings.

801.1.4 COMMUNICATIONS PROCEDURES
The Communications Center employs many complex systems for a variety of services to the public
and public safety members. The Communications Supervisor is responsible for developing and
maintaining procedures to efficiently provide communications services. Department members
shall comply with established procedures.

801.2 POLICY
It is the policy of the Alhambra Police Department to provide 24-hour telephone service to the
public for information and for routine or emergency assistance. The Department provides two-
way radio capability providing continuous communication between Communications Section and
department members in the field.
801.2.1 TELECOMMUNICATIONS FOR THE DEAF
Telecommunications for deaf (TDD/TTY) are available on all workstation communications center telephone lines, both incoming and outgoing. Department members should assure that these systems are functioning properly at all times and report any malfunctions.

801.2.2 AUDIO RECORDING OF RADIO AND TELEPHONE

(a) The Communications Supervisor will maintain a system for recording and immediate playback of all telephone and radio transmissions within the Communications Center. The recordings shall be maintained in accordance with the City of Alhambra Records Retention and Destruction Policy, unless the communication is identified as being needed as evidence. Those recordings identified will be copied and placed into evidence.

(b) The Communications Supervisor shall assure that security measures are in place and maintained for the digital recordings referred in this section. Reviews of the recordings are available for immediate review by Department personnel for business purposes. Supervisors and managers may review audio recording for purposes of quality control, evaluation and training.

(c) External requests for copies of audio recordings from the Communications Center shall be routed through the Communications Supervisor or his/her designee.

801.2.3 WIRELESS AND VOICE OVER INTERNET PROTOCOL (VOIP) 911 CALLS
The Alhambra Police Department elects to accept wireless and Voice-Over Internet Protocol (VOIP) 911 telephone calls. All reasonable efforts will be made to verify the existence of an emergency, the location of the emergency and, if possible, coordinate an appropriate response. Department members will follow the established procedures for these telephone calls.

801.2.4 EMERGENCY MEDICAL DISPATCH (EMD)
The Alhambra Police Communications Center refers all Emergency Medical Dispatching (EMD) to the Verdugo Fire Communications Center, which provides callers with first aid instruction over the telephone. Public Safety Dispatchers are trained to transfer callers requesting such services to the Verdugo Fire Communications Center as appropriate.

801.3 COMMUNICATIONS SECTION SECURITY
The communications function is vital and central to all emergency service operations. The safety and security of Communications Section, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Communications Section.

Access to Communications Section shall be limited to Communications Section members, the Watch Commander, command staff and department members with a specific business-related purpose.
801.3.1 EMERGENCY ACTIVATION ON THE RADIO
If the emergency button is depressed on the officer’s hand-held radio, the dispatcher will call the unit and ask if “Code 4?” If there is no emergency, then the officer should answer “Code 4” and all units will resume their normal activity. If there is no response or the officer answers in some other way, the dispatcher shall proceed as follows:

(a) If the unit is not on a call, send available units to assist in locating the unit transmitting the emergency. Whenever a location is known, immediately dispatch the nearest available unit Code 3.

(b) Notify the field sergeant and Watch Commander of the incident without delay. Units not responding to the emergency should refrain from transmitting on the radio until there is a Code 4, unless they are themselves handling an emergency.

801.3.2 EMERGENCY NOTIFICATION SYSTEM (ALERT LA)
The Alhambra Police Department has access to the Alert LA Emergency Notification System to disseminate early warning and time sensitive information to the local community.

801.4 RESPONSIBILITIES

801.4.1 COMMUNICATIONS SUPERVISOR
The Chief of Police shall appoint and delegate certain responsibilities to a Communications Supervisor. The Communications Supervisor is directly responsible to the Field Services Assistant Chief or the authorized designee.

The responsibilities of the Communications Supervisor include, but are not limited to:

(a) Overseeing the efficient and effective operation of Communications Section in coordination with other supervisors.

(b) Scheduling and maintaining dispatcher time records.

(c) Supervising, training and evaluating dispatchers.

(d) Ensuring the radio and telephone recording system is operational.

1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.

(e) Processing requests for copies of Communications Section information for release.

(f) Maintaining Communications Section database systems.

(g) Maintaining and updating Communications Section procedures manual.

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.

2. Ensuring dispatcher compliance with established policies and procedures.

(h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
Communication Operations

(i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

801.4.2 ADDITIONAL PROCEDURES
The Communications Supervisor should establish procedures for:

(a) Recording all telephone and radio communications and playback issues.
(b) Storage and retention of recordings.
(c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
(d) Availability of current information for dispatchers (e.g., Watch Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
(e) Assignment of field members and safety check intervals.
(f) Emergency Medical Dispatch (EMD) instructions.
(g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
(h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).
(i) Protection of radio transmission lines, antennas and power sources for Communications Section (e.g., security cameras, fences).
(j) Handling misdirected, silent and hang-up calls.
(k) Handling private security alarms, if applicable.
(l) Radio interoperability issues.

801.4.3 DISPATCHERS
Dispatchers report to the Communications Supervisor. The responsibilities of the dispatcher include, but are not limited to:

(a) Receiving and handling all incoming and transmitted communications, including:
   1. Emergency 9-1-1 lines.
   2. Business telephone lines.
   3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
   4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
   5. Other electronic sources of information (e.g., text messages, digital photographs, video).
Communication Operations

(b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through Communications Section, department and other law enforcement database systems (CLETs, DMV, NCIC).

(d) Monitoring department video surveillance systems.

(e) Maintaining the current status of members in the field, their locations and the nature of calls for service.

(f) Notifying the Watch Commander or field supervisor of emergency activity, including, but not limited to:
   1. Vehicle pursuits.
   2. Foot pursuits.
   3. Assignment of emergency response.

801.5 CALL HANDLING
This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

• Where?
• What?
• When?
• Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Communications Section, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.
Communication Operations

801.5.1 EMERGENCY CALLS
A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Watch Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

801.5.2 NON-EMERGENCY CALLS
A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

801.6 RADIO COMMUNICATIONS
The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

(a) Members acknowledging the dispatcher with their radio identification call signs and current location.
(b) Dispatchers acknowledging and responding promptly to all radio transmissions.
(c) Members keeping the dispatcher advised of their status and location.
(d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE
Alhambra Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2 RADIO IDENTIFICATION
Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can
acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

801.7 DOCUMENTATION
It shall be the responsibility of Communications Section to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member’s arrival.
- Time of member’s return to service.
- Disposition or status of reported incident.

801.8 CONFIDENTIALITY
Information that becomes available through Communications Section may be confidential or sensitive in nature. All members of Communications Section shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

801.9 TRAINING AND CERTIFICATION
Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).
Property and Evidence

802.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

802.2 DEFINITIONS
Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:
- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

802.3 PROPERTY HANDLING
Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

802.3.1 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

(a) Complete the property form describing each item of property separately, listing all serial numbers, owner’s name, finder’s name, and other identifying information or markings.

(b) Mark each item of evidence with the booking employee’s initials and the date booked using the appropriate method so as not to deface or damage the value of the property.

(c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
(d) Place the case number in the upper right hand corner of the bag.

(e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.

(f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.

802.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs shall be booked separately using a separate property record. Paraphernalia as defined by Health and Safety Code § 11364 shall also be booked separately.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker accompanied by two copies of the form for the Records Section and detectives. The remaining copy will be detached and submitted with the case report.

802.3.3 EXPLOSIVES
Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The Property Evidence Technician is responsible for transporting to the Fire Department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

802.3.4 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.

(b) All property shall have a property tag in order to maintain accountability.

(c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the Property Evidence Technician, or placed in the bicycle storage area until a Property Evidence Technician can log the property.

(d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Watch Commander shall be contacted for cash in excess of $1,000 for special handling procedures and then placed into the Drop Safe.

(e) **Rape Kits** are to remain sealed and placed in the appropriate storage.

   1. Blood is to be placed in proper storage.
2. The remaining portion of the Rape Kit will be placed in a freezer along with the Property Reports and Evidence tags.

(f) **Chemicals** used in narcotics labs, or other clandestine operations, shall be released to other authorized agencies, such as Haz-Mat, Bureau of Narcotics Enforcement, Department of Justice or other qualified disposal companies.

1. Check with the Watch Commander if there are any questions regarding the handling of chemicals.

2. Unknown chemicals shall be left at the scene and a chemical identification expert called to the scene prior to removal.

(g) **Flammable / Hazardous Liquids** are to be placed in the yellow locker marked “flammable” provided for this purpose, which is located in the Bullpen.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.3.5 **FIREARMS HANDLING AND PACKAGING**

(a) Any time a firearm or other weapon is found, the potential for evidentiary value cannot be overlooked. If a firearm or other weapon is to be sent to the Forensic Services Technician (FST) for examination, the following procedure will protect latent prints or trace evidence.

1. The particular circumstances will dictate whether a weapon will be packaged and sent to the FST or merely booked into Property for further disposition. Some examples wherein weapons would be sent to the FST are:

   1. (a) Homicide Investigations
   
      (b) Assault with a deadly weapon investigation
   
      (c) Gang related investigation where weapons, especially firearms, may have been used in a homicide, drive-by shooting, or other violence
   
      (d) A CCW arrest
   
      (e) Apparent suicides where later examination of the weapon is required to verify the facts of the investigation.

2. The above guidelines cannot cover every situation however, if in doubt, contact a supervisor.

(b) Evidence collection boxes specifically designed to hold pistols, rifles and knives, along with a supply of tie-downs and envelopes, are maintained in the Evidence/Property Section.

(c) When it is determined a weapon is to be sent to the FST for further examination, the following guidelines will be followed:
Property and Evidence

1. Unless absolutely necessary, DO NOT unload the weapon or alter its condition in any way.

   1. (a) Always use latex type gloves when handling any weapon in order to protect latent prints and DNA evidence.

   (b) Never pick up a weapon by placing a pencil or other object in the end of the barrel. Using the thumb and index finger on the rough portion of the grips, or a string placed through the trigger guard are two methods of handling a gun while still maintaining the integrity of any trace evidence or latent fingerprints.

2. Using the tie-downs, secure the weapon inside the box in such a way as to protect the firing mechanism from accidental discharge.

   1. (a) Mark on the outside top portion of the box that the weapon is loaded, unloaded or unknown.

   2. Place an Evidence Tag with identifying information on the outside of the box.

   3. DO NOT seal the box, but rather place it along with the Property Report form, inside one of the bins in the Evidence/Property Section.

   1. (a) **Everyone who handles property shall always assume that all boxed firearms are loaded, and treat them accordingly.**

2. The property officer Property Clerk, upon observing a packaged weapon, shall have the FST come to the Evidence/Property Booking Room, sign the Property Report form and take possession of the packaged weapon until testing is complete.

3. The FST, upon completing the testing process, shall return the weapon, unloaded, to the property officer in one of the following two manners.

   1. (a) If evidence was obtained that should not be further disturbed, the weapon should remain packaged with cartridges placed in a separate envelope and tied down inside the box with the Property Tag securely affixed to the outside of the box.

   (b) If no evidence was obtained, or it is not necessary to keep the weapon packaged, tie the Property Tag, along with any cartridges, to the weapon.

   (d) When it has been determined there is no need for a weapon to be sent to the FST for further examination, the following guidelines will be followed:

   1. Firearms shall be completely unloaded and tagged in one of the following manners.

   1. (a) **Rifles:** Place loose cartridges in an envelope and secure it, along with magazines and the Property Tag, to the trigger guard or other appropriate location.

   (b) **Revolvers:** Place loose cartridges in an envelope and secure it, along with the Property Tag, to the revolver by leaving the cylinder open and placing a tie-down through the length of the barrel.
Semi-Automatics or Automatics: Place the magazine and loose cartridges in an envelope and secure it, along with the Property Tag, to the semi-automatic or automatic by locking the slide open and placing a tie-down through the ejection port and out the handle.

2. Other Weapons shall have a Property Tag secured in an appropriate location.

1. (a) DO NOT place the weapon in any container or seal it in any bag or envelope. Place it with the Property Report form inside one of the bins in the Evidence/Property Section.

802.3.6 PERISHABLE GOODS - BUSINESS COMMODITIES
Items secured as evidence, which are either perishable items and/or minor consumer sales items, may be released to lawful owners in the field subsequent to the following guidelines. Typical items in these categories may include fresh meat, food products, clothing, cosmetics, etcetera (i.e. items taken resulting in Penal Code § 488 citations shall be photographed and released to the owner at the scene).

(a) Where circumstances indicate, legal owners should be advised to maintain possession and control of the property until court disposition (excepting perishables).

(b) When a supervisor is unavailable and a question arises as to the advisability of releasing certain evidence in the field, the officer shall secure and formally book the property.

(c) All items (of evidentiary value) subject to field release shall be processed as follows:
   1. Attach DR numbers and identifying information of the case in a visible location upon the property.
   2. Secure ample color photographs of property for court presentation purposes (i.e. comparative size, color, texture, identifying numbers, sales tags, etc.).
   3. List property secured as evidence on a Property Report form and have the receiving party complete the "Release data" section on the Property Report.
   4. Submit CSI photographs and the Property Report form with the original report.
   5. Specifically note in the original crime report that the property involved was secured, identified, photographed and released to the lawful owner(s) at the scene.

802.3.7 DISPOSITION OF ABANDONED PROPERTY
When a police employee takes possession of what appears to be abandoned property, particularly property that appears to belong to a homeless person, the following guidelines shall be followed (U.S. 9th Circuit Court of Appeals in Lavan vs. City of Los Angeles (2012) No. 11-56253):

(a) Prior to seizing the property, the employee will attempt to identify the owner and, if practical, contact that person to take possession of the property.
(b) If the employee was unable to identify and/or contact an owner of the property, the following information shall be explained in the narrative portion of a Property Report or Incident Report:

1. Whether there exists any information identifying the owner of the property
2. Why they believe the property has been abandoned
3. Whether the property presents an immediate threat to public safety
4. Whether the property might contain evidence of a crime
5. Whether the property is contraband

(c) If the property does not present a threat to public safety and appears to be abandoned, a notice shall be left in a prominent place that adequately describes the property and references where and how it can be claimed by the owner.

(d) Abandoned property that is not an immediate threat to public safety, not evidence of a crime and, or is not contraband shall be booked into property and held for a minimum of 90 days prior to being destroyed.

802.3.8 RELINQUISHED FIREARMS

Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold or otherwise transferred, unless (Penal Code § 29810):

(a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or

(b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or

(c) The Automated Firearms System indicates that the firearm was reported lost or stolen.

1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

The Property Evidence Technician shall ensure the Records Manager is notified of the relinquished firearm for purposes of updating the Automated Firearms System and the disposition of the firearm for purposes of notifying the California Department of Justice (DOJ) (See the Records Section Policy).

802.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs

(b) Firearms (ensure they are unloaded and booked separately from ammunition)
Property and Evidence

(c) Property with more than one known owner
(d) Paraphernalia as described in Health and Safety Code § 11364
(e) Fireworks
(f) Contraband

802.4.1 PACKAGING CONTAINER
Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives (excluding folding knives), and syringe tubes shall be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

802.4.2 PACKAGING NARCOTICS
The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in the designated narcotics locker, accompanied by two copies of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer’s report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

802.5 RECORDING OF PROPERTY
The Property Evidence Technician receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Alhambra Police Department shall be noted in the property logbook.

802.5.1 PROPERTY CUSTODIAN’S RESPONSIBILITY
The primary duties of the custodian of property and evidence are the oversight, control, and security of property and/or evidence coming into the possession of the Alhambra Police Department. Additional responsibilities include but are not limited to:

(a) Receiving property: The responsibility for storing property booked in as evidence and the maintenance of records pertaining to the continued possession of the evidentiary item.
1. Receives property from officer of the department either.
   (a) Directly from the officer (with accompanying forms), or
   (b) Directly from an authorized evidence storage area

2. Prior to booking property, the property officer shall ensure that the appropriate report number is conspicuously "tagged" to the property prior to further processing the property.

3. The Property Clerk shall ensure that the required information is correctly entered into the Automated Property System.

4. Store property in areas specifically designated for placement.

5. Maintains an adequate and current file system that will provide prompt access to all property and evidence under the control of the Property Clerk.

(b) The security of the Property Storage rooms and other designated areas where property and evidence is stored.

(c) The receipt and/or release of property from the Property Storage room or the front desk. Evidence or property will not be received or released from other locations throughout the police facility.

(d) Releasing property: Ensuring that the release of any item is properly authorized and the person receiving such items has a legal right to the property and/or evidence in question. An individual shall sign a release to acknowledge receipt of any item.

1. Only the Property Clerk, or his/her specific designee, may release property. "Designee" may include the following personnel:
   (a) Crime Lab personnel, in the extended absence of the property officer,
   (b) The Watch Commander, when prior arrangements for property release have been approved by the Property Clerk.

2. As expressly "authorized for release" by the case investigator, or higher authority, the Property Clerk may release the designated property after obtaining proper signatures in the "Release Data" section of the Property Report and the required time periods have been satisfied.

3. All such property released which was initially received as "stolen" or "embezzled" shall be photographed prior to release.
   (a) All photographs shall have the case number noted upon the photograph, which shall be retained in the original case file.
   (b) Property classified as "stolen" or "embezzled," where the lawful owners cannot be located, may not be auctioned prior to the expiration of six months from the date of conviction or the date that the property came into the possession of the department, whichever is later.

4. Ensure that the Automated Property System maintains an internal audit each time any evidence is released to an authorized city employee and subsequently returned to the Property Clerk.
5. Found bicycles, which have been held for a period of ninety (90) days and the owner is not identified and/or fails to claim the property, will be disposed of.

6. Property qualified to be released shall only be released to the owner or a person from whom custody of the property was originally obtained.
   (a) In approved cases, property may be released to an agent with proper authorization and identification.

7. Any person seeking the release of suspected contraband shall be advised that property can only be released as a result of a written opinion of the City Attorney or a valid court order.
   (a) In above cases, the person to receive the property shall be specifically named by the City Attorney's written opinion or the court order.

8. Release of property held by a court - Any person inquiring about property which has been removed from the Alhambra Police Department to court and received and retained in evidence shall.
   (a) In a misdemeanor case, be referred to the clerk of the court in which the trial was held.
   (b) In a felony case, if the defendant was held to answer to the Superior Court, be referred to the County Clerk at the court of jurisdiction.
   (c) In a felony case, if the defendant was not held to answer, be referred to the clerk of the court in which the preliminary hearing was held.
   (e) Maintaining records of all found property or property other than evidence turned in for safekeeping. The final disposition of property will be according to law.

802.6 PROPERTY CONTROL
Each time the Property Evidence Technician receives property or releases property to another person, he/she shall enter this information on the property control card. Officers desiring property for court shall contact the Property Evidence Technician at least one day prior to the court day.

802.6.1 RESPONSIBILITY OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of evidence. No property or evidence is to be released without first receiving written authorization from a supervisor or detective.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the Property Evidence Technician. This request may be filled out any time after booking of the property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property, indicating the date and time on the property control card and the request for laboratory analysis.
The Property Evidence Technician releasing the evidence must complete the required information on the property control card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

802.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property control card, stating the date, time and to whom released.

The Property Evidence Technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded on the property control card, indicating date, time, and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The Detective Section shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

802.6.5 RELEASE OF PROPERTY
All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the property form.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.
A Property Evidence Technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released the property card will remain with the Property and Evidence Section. Upon release, the proper entry shall be documented in the Property Log.

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Property and Evidence Section Supervisor should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

802.6.6 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS
The Detective Section will be responsible for the storage, control and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia as described in Health and Safety Code § 11364.

802.6.8 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS
Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm, the Property Evidence Technician shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm is determined to be stolen, evidence in a criminal investigation or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).
802.6.9   RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS
Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

(a) If a petition for a hearing regarding the return of the weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.

(b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the weapon is not retained as evidence, the Department shall make the weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ which conforms to the provisions of Penal Code § 33865.

(c) Unless the person contacts the Department to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not returned should be sold, transferred, destroyed or retained as provided in Welfare and Institutions Code § 8102.

802.6.10   RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Alhambra Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

802.7   DISPOSITION OF PROPERTY
All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The
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Property Evidence Technician shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor or detective.

802.7.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen, or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680)

802.7.2 UNCLAIMED MONEY
If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than $15.00, or any amount if the depositor/owner's name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

802.7.3 RETENTION OF BIOLOGICAL EVIDENCE
The Property and Evidence Section Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:
(a) The defendant
(b) The defendant’s attorney
(c) The appropriate prosecutor and Attorney General
(d) Any sexual assault victim
(e) The Investigations Section supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Property and Evidence Section Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigations Section supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor’s office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Investigations Section supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).

802.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the supervisor of the evidence custodian shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(c) An annual audit of evidence held by the Department shall be conducted by a Assistant Chief (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.
Records Section

803.1 PURPOSE AND SCOPE
This policy establishes the guidelines for the operational functions of the Alhambra Police Department Records Section. The policy addresses department file access and internal requests for case reports.

803.1.1 NUMERICAL FILING SYSTEM
Case reports are filed numerically within the Records Section by Records Section personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number YY-00001 would be the first new case beginning January 1 of a new year.

803.2 POLICY
It is the policy of the Alhambra Police Department to maintain department records securely, professionally, and efficiently.

803.2.1 RELEASE OF MUG SHOTS
Booking photographs (mug shots) of adult persons arrested by the Alhambra Police Department may be released to the media by authorization of the Watch Commander or an Assistant Chief.

Booking photographs shall be released only for the purpose of better informing the public regarding criminal activity, and/or to aid in the investigation of a crime, or the apprehension of a suspect.

Mug shots of juveniles may not be released except upon order of the juvenile court.

803.2.2 CITATIONS
All citations shall be maintained and tracked to ensure accountability. Unissued citations are stored in the Records Section secured storage area. Citations are issued to personnel as needed and tracked through the Citation Issuance Log. Completed citations are processed by the Records Section and the department copy is filed in the Records Section.

803.3 RESPONSIBILITIES

803.3.1 UNIFORM CRIME REPORTING
The Alhambra Police Department participates in the submission of Uniform Crime Reporting data to the State of California. The Records Manager is responsible for assuring reports are prepared and submitted within Department of Justice guidelines.

803.3.2 RECORDS MANAGER
The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Support Services Assistant Chief or the authorized designee.
The responsibilities of the Records Manager include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Section.
(b) Scheduling and maintaining Records Section time records.
(c) Supervising, training, and evaluating Records Section staff.
(d) Maintaining and updating a Records Section procedure manual.
(e) Ensuring compliance with established policies and procedures.
(f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

1. Homicides.
2. Cases involving department members or public officials.
3. Any case where restricted access is prudent.

803.3.3 RECORDS SECTION
The responsibilities of the Records Section include but are not limited to:

(a) Maintaining a records management system for case reports.
    1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
(b) Entering case report information into the records management system.
    1. Modification of case reports shall only be made when authorized by a supervisor.
(c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
(d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics. This includes reporting statistical data to the California Department of Justice (DOJ) for:
    1. All officer-involved shootings and incidents involving use of force resulting in serious bodily injury (Government Code § 12525.2).
    2. Suspected hate crimes (Penal Code § 13023).
    3. Complaints of racial bias against officers (Penal Code § 13012; Penal Code § 13020).
    4. Civilian complaints made against officers (Penal Code § 832.5; Penal Code § 13012).
    5. Stop data required by Government Code § 12525.5 and 11 CCR 999.226.
Records Section

(a) The reported information must not contain personally identifiable information of the person stopped or other information exempt from disclosure pursuant to Government Code § 12525.5 (11 CCR 999.228).

(e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(f) Identifying missing case reports and notifying the responsible member’s supervisor.

(g) Updating the Automated Firearms System to reflect any firearms relinquished to the Department and the subsequent disposition to the DOJ pursuant to Penal Code § 34010 (Penal Code § 29810).

(h) Entering into the Automated Firearms System information about each firearm that has been reported stolen, lost, found, recovered, held for safekeeping, or under observation within seven calendar days of the precipitating event (Penal Code § 11108.2).

(i) Maintaining compliance with the state and DOJ reporting requirements regarding the number of transfers of individuals to immigration authorities and offenses that allowed for the transfers (Government Code § 7284.6(c)(2)).

(j) Transmitting data to the Joint Regional Information Exchange System on any suspected multi-mission extremist crimes.

803.3.4 RECORDS SECTION PROCEDURE MANUAL
The Records Manager should establish procedures that address:

(a) Identifying by name persons in reports.

(b) Classifying reports by type of incident or crime.

(c) Tracking reports through the approval process.

(d) Assigning alpha-numerical records to all arrest records.

(e) Managing a warrant and wanted persons file.

803.4 DETERMINATION OF FACTUAL INNOCENCE
In any case where a person has been arrested by officers of the Alhambra Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Records Manager, who will review the petition and consult with Support Services Assistant Chief or his/her designee. The Support Services Assistant Chief or his/her designee should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Support Services Assistant Chief or his/her designee should forward the petition to the appropriate Detective Section Supervisor and the City Attorney for review. After such review and consultation with the City Attorney, the Detective Section Supervisor and the Support Services Assistant Chief or his/her designee shall decide whether a finding of factual innocence is appropriate.
Upon determination that a finding of factual innocence is appropriate, the Records Manager shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California Department of Justice and other law enforcement agencies (Penal Code § 851.8).

The Records Manager should respond to a petition with the Department’s decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

803.5 ARREST WITHOUT FILING OF ACCUSATORY PLEADING
The Field Services Assistant Chief should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

(a) The individual is issued a certificate describing the action as a detention.

(b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.

(c) The California DOJ is notified.

803.6 ORIGINAL CASE REPORTS
Generally, original case reports shall not be removed from the Records Section. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Manager. All original case reports removed from the Records Section shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Section.

All original case reports to be removed from the Records Section shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Section. The photocopied report shall be shredded upon return of the original report to the file.

803.7 CONFIDENTIALITY
Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.
Restoration of Firearm Serial Numbers

804.1 PURPOSE AND SCOPE
The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

804.2 PROCEDURE
Care shall be exercised in handling and examining any firearm being held by this Department in order that it will not become contaminated or its evidentiary value destroyed.

The employee finding, or taking possession of, any firearm that is to be booked into evidence, is responsible for ascertaining its serial numbers. If the firearm has no serial numbers, the officer shall mark it in such a way that it may be readily identifiable. If marking is necessary, it shall be done in such a manner and location that will not damage the firearm, obliterate any possible latent fingerprints, or contaminate any other evidence.

Any firearm coming into the possession of the Alhambra Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

804.2.1 PRELIMINARY FIREARM EXAMINATION
(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.

(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects
Restoration of Firearm Serial Numbers

such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

**NOTE:** All firearms are to be treated as being loaded until the firearm has been absolutely confirmed to be unloaded and rendered safe.

804.2.2 PROPERTY BOOKING PROCEDURE
Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

804.2.3 OFFICER RESPONSIBILITY
The Property Evidence Technician receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.

804.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

804.2.5 FIREARM TRACE
After the serial number has been restored (or partially restored) by the criminalistics laboratory, the Property Evidence Technician will complete a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Tracing Center (NTC) Obliterated Serial Number Trace Request Form (ATF 3312.1-OBL) and forward the form to the NTC in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

804.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.
Records Maintenance and Release

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

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

805.3 CUSTODIAN OF RECORDS RESPONSIBILITIES
The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release, and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department section responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records (Government Code § 6253).

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).

(g) Determining how the department's website may be used to post public records in accordance with Government Code § 6253.

(h) Ensuring that all department current standards, policies, practices, operating procedures, and education and training materials are posted on the department website in accordance with Penal Code § 13650.

(i) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including but not limited to posting in an open format where a record may be retrieved, downloaded, indexed, and searched by a commonly used internet search application.

(j) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department’s website.
805.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

805.4.1 REQUESTS FOR RECORDS
Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

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

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

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

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

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

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

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

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

805.5 RELEASE RESTRICTIONS
Examples of release restrictions include:

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

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

(c) Personnel records, medical records, and similar records which would involve an unwarranted invasion of personal privacy except as allowed by law (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).
   1. Peace officer personnel records that are deemed confidential shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
   2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police, or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors, and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).
   1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representatives shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.
2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

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

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

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

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

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

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

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

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

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

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

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

(n) Records relating to the security of the department’s electronic technology systems (Government Code § 6254.19).
Records Maintenance and Release

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

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

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

805.6 SUBPOENAS AND DISCOVERY REQUESTS
Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

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

Each audio/video recording released should include the department name and to whom the record was released.

805.8 SEALING OF CRIMINAL RECORDS
The Police Department will seal criminal records upon court ordered sealing. All record’s sealing so ordered shall become the responsibility of the Records Section Manager or his/her designee.

Upon receipt of a bonafide court order to seal a criminal record, the records manager or his/her designee shall:

(a) Complete the compliance section of the court order.

(b) Mail a copy of the court order with a letter acknowledging completion of sealing to the Department of Justice, CII.

(c) Mail the disposition letter to the court that has ordered the sealing.
805.9 **SEALED RECORD ORDERS**
Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 851.91, Penal Code § 1000.4, or Penal Code § 1001.9, the Records Manager shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

805.10 **SECURITY BREACHES**
The Records Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual’s first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number, California identification card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual’s financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology
- Unique biometric data
805.10.1 FORM OF NOTICE

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

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

(b) The notice may also include information about what the Alhambra Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.
2. When the breach involves an email address that was furnished by the Alhambra Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

805.10.2 MANNER OF NOTICE

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

1. Written notice.
2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have
sufficient contact information. Substitute notice shall consist of all of the following:

(a) Email notice when the Department has an email address for the subject person.

(b) Conspicuous posting of the notice on the department’s webpage for a minimum of 30 days.

4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

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

805.11 RELEASE OF AUDIO OR VIDEO RECORDINGS RELATED TO CRITICAL INCIDENTS

Video and audio recordings related to critical incidents shall be released upon a proper public record request and subject to delayed release, redaction, and other release restrictions as provided by law (Government Code § 6254(f)(4)).

For purposes of this section, a video or audio recording relates to a critical incident if it depicts an incident involving the discharge of a firearm at a person by an officer, or depicts an incident in which the use of force by an officer against a person resulted in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) (Government Code § 6254(f)(4)).

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what recordings may qualify for disclosure when a request for a recording is received and if the requested recording is subject to delay from disclosure, redaction, or other release restrictions.

805.11.1 DELAY OF RELEASE

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

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

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

(c) Any delay of disclosure longer than one year must be supported by clear and convincing evidence that disclosure would substantially interfere with the investigation (Government Code § 6254(f)(4)).
805.11.2 NOTICE OF DELAY OF RELEASE
When there is justification to delay disclosure of a recording, the Custodian of Records shall provide written notice to the requester as follows (Government Code § 6254(f)(4)):

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

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

Recordings withheld shall be disclosed promptly when the specific basis for withholding the recording is resolved.

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

If any portions of a recording are withheld to protect the reasonable expectation of privacy of a person depicted in the recording, the Custodian of Records shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served (Government Code § 6254(f)(4)).

805.11.4 RECORDINGS WITHHELD FROM PUBLIC DISCLOSURE
If the reasonable expectation of privacy of a person depicted in the recording cannot adequately be protected through redaction, and that interest outweighs the public interest in disclosure, the Department may withhold the recording from the public, except that the recording, either redacted or unredacted, shall be disclosed promptly, upon request, to any of the following (Government Code § 6254(f)(4)):

(a) The person in the recording whose privacy is to be protected, or his/her authorized representative.

(b) If the person is a minor, the parent or legal guardian of the person whose privacy is to be protected.
(c) If the person whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased person whose privacy is to be protected.

If the Department determines that this disclosure would substantially interfere with an active criminal or administrative investigation, the Custodian of Records shall provide the requester with written notice of the specific basis for the determination and the estimated date of disclosure (Government Code § 6254(f)(4)).

The Department may continue to delay release of the recording from the public for 45 days with extensions as provided in this policy (Government Code § 6254(f)(4)(A)).
Protected Information

806.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Alhambra Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

806.1.1 AUTHORITY
This policy is established pursuant to the mandate of the Regulations Regarding Security of Criminal Offender Record Information in California, Title 11, California Code of Regulations. Other authority includes Penal Code § 11105, which delineates who has access to Criminal Offender Record Information (CORI), and Penal Code §§ 11140 through 11144, which establishes penalties for the improper use of rap sheets.

806.1.2 DEFINITIONS
Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Alhambra Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

Criminal Offender Record Information - (CORI) shall include CII manual/automated rap sheets and abstracts, CII crime summaries, CII criminal history transcripts, FBI rap sheets, and any APD documents containing a list of prior arrests.

Criminal Justice Agency - A public agency or component thereof which performs a criminal justice activity as its principal function.

Authorized Recipient - Any person or agency authorized by court order, statute or case law to receive CORI.

Right to Know - Persons or agencies authorized by court order, statute or decisional case law to receive the information.

Need to Know - A necessity exists to obtain CORI in order to execute official responsibilities.

806.1.3 AUTHORIZED RECIPIENTS OF CORI
CORI may be released only to authorized recipients who have both a right to know and a need to know. All law enforcement personnel with proper identification are authorized recipients, if they have an official need to know.

The California Department of Justice has issued a list of agencies authorized to receive criminal history information. Persons not included in the Department of Justice list are not authorized recipients and shall not receive CORI.
806.2 POLICY
Members of the Alhambra Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

806.3 RESPONSIBILITIES
The Records Manager is the designated Criminal Record Security Officer for the Alhambra Police Department. The Records Manager is responsible for ensuring compliance with this procedure and with applicable records security regulations and requirements imposed by federal and state law. The Criminal Record Security Officer will resolve specific questions that arise regarding authorized recipients of CORI.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETES).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

806.3.1 RELEASE OF CORI
Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

(a) Records manager

(b) Full-time employees of the Records Section

(c) Personnel specifically designated in writing by a Division Commander.
806.3.2 PROTECTION OF CORI
CORI shall be stored in the Records Section where constant personnel coverage will be provided. CORI stored elsewhere shall be secured in locked desks, locked file cabinets, or in locked rooms.

Direct access to CORI stored in the Records Section shall be restricted to the Records Section personnel authorized to release it. Direct access to CORI stored in desks, file cabinets, and rooms outside the Records Section shall be restricted to those persons who possess both the right to know and the need to know the information.

806.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Alhambra Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

806.4.1 PENALTIES FOR MISUSE OF RECORDS
It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR § 702).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of Policy Manual § 340.5.6 - Unauthorized Access, Disclosure or Use.

806.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any
other type of wireless transmission to members in the field or in vehicles through any computer or
electronic device, except in cases where there is an immediate need for the information to further
an investigation or where circumstances reasonably indicate that the immediate safety of officers,
other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

806.5.1 REVIEW OF CRIMINAL OFFENDER RECORD
Individuals requesting to review their own California criminal history information shall be referred
to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department
after complying with all legal requirements regarding authority and procedures in Penal Code §
11120 through Penal Code § 11127 (Penal Code § 13321).

806.6 SECURITY OF PROTECTED INFORMATION
The Chief of Police will select a member of the Department to oversee the security of protected
information.

The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the
requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis
and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Chief of
Police and appropriate authorities.

806.6.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not
accessed or received by persons who are not authorized to access or receive it. This includes
leaving protected information, such as documents or computer databases, accessible to others
when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended
table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an
unattended computer terminal).

806.6.2 COMPUTER TERMINAL SECURITY
Computer terminal equipment capable of providing access to automated criminal offender record
information is located in Records, and on various computers throughout the Department. In order
to preclude access by unauthorized persons, access to CORI is granted based on authorized user
names. No employee shall be authorized to operate computer terminal equipment with access to
CORI until the employee has completed the appropriate training.
806.6.3 DESTRUCTION OF PROTECTED INFORMATION
When any document providing CORI or any other protected information has served the purpose for which it was obtained, it shall be destroyed by shredding. All protected information, which is to be destroyed, shall be placed inside a locked and secured “shred” box for destruction.

The Records Manager will be responsible for reviewing shredding procedures and recording the destruction of all protected information.

Each employee shall be responsible for destroying the CORI documents or any other protected information they receive.

806.7 TRAINING
All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

806.8 CALIFORNIA RELIGIOUS FREEDOM ACT
Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).
Computers and Digital Evidence

807.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

The use of digital photography within the criminal justice system has become a popular tool used by law enforcement personnel, with widespread application in both civil and criminal matters. Concerns of admissibility and digital image manipulation have created legitimate ethical and legal debate, particularly in the prosecution of criminal offenders. If not regulated by strict internal policy and procedures, the integrity of an agency's entire property and evidence unit could be subject to scrutiny resulting in dismissal of criminal cases.

807.1.1 POLICY
There are ever-improving advances in the technologies of photography, audio and video recordings that are available to Alhambra Police personnel. As such, employees need to be aware that if they opt to record any source of information during the course and scope of their employment, these recordings become the property of the Police Department and are subject to the policies and procedures of this Policy Manual.

(a) All photographs, video or audio recordings taken at a crime scene or other incident become evidence and shall be booked, downloaded, or submitted in accordance with Policies 446 - Mobile Audio Video, 448 - Mobile Data Computer Use (MDC), 804 - Property Procedures, and § 814.5 - Digital Evidence Recorded by Officers, for placement into the Digital Imaging Software (DIMS) or other approved department media storage. The photos, audio, and/or video recordings should be referred to in the narrative section or CSI report of the Crime, Incident, or Arrest Report.

1. In the event that DIMS is not compatible with the recorded media or is not working properly, the photographs, video or audio recordings shall be listed on a Property Report and booked into evidence.

(b) All photographs, video and audio recordings taken at a crime scene or incident shall not be copied, transmitted or transferred without the prior approval of a supervisor.

(c) All employees are prohibited from taking any photographs, video or audio recordings at the scene of a crime or other incident for personal purposes.

(d) When possible, the taking of any photographs, video or audio recordings at the scene of a crime or other incident should be done by a CSI officer, PSO, police officer, or detective.

1. Employees are permitted to take photographs, video or audio recording at the scene of a crime or other incident if the scene and/or evidence is deteriorating or being changed from their original condition.
Computers and Digital Evidence

2. If an employee opts to take any photographs, video or audio recordings under such circumstances, the employee shall notify the CSI officer, PSO, supervisor or the employee who has been assigned this task.

1. (a) The employee may be required to write a report describing the photographs, video or audio recordings and why they opted to take this course of action.

(e) All photographs associated with Field Interview Cards or field detainees must follow the procedures outlined in Policy 440 - Detentions and Photographing Detainees, and in particular with § 440.7 - Disposition of Photographs.

807.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.

1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.

2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery.

(e) Label each item with case number, evidence sheet number, and item number.

(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, officers should document the following in related reports:

1. Where the computer was located and whether or not it was in operation?

2. What applications are running?

3. Who was using it at the time?
Computers and Digital Evidence

4. Who claimed ownership?

5. If it can be determined, how it was being used?

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

807.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

807.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

(a) Copy of report(s) involving the computer, including the Evidence/Property sheet.

(b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.

(c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).

(d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

807.2.3 BOOKING OF COMPUTER AND OTHER DIGITAL EVIDENCE
The High Tech Crime Unit (HTCU) has two temporary secure storage areas and an electronic storage server which are authorized for the storage of electronic evidence. The temporary lockers are secure storage areas that are located in the HTCU Lab and are to be used to store devices that will be forensically examined. For chain of custody issues, the HTCU shall maintain two inventory sheets to document all items that are temporarily being stored in the unit. One form is for the documentation of cell phone devices, and the other form will be for the documentation of electronic storage devices. These forms shall be retained in the HTCU Lab by the HTCU Detective for a period of three years.
At the completion of the forensic examination, the original evidence will then be released to the property room custodian, property owner, case detective, or the storage room located in the bullpen area of B1.

All digital evidence that is recovered during forensic examinations will be maintained on the HTCU Lab electronic server or on additional secure hard drives as needed. The electronic server is located and maintained in the HTCU Lab. If additional hard drives are used to store evidence they will be stored in the HTCU Lab or released to the property room custodian as needed. Upon formal disposition of a case all forensic evidence will be erased from the HTCU Lab server or associated hard drives.

807.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media including hard drives, floppy discs, CD's, DVD's, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

(a) If the media has a write-protection tab or switch, it should be activated.

(b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the Property and Evidence Section to copy the contents to an appropriate form of storage media.

(c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.

(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.

(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

807.4 SEIZING PERSONAL DIGITAL ASSISTANTS (PCDS)
Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a faraday bag, to prevent the device from sending or receiving information from its host network.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.
807.5 DIGITAL EVIDENCE RECORDED BY OFFICERS
The policies and procedures presented here have been developed as a guide to personnel on the proper application of digital imaging technology for law enforcement purposes. The following procedures fall within the framework of the Federal Bureau of Investigations Scientific Working Group in Imaging Technologies’ (SWIGIT) guidelines.

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

All digital image evidence shall be processed through, stored and disseminated by the APD Forensic Lab.

807.5.1 COLLECTION OF DIGITAL EVIDENCE
Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

Police Department employees will record digital crime scene images on a single flash card. Each case will use a separate flash card.

When photographing crime scene evidence, personnel shall also include a photograph card, documenting the case number, photographer, photographer ID number, date, and time.

No original digital image, photograph, or other digital storage media will be altered on an individual, scene, setting, or environment to facilitate in the prosecution, apprehension, elimination, or furtherance of any investigation.

Once a crime scene or evidence has been photographed, the employee who obtained the photographic evidence shall be responsible for transporting and booking of evidence consistent with established evidence procedures.

If there is an immediate need to download the images captured, it can be given directly to properly trained personnel. The images can then be immediately processed into the Digital Image Management System (DIMS) and archived, and prints can be made as needed.

Employees shall not view on a computer, download, scan, copy, or print any original images prior to archival by properly trained crime lab personnel or other personnel assigned to handle photographic evidence.

807.5.2 SUBMISSION OF DIGITAL MEDIA
The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) The recording media (smart card, compact flash card or any other media) shall be brought to the Property and Evidence Section as soon as possible for submission into evidence.
(b) Officers are not authorized to review or copy memory cards. The evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.

(c) As soon as possible following the collection of evidence, the camera operator is to remove the memory card from their digital camera and place the card into a plastic carrier. The card and carrier are then to be placed into a zip-lock type baggie. The camera operator shall write their name and the related case number on the outside of the baggie before placing in the film drop box along with the evidence form.

(d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for re-use. The storage media will be marked as the original.

(e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

807.5.3 DOWNLOADING OF DIGITAL FILES
Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

807.5.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

807.5.5 IMAGE TRANSMISSION AND OUTPUT
Photographic images shall not be transmitted via e-mail, scanning, disk, CD-ROM, DVD, flash drive, or other media to any unauthorized sources such as the Internet or personal computers.

Alhambra PD crime lab employees may electronically transfer images to the District Attorney’s Office or under court order, to a defense attorney’s office, at the direction of a supervisor from the Detective Section or Records Section.
807.5.6 AUTHORIZED DIGITAL CAMERAS AND CAPTURING
Only department-designated cameras should be used for documenting evidence. Using personal or non-department-issued cameras will result in DIMS not recognizing the copyrighted image and deleting it.

Should extenuating circumstances require the use of non-departmentally-approved cameras, those images will need to be processed by Crime Lab personnel in a manner that allows them to be downloaded into the DIMS. Prior to booking the images into the lab, contact should be made with Crime Lab personnel to ensure that such images are handled appropriately.

807.5.7 DOWNLOADING OF DIGITAL FILES
Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

- Files should not be opened or reviewed prior to downloading and storage.

Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

807.5.8 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians and the Records Supervisor are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.
Animal Control

808.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for animal control officers and Alhambra Police Department personnel in dealing with animal control related calls for service and to set forth procedures regarding animal control services, the handling of injured animals, and the abatement of animal nuisances.

808.2 ANIMAL CONTROL OFFICER RESPONSIBILITY
The Alhambra Police Department contracts with the Los Angeles County Department of Animal Control for animal control services. Specific details of that service are enumerated in the current contract.

When the County Animal Control office is closed, the Police Department will be responsible for receiving and coordinating the response to animal control calls for service. Non-emergency calls for service may be handled by the Police Department or, if the request does not require immediate attention, transferred to the County Animal Control the following day (during normal business hours). A unit will be dispatched to those incidents requiring an immediate investigation. A determination will then be made if a County Animal Control after-hours representative needs to respond.

The Animal Control Officer (ACO) shall be responsible for enforcing local, state and federal laws relating to animals, and for appropriately resolving or referring animal problems as outlined in this policy. The ACO shall be under the operational control of the Support Services Division. The Animal Control Officer’s assigned working hours will be scheduled by the Los Angeles County Animal Control.

During hours when the ACO is on duty, requests for animal control services shall be assigned by Dispatch or the Watch Commander.

Requests for assistance by the ACO shall be acknowledged and responded to promptly.

808.2.1 LOS ANGELES COUNTY ANIMAL CONTROL - RESPONSIBILITIES
The Los Angeles County Department of Animal Control is responsible for conducting preliminary investigations and handling all routine complaints involving animals. Outside normal business hours, County Animal Control will respond to the following types of emergency incidents:

(a) Injured animals (domestic and wildlife) requiring medical treatment when the owners cannot reasonably be located.
(b) To determine whether an animal (that is too large to transport) should be destroyed.
(c) Complaints of vicious or suspected rabid animals.
(d) Incidents involving bovine, equine, and unusual animals (e.g., monkeys, strange or uncommon fowl, and rattlesnakes).
Animal Control

(e) Any other situation involving animals or fowl, which requires immediate action, and the officer is not equipped to handle it (e.g., prisoner’s property, person dead, etc.).

County Animal Control will also respond, at the request of the Police Department, to locations outside of Alhambra if an animal is known to exist at a residence (or vehicle) involved in a criminal investigation, and the animal requires protective housing. If possible, the Police Department should provide sufficient advance notice when requesting this type of service.

808.3 OFFICER RESPONSIBILITY

During hours when the Animal Control Officer is off-duty, or if the ACO is otherwise unavailable, the following animal related calls for service will be handled by the appropriate on-duty officer.

Officers may be dispatched to animal related calls and should take appropriate actions to control the situation until the arrival of an ACO. Due to the hazards of handling animals without proper equipment, responding officers generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of the ACO. The following are examples of when an officer may consider acting before the arrival of the ACO:

(a) When there is a threat to the public safety.
(b) When animal has bitten someone, officers should take measures to confine the animal and prevent further injury.
(c) When an animal is creating a traffic hazard.
(d) When the owner/handler has been arrested and there is no other alternative placement for the animal.
(e) When the animal is gravely injured.

808.3.1 ANIMAL CRUELTY COMPLAINTS

Officers shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to the ACO for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary. The assistance of an animal control officer may be requested to assist with the investigation when appropriate for the purpose of handling the disposition of any animal(s) associated with the case.

808.3.2 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible.

If the owner is contacted, the dog should be released to the owner and a citation may be issued if appropriate. If a dog is taken into custody, it shall be transported to the Animal Shelter (9 a.m. through 4 p.m.) or to the holding pens, making sure the animal has food, water, and bedding.

The ACO will transport any animals in the holding pens to the Animal Shelter as soon as he/she comes on duty. Once a dog has been taken into custody, all releases should be handled by the Animal Shelter. In cases where the ACO is not available, the Watch Commander shall designate an alternate to transport so that any animals are not held in the holding pens unnecessarily for extended periods.
Generally, absent an immediate threat to public safety, County Animal Control will not respond to unleashed dog incidents unless the animal has been contained. Personnel should gain supervisory approval and exercise discretion before attempting to contain animals that do not pose an immediate threat to public safety.

808.3.3 ANIMAL BITE REPORTS
Officers shall obtain as much information as possible for forwarding to the ACO for follow-up.

Officers shall instruct the owner of a biting animal, if contacted, to keep the animal confined on the property until contacted by the ACO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.

808.3.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS
Officers shall obtain and forward to the ACO as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem, etc. Officers will also document any actions taken, citation(s) issued, related report numbers, etc.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, the ACO may be called to duty to handle. If the ACO is unavailable, the patrol supervisor may request the assistance of an animal control officer from an allied agency.

All requests to call in the ACO must be approved by a field supervisor or the Watch Commander.

808.3.5 ANIMAL RELATED INCIDENT REPORTS
The Police Department may initiate a police report whenever the circumstances indicate a report is necessary. A police report may be appropriate in the following circumstances:

(a) All penal code violations involving animals.
(b) All incidents in which weapons or deadly force is used against animals or fowl.
(c) In all incidents where an animal bites a person, breaking the skin, an Officer’s Report shall be completed. An attempt should be made to locate the animal and detain it until an animal control officer arrives. Copies of all reports should be forwarded to County Animal Control.
(d) All aggravated complaints of barking dogs, leash law violations, property damage or other disturbances involving animals or fowl.
(e) All incidents of animals injuring or attacking people or suspected rabid animals.

808.4 DECEASED ANIMALS
Deceased animals on public property will be removed and properly disposed of by the ACO. Officers will remove deceased animals when the Animal Control Officer is not on duty. The deceased animals may be placed in the dead pan of the Animal Control Officer’s truck.

(a) For health and sanitary reasons, deceased animals should be placed in a sealed plastic bag prior to placing in the ACO truck. Large animals should be double bagged and left next to the ACO truck, out of public view.
(b) Neither the ACO nor any officer will be required to climb onto or under any privately owned structure for the purpose of removing a deceased animal.

### 808.5 INJURED ANIMALS

When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it shall be taken to a doctor of veterinary medicine as described below (Penal Code 597.1(b)).

(a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.

(b) If after normal business hours, the animal should be taken to the authorized Veterinary Emergency and Critical Care Services Clinic.

(c) The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.

1. When the need to kill a seriously injured or dangerous animal is necessary, Policy 312 - Firearms and Qualification, and Policy Manual § 312.6 - Destruction of Animals, shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty Watch Commander.

(d) Injured wildlife should be referred to the SPCA, Marine Mammal Center or Department of Fish and Wildlife as applicable. The SPCA will not pick-up common pigeons (red legs), starlings, bats or skunks.

(e) When handling dead or injured animals department employees shall attempt to identify and notify the owner of the final disposition of the animal.

1. County Animal Control should be notified any time there is an injured animal that is too large to transport. County Animal Control will assume responsibility for transportation and disposition of the animal’s body.

(f) Each incident shall be documented and, at minimum, include the name of the reporting party and veterinary hospital and/or person to whom the animal is released. If the ACO is off duty, the information will be forwarded for follow-up.

### 808.6 CITATIONS

It should be at the discretion of the handling officer or the Field Supervisor as to the need for, or advisability of, the issuance of a citation for a violation.

### 808.7 POST-ARREST PROCEDURES

The arresting officer should make a reasonable effort to ensure that animals or pets under a person's care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals.
Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.
Jeanne Clery Campus Security Act

**809.1 PURPOSE AND SCOPE**
The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) as well as applicable California Education Code requirements.

**809.2 POLICY**
The Alhambra Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Alhambra Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution’s website.

It is the policy of the Alhambra Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Alhambra Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

**809.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT**
The Chief of Police will:

(a) Ensure that the Alhambra Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).

(b) Enter into written agreements as appropriate with local law enforcement agencies to (Education Code § 67381.1):

1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).

   (a) This includes identification of the responsibilities for sexual assault, hate crimes and Part 1 violent crime investigations (e.g., willful homicide, forcible rape, robbery or aggravated assault as defined in the FBI’s Uniform Crime Reporting (UCR) Handbook), and establishing the specific geographical boundaries of each agency’s responsibility, including maps as necessary (Education Code § 67381).

2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).

4. Notify the Alhambra Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).

5. Notify the Alhambra Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

(c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).

(d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).

(e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).

(f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

809.3.1 ADDITIONAL REQUIREMENTS
The Chief of Police or the authorized designee will also (Education Code § 67386):

(a) Assist the institution with the development of policies and procedures relating to sexual assault, domestic violence, dating violence and stalking involving a student whether it occurred on- or off-campus including:

1. The differences between standards of proof and defenses in criminal investigations and administrative or disciplinary matters.

2. Victim-centered protocols including privacy protection, responses to reports, interviews, investigations, required notifications and participation by victim advocates and other supporting individuals.
Jeanne Clery Campus Security Act

(b) Assist, as appropriate, with trauma-informed training for campus personnel involved in investigating and adjudicating sexual assault, domestic violence, dating violence and stalking cases.

c) Assist, as appropriate, in the development of the institution’s comprehensive prevention and outreach programs addressing sexual violence, domestic violence, dating violence, and stalking.

d) Ensure that any reported Part 1 violent crime, sexual assault or hate crime described in Penal Code § 422.55 (whether it occurred on- or off-campus), is reported as soon as practicable to any local law enforcement agency with investigation responsibilities pursuant to a written agreement with the Alhambra Police Department or the institution (Education Code § 67380).

1. The identification of the victim shall be withheld, unless the victim consents to being identified after being informed of the right to have his/her personally identifying information withheld. If the victim does not consent to being identified, then the alleged assailant shall not be identified unless the institution determines that the alleged assailant represents a serious or ongoing threat to the safety of the students, employees or the institution, and the immediate assistance of the Alhambra Police Department is necessary to contact or detain the assailant (Education Code § 67380).

2. If the institution discloses the identity of the alleged assailant to the Alhambra Police Department, the institution must immediately inform the victim of that disclosure (Education Code § 67380).

809.4 RECORDS COLLECTION AND RETENTION

The Records Manager is responsible for maintaining Alhambra Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

(a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):

1. Murder
2. Sex offenses, forcible or non-forcible
3. Robbery
4. Aggravated assault
5. Burglary
6. Motor vehicle theft
7. Manslaughter
8. Arson
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9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession

10. Dating violence, domestic violence and stalking

(b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).

1. The statistics shall be compiled using the definitions in the FBI's UCR system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur in the following places (20 USC § 1092(f)(12); 34 CFR 668.46(c)(5)):

(a) On campus.

(b) In or on a non-campus building or property.

(c) On public property.

(d) In dormitories or other on-campus, residential or student facilities.

(c) Statistics will be included by the calendar year in which the crime was reported to the Alhambra Police Department (34 CFR 668.46(c)(3)).

(d) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).

(e) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).

(f) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

809.4.1 CRIME LOG
The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

(a) The daily crime log will record all crimes reported to the Alhambra Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.

(b) All log entries shall be made within two business days of the initial report being made to the Department.
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(c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.

(d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:

1. Disclosure of the information is prohibited by law.
2. Disclosure would jeopardize the confidentiality of the victim.
3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

809.4.2 COMPILING RECORDS FOR DISCLOSURE REQUIREMENTS
The Records Manager is also responsible for compiling the following to allow the institution to comply with its disclosure requirements under Education Code § 67380:

(a) All occurrences reported to the Alhambra Police Department and all arrests for crimes that are committed on campus that involve violence, hate violence, theft, destruction of property, illegal drugs, or alcohol intoxication.

(b) All occurrences of noncriminal acts of hate violence reported to the Alhambra Police Department for which a written report is prepared.

809.5 INFORMATION DISSEMINATION
It is the responsibility of the Support Services Assistant Chief to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

(a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e); 34 CFR 668.46 (g)).

(b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

(c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to:

1. Crime statistics and the policies for preparing the crime statistics.
2. Crime and emergency reporting procedures, including the responses to such reports.

3. Policies concerning security of and access to campus facilities.

4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including
   (a) Procedures victims should follow.
   (b) Procedures for protecting the confidentiality of victims and other necessary parties.

5. Enforcement policies related to alcohol and illegal drugs.

6. Locations where the campus community can obtain information about registered sex offenders.


8. Missing student notification procedures.

9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.
Chapter 9 - Custody
Temporary Custody of Adults

900.1  PURPOSE AND SCOPE
This policy and the Alhambra Police Department's Jail Manual establish guidelines for the booking, housing, security and release of prisoners at the Alhambra Police Department's Jail Facility. Both of these policy manuals shall be maintained on a current basis to reflect the procedures being followed within a Type I Jail Facility (Title 15 California Code of Regulations).

In addition to this policy, the Alhambra Police Department shall maintain the Jail Manual to guide the operation of the Jail Facility.

The Department shall maintain the custody of prisoners in accordance with the Jail Manual, the laws as established by the California Department of Corrections and Rehabilitation, this policy and the following Policy Manual Sections:

- Policy Manual § 300 Use of Force
- Policy Manual § 306 Handcuffing and Restraints
- Policy Manual § 308 Control Devices and Techniques
- Policy Manual § 324 Temporary Custody of Juveniles
- Policy Manual § 418 Mental Illness Commitments
- Policy Manual § 420 Cite and Release Policy
- Policy Manual § 422 Foreign Diplomatic and Consular Representatives
- Policy Manual § 428 Immigration Violations
- Policy Manual § 514 Impaired Driving and Evidence Collection
- Policy Manual § 902 Custody Searches
- Policy Manual § 1016 Communicable Diseases

900.1.1  CUSTODY SECTION
The City of Alhambra contracts with a private contractor to provide jail staffing and custody services to the Alhambra Police Department. Obligations and commitments are delineated in the Contract (C2M8-31) dated January 8, 2009. Refer to the Jail Manual for specific and general policies relative to the conduct, duties and responsibilities of contract jail staff employees.

It is the responsibility of the Custody Section to provide a humane environment and care for the health, security, and safety of prisoners. The custody operation is a major responsibility that can subject both the individual and the Department to criminal and civil liability if done negligently, improperly or incompetently.

900.1.2  PERSONNEL - RESPONSIBILITIES
(a)  Staffing Requirements - Whenever there is a prisoner in custody, there shall be at least one jailer on duty who is immediately available and accessible to inmates in the
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event of an emergency. The Department will endeavor to staff the jail with a female jailer.

(b) **Watch Commander (or designated employee)** - has functional responsibility for the Jail and its operations. The Watch Commander shall periodically monitor the booking of prisoners and Jail operations.

(c) **Jailers** - Jailers have the ultimate responsibility for safeguarding prisoners and ensuring the security, maintenance, and well-being of those confined in the Jail facility.

1. Jailers are responsible for assisting officers from other agencies in properly booking prisoners. Jailers have the same duty to care for a prisoner booked by an outside agency as for a prisoner booked by an officer of the Alhambra Police Department.

(d) **Arresting Officer** - The care and custody of a person brought to the Jail for booking is the responsibility of the arresting officer until the arrestee is delivered to the jailer as a booked person. The responsibility of such arrestee then becomes the Jailer’s responsibility pending transfer to another authority.

1. A female arrestee delivered to the Jail shall remain in custody of the officer bringing her there until such time she can be searched by a female contract jailer, sworn female employee, or qualified outside agency female employee.

2. The arresting, or transporting officer/detective shall complete the “Arrestee Pre-Booking Form” on each adult arrestee and submit the completed form to the jailer to initiate booking procedures.

900.1.3 NON-DETAINABLE PRISONERS
Arrestees who fall within the following classifications should not be detained in the Jail Facility. They should be transported to the Los Angeles County Jail facility, the designated medical facility or the county mental health facility, as appropriate:

(a) Any person who is sick, injured or who has any other medical condition, including pregnant females, who may require medical attention, supervision or medication during confinement.

(b) Any person who has claimed, or is known to be afflicted with or displays symptoms of any communicable disease.

(c) Any person suffering from a severe mental disorder.

(d) Any combative or unruly person who is likely to cause damage to the facility or severely disrupt the good order of the Jail Facility (15 CCR § 1053).

(e) A prisoner who is or may be contemplating suicide.

(f) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotic, sedative, tranquilizer, anti-neoplastic (cancer) drug, research medication or any person suffering from withdrawals of the above.

(g) Any person suspected or confirmed to be developmentally disabled (15 CCR § 1057).
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(h) Any person or persons for whom appropriate classification (by gender, age) cannot be maintained.

(i) Any person who is so intoxicated as to be a danger to him/herself or others and cannot be safely accommodated within the facility or a sobering cell (15 CCR § 1056). This shall also apply to those inmates who are undergoing withdrawal reactions (15 CCR § 1213).

(j) All unsentenced inmates requiring prescription medication.

900.1.4 TRANSPORTATION OF PRISONERS
Generally and when circumstances permit, prisoners of the opposite sex, or adult and juvenile prisoners, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating prisoners is not practicable, officers should be alert to inappropriate physical or verbal contact between them and take appropriate action as necessary.

Whenever a prisoner is to be transported from the Jail Facility to another facility by a member of this department the transporting officer shall be responsible for the following:

(a) Verify that the identity of each prisoner to be transported matches the booking paperwork.

(b) Ensure that all pertinent documentation accompanies the prisoner, such as copies of booking forms, medical records when appropriate, an itemized list of the prisoner’s property, warrant copies, etc.

(c) Ensure that any known threat or danger the prisoner may pose, such as escape risk, suicide potential, or medical condition, is recorded on the prisoner’s booking documentation and is transported with the prisoner to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the facility.

900.1.5 ESCAPE OF PRISONER DURING TRANSPORT
If an escape occurs, the transporting officer must immediately advise the Communications Center (if within radio transmission coverage) or the nearest local authority of the following:

(a) Officer’s call sign

(b) The location of escape

(c) The escapee’s description

(d) The charge the escapee was in custody for

(e) Any known accomplice

(f) Whether the escapee and/or accomplices are armed

(g) Method of flight including vehicle description

(h) Direction of flight
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If the escape occurs within radio range of the Department's Communications Center, the officer must request assistance from on-duty patrol units and/or local law enforcement agencies. If the escape occurs beyond radio range of the Department's communication system, the officer must, as soon as practicable, request that the responding agency notify the Alhambra Communications Center. The Alhambra Communications Center must then notify the Watch Commander. The initial law enforcement response to assist and search for an escaped prisoner should be coordinated by the supervising officer of the agency having jurisdiction over the location where the escape occurred, or is believed to have occurred. The transporting officer is responsible for any additional prisoners he/she is transporting. Therefore, in the event of an escape during transport, the officer should remain with the transport vehicle and any remaining prisoners. Extenuating circumstances may dictate a different course of action.

Upon making the above notifications, and as soon as practicable, the officer should transport the remaining prisoners to their destination, or the nearest detention facility, as circumstances dictate.

Officers must complete all necessary reports and procedures before reporting off-duty. If the escape occurs during transport to County Jail on a fresh charge, the officer may include the escape charges and information in the original crime report. If the prisoner is being transported pursuant to a warrant and an escape occurs, a new crime report will be necessary.

Officers must follow all Department policies and procedures applicable to the Use of Force regarding any attempt to prevent an escape or to recapture an escapee and the reporting of such an event. When the escape occurs in another area of jurisdiction, the authority of the transporting officer to take action in recovering the prisoner is dependent upon the powers officers have in that jurisdiction. Depending upon the State, these will include peace officer powers in the State, within a mutual aid area, or only within the specific jurisdiction from which the officer comes.

900.2 TEMPORARY DETENTION OF JUVENILES
Juveniles who are detained by this department will be processed and handled in accordance with the Temporary Custody of Juveniles policy. Juveniles will not be permitted in the Jail Facility.

900.2.1 STAFFING PLAN
The Facility Administrator shall prepare and retain a staffing plan which will indicate assigned personnel and their duties. The plan shall be available for biennial review by the Board of State and Community Corrections (BSCC) staff. The review and recommendations of the BSCC biennial review shall be forwarded to the Chief of Police, as required by 15 CCR § 1027.

900.3 USE OF RESTRAINT DEVICES
Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Alhambra Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.
Temporary Custody of Adults

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.3.1 PRIMARY CONCERNS
(a) Safety of public
(b) Safety of department personnel
(c) Safety of prisoners
(d) Security of prisoners

900.3.2 NOTIFICATION
(a) Watch Commander
(b) All available sworn personnel
(c) Fire Department
(d) Medical aid
(e) Facility Manager
(f) Facility Administrator

900.3.3 EMERGENCY EVACUATION
When time permits, all prisoners will be restrained, as deemed necessary by the officer conducting the evacuation. The evacuation will be conducted in an orderly fashion by one of the routes posted in the Jail Facility.

900.3.4 EVACUATION FORMATION AREA
In the event an emergency situation arises which necessitates the evacuation of the Police Facility, the Watch Commander or Field Supervisor shall ensure that an evacuation order is conveyed to all areas of the structure. Responsibility for facility evacuation and area control shall be within the Field Services Division, with the highest ranking officer present assuming command.

Jail personnel shall be immediately notified of any conditions potentially necessitating the evacuation of the Police Facility and Jail. Evacuation plans and map are posted in the booking area and office. The prisoner staging area is outside the sally port in a secure area of the parking lot where a van can be brought for transport if needed. Personnel shall be assigned to the Jail area in the interest of aiding in the evacuation of persons in custody and maintaining security should Jail evacuation appear imminent.

The Watch Commander or Field Supervisor shall be responsible for supervision of the Jail Facility and evacuation.

If possible, juveniles are to be kept separate from adult prisoners, and females from male prisoners.
Temporary Custody of Adults

Only after the safety and security of the prisoners is assured will personnel, not detailed to prisoner security, participate in fire suppression or other emergency activities.

900.3.5 CITYWIDE OR REGIONAL DISASTERS
In cases of Citywide or regional disasters, the Watch Commander may authorize the release of prisoners detained for misdemeanors or felonies involving property crimes only. Every available effort will be made to continue the custody of violent felons or felons accused of violent crimes to ensure the safety of the public.

900.3.6 FIRST-AID/PROFESSIONAL MEDICAL ATTENTION
As necessary, evacuating personnel will apply first-aid techniques to those prisoners injured as a result of the emergency or injured during the evacuation procedure until professional medical aid arrives to assist.

900.3.7 REPORTS
The Watch Commander will ensure that any emergency evacuation of the Jail Facility is documented and that copies of those reports be forwarded to the Jail Facility Manager and Jail Facility Administrator.

900.4 PRISONER TELEPHONE CALLS
Every prisoner, whether adult or juvenile, detained in the Jail Facility shall be entitled to at least three completed telephone calls immediately upon being booked and no later than three hours after arrest. Either the arresting officer or the booking officer must ask the arrested person if he/she is a custodial parent with responsibility for a minor child as soon as practicable but no later than three hours after the arrest, except where this may be physically impossible. If the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make two additional telephone calls for the purpose of arranging care for the minor child (Penal Code § 851.5).

There is no obligation for the officer to make a call on a prisoner's behalf - for example in the case of a person that is so intoxicated that he or she cannot make a call. An officer is not required to wake an intoxicated person three hours after booking so that they may complete a call.

There is also no limitation on the amount of time a prisoner's phone call must last. A prisoner should be given sufficient time on the phone to contact whomever he/she desires and to arrange for necessary items because of his/her arrest. The phone calls are not intended to be lengthy conversations and the officer may use his or judgment in determining the duration of the calls.

900.4.1 TELEPHONE CALL PROCEDURES
The Department will pay the cost of local calls. Long distance calls must be paid by the prisoners using calling cards or by calling collect.

Calls between the prisoner and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.
Temporary Custody of Adults

The provisions of Penal Code § 851.5 shall be posted in bold block type in a conspicuous place within the Jail Facility.

900.5 ASSIGNED ADMINISTRATOR
The Field Services Assistant Chief will ensure any reasonably necessary supplemental procedures are in place to address the following issues (15 CCR 1029):

(a) General security
(b) Key control
(c) Sanitation and maintenance
(d) Emergency medical treatment (15 CCR 1200)
(e) Escapes
(f) Evacuation plans
(g) Fire- and life-safety, including a fire suppression pre-plan as required by 15 CCR 1032
(h) Disaster plans
(i) Building and safety code compliance
(j) Civil and other disturbances including hostage situations
(k) Periodic testing of emergency equipment
(l) Emergency suspension of Title 15 regulations and notice to the Board of State and Community Corrections as required in 15 CCR 1012
(m) Inspections and operations reviews
(n) Any other applicable requirements under 15 CCR 1029

Annual review and evaluation of security measures including internal and external security measures, sanitation, safety and maintenance (15 CCR 1280).

These supplemental procedures shall be reviewed and updated no less than every two years and shall be available to all members (15 CCR 1029).
Custodial Searches

901.1 PURPOSE AND SCOPE
This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Alhambra Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS
Definitions related to this policy include:

**Pat-Down Search** -- This is the normal type of search used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the prisoner or other prisoners.

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY
All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES
An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
Custodial Searches

901.4 SEARCHES AT POLICE FACILITIES
Custody searches shall be conducted on all individuals in custody, upon entry to the Alhambra Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY
Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Alhambra Police Department identification number and information regarding how and when the property may be released.

The arresting/booking officer shall be responsible for the care and custody of an arrestee's personal property until the property is listed on the Booking Sheet and turned over to the Jailer. The Jailer shall then be responsible for the care and custody of the property until it has been transferred or released.

When a prisoner is booked into the Jail Facility, the prisoner’s property shall remain under the control of the Jail personnel. Any items seized from the prisoner’s property as evidence must be signed for by the officer removing the property and noted on the booking sheet. This officer then assumes complete responsibility for its handling and disposition.

901.4.2 VERIFICATION OF MONEY
All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial.
it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.4.3 SEARCH OF TRUSTEES
The jailer shall be responsible for searching all trustees who have been assigned duties outside the confines of the Jail. Trustees shall be searched immediately upon return to the Jail and in accordance with Jail Facility procedures.

901.5 STRIP SEARCHES
No individual in temporary custody at any Alhambra Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual’s actions or demeanor.

(e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual’s genital status. If the individual’s genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES
Strip searches at Alhambra Police Department facilities shall be conducted as follows (28 CFR § 115.115; Penal Code § 4030):

(a) The officer or jailer shall complete the Request portion of the form. The officer or jailer shall articulate the specific facts that support the basis for the request in the area entitled Probable Cause Statement of Facts. These facts must support one of the strip search factors that are listed above in § 902.5 - Strip Searches. The officer shall then indicate which exception that the request is based upon, and the officer’s or jailer’s name shall be placed in the space indicated.
Custodial Searches

(b) Written authorization from the Watch Commander shall be obtained prior to the strip search. The authorization portion of the Request for Strip Search Form shall be completed prior to the search. The results of the search shall be noted on the form.

1. This written authorization will become an official Department record and must be shown to the arrestee or the arrestee’s authorized representative upon demand.

(c) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(d) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(e) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(f) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(g) The primary member conducting the search shall prepare a written report to include:

1. The facts that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The written authorization for the search, obtained from the Watch Commander.
4. The name of the individual who was searched.
5. The name and sex of the members who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.
10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

(h) No member should view an individual’s private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual’s consent and/or otherwise protect his/her privacy and dignity.
Custodial Searches

(i) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Watch Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.

(j) A copy of the written authorization shall be retained and made available upon request to the individual or the individual’s authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual’s authorized representative.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES
A strip search may be conducted in the field only with Watch Commander authorization and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.

901.6 PHYSICAL BODY CAVITY SEARCH
Physical body cavity searches shall be subject to the following (Penal Code § 4030):

(a) No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.

(c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Watch Commander’s approval.
4. A copy of the search warrant.
5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any department members present.
8. Any contraband or weapons discovered by the search.

(f) Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual’s authorized representative.

901.7 TRAINING
The Training Manager shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.
(b) Conducting searches of transgender and intersex individuals.
(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.
Prison Rape Elimination

902.1 PURPOSE AND SCOPE
This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect, and respond to sexual abuse, harassment, and retaliation against detainees or prisoners in the Alhambra Police Department Temporary Holding Facilities (28 CFR 115.111; 15 CCR 1029).

902.1.1 DEFINITIONS
Definitions related to this policy include:

**Intersex** - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

**Sexual abuse** - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse (28 CFR 115.6; 15 CCR 1006):

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation

Sexual abuse also includes abuse by a staff member, contractor, or volunteer as follows, with or without consent of the detainee, prisoner, or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva, or anus
- Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties, or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire
Prison Rape Elimination

- Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described above
- Any display by a staff member, contractor, or volunteer of his/her uncovered genitalia, buttocks, or breast in the presence of a detainee, prisoner, or resident
- Voyeurism by a staff member, contractor, or volunteer

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures, or actions of a derogatory or offensive sexual nature by one detainee, prisoner, or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, prisoner, or resident by a staff member, contractor, or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6; 15 CCR 1006).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person’s assigned sex at birth (28 CFR 115.5).

902.2 POLICY
The Alhambra Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Alhambra Police Department will take immediate action to protect detainees and prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162; 15 CCR 1029).

902.3 PREA COORDINATOR
The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee department efforts to comply with PREA standards in the Alhambra Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator’s responsibilities shall include:

(a) Developing and maintaining procedures to comply with the PREA Rule.
(b) Ensuring that any contract for the confinement of detainees or prisoners includes the requirement to adopt and comply with applicable PREA standards and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees and prisoners from sexual abuse (28 CFR 115.113; 15 CCR 1029). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
(d) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees and prisoners (28 CFR 115.151).
(e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and department leadership to an incident of sexual abuse (28 CFR 115.165).

(f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):

1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice’s (DOJ) Office on Violence Against Women publication, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents” or a similarly comprehensive and authoritative protocol.

2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.

3. A process to document all referrals to other law enforcement agencies.

4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.

5. In accordance with security needs, provisions to permit, to the extent available, detainee and prisoner access to victim advocacy services if the detainee or prisoner is transported for a forensic examination to an outside hospital that offers such services.

(g) Ensuring that detainees and prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect, and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing, or vision disabilities) (28 CFR 115.116).

1. The agency shall not rely on other detainees or prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee’s or prisoner’s safety, the performance of first-response duties under this policy, or the investigation of a prisoner’s allegations of sexual abuse, harassment, or retaliation.

(h) Publishing on the department’s website:

1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee or prisoner (28 CFR 115.154).

2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
Prison Rape Elimination

(i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency’s direct control (28 CFR 115.187; 34 USC § 30303; 15 CCR 1041).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.

2. The data shall be aggregated at least annually.

(j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house detainees or prisoners overnight (28 CFR 115.193).

(k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency’s zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

(l) Ensuring that information for uninvolved inmates, family, community members, and other interested third parties to report sexual abuse or sexual harassment is publicly posted at the facility (15 CCR 1029).

902.4 REPORTING SEXUAL ABUSE, HARASSMENT, AND RETALIATION

Detainees or prisoners may make reports to any staff member verbally, in writing, privately, or anonymously of any of the following (28 CFR 115.151; 15 CCR 1029):

- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all detainees and prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee or prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the detainee or prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from detainees, prisoners and third parties and shall promptly document all reports (28 CFR 115.151; 15 CCR 1029).

All members shall report immediately to the Watch Commander any knowledge, suspicion, or information regarding:
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(a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.

(b) Retaliation against detainees or the member who reports any such incident.

(c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 WATCH COMMANDER RESPONSIBILITIES
The Watch Commander shall report to the department’s designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Watch Commander shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee or prisoner was sexually abused while confined at another facility, the Watch Commander shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Watch Commander shall document such notification (28 CFR 115.163).

If an alleged detainee or prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner’s potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS
The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS
The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

(a) Separate the parties.

(b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

(c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
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(d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES
Investigators shall (28 CFR 115.171):

(a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.

(b) Interview alleged victims, suspects and witnesses.

(c) Review any prior complaints and reports of sexual abuse involving the suspect.

(d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

(e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person’s status as a detainee or a member of the Alhambra Police Department.

(f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.

(g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a detainee or prisoner sexually abused another detainee or prisoner in the Temporary Holding Facility (28 CFR 115.178).

(h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS
Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS
No detainee or prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR § 115.171(e)).

Detainee or prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and
regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR § 115.182).

902.5.5 CONCLUSIONS AND FINDINGS
All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member’s disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees or prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with detainees or prisoners by a contractor or volunteer.

902.6 RETALIATION PROHIBITED
All detainees, prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR § 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Watch Commander or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee or prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees, prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Watch Commander or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees, prisoners or members who have reported sexual abuse and of detainees or prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees or prisoners, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS
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902.7.1 INCIDENT REVIEWS
An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

(a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

(d) Assess the adequacy of staffing levels in that area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS
The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

(a) Identification of any potential problem areas.

(b) Identification of any corrective actions taken.

(c) Recommendations for any additional corrective actions.

(d) A comparison of the current year’s data and corrective actions with those from prior years.

(e) An assessment of the Department’s progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be
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redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Alhambra Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS
The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING
All employees, volunteers and contractors who may have contact with detainees or prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Manager shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department’s zero-tolerance policy and the right of detainees and prisoners to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which detainees and prisoners are most vulnerable.
- The right of detainees, prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all detainees and prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
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• Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Manager shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees or prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Alhambra Police Department and that are promulgated and maintained by the Personnel Department.

1000.1.1 PERSONNEL SELECTION
The Chief of Police has the authority and the responsibility for administering the selection process within the Department. Upon successful completion of the testing process, the Chief of Police will evaluate the candidates and select those qualified for appointment. This final selection is the sole responsibility of the Chief of Police, after considering:

   (a) The needs of the Department
   (b) The skills and attributes of the candidates
   (c) The application of testing instruments during the process

1000.1.2 BACKGROUND INVESTIGATION
All applicants will be subject to a thorough background investigation. Sworn personnel and dispatchers will undergo a background investigation based upon POST guidelines.

1000.2 TESTING, INTERVIEWS AND SCREENING
Personnel involved in the testing, interviewing, and screening processes for peace officers and public safety dispatchers should utilize the standards for such processes developed and approved by California POST. Personnel assigned or contracted to conduct background investigations for peace officers and public safety dispatchers shall have successfully completed a POST approved background investigations course. Positions other than peace officer or public safety dispatcher should use the testing, interviewing and screening processes developed and maintained by the City of Alhambra Personnel Department. The cost of pre-employment testing and screening for all candidates is borne by the City. In addition, the City will pay for any fitness for duty examinations required for continued employment or as required by law (see also Policy 1032 - Fitness for Duty).

1000.2.1 DECEPTION DETECTION
For a position in which a deception detection device is used, information gained from such device should not be used as the single determination for selection criteria, but should be used to weigh against other information or warrant further investigation.

1000.3 POLICY
In accordance with applicable federal, state, and local law, the Alhambra Police Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, or any other protected
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class or status. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.4 RECRUITMENT
The Support Services Assistant Chief should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

(a) Identification of racially and culturally diverse target markets.
(b) Use of marketing strategies to target diverse applicant pools.
(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
(e) Employee referral and recruitment incentive programs.
(f) Consideration of shared or collaborative regional testing processes.

The Support Services Assistant Chief shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.5 SELECTION PROCESS
The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
(b) Driving record
(c) Reference checks
(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents consistent with Labor Code § 1019.1. This required
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documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state, and federal criminal history record checks

(h) Lie detector test (when legally permissible) (Labor Code § 432.2)

(i) Medical and psychological examination (may only be given after a conditional offer of employment)

(j) Review board or selection committee assessment

1000.5.1 VETERAN’S PREFERENCE
Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran’s preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

1000.6 BACKGROUND INVESTIGATION
Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate’s unsuitability to perform duties relevant to the operation of the Alhambra Police Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

1000.6.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (15 USC § 1681d; Civil Code § 1786.16).

1000.6.2 STATE NOTICES
If information disclosed in a candidate’s criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

1000.6.3 REVIEW OF SOCIAL MEDIA SITES
Due to the potential for accessing unsubstantiated, private, or protected information, the Support Services Assistant Chief shall not require candidates to provide passwords, account information, or access to password-protected social media accounts (Labor Code § 980).
The Support Services Assistant Chief should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches, and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.
(b) Material and information to be considered are verified, accurate, and validated.
(c) The Department fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Support Services Assistant Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.6.4 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate’s background investigation file (11 CCR 1953).

1000.6.5 RECORDS RETENTION
The background report and all supporting documentation shall be maintained for a minimum of two years and in accordance with the established records retention schedule (Government Code § 12946; 11 CCR 1953).

1000.6.6 BACKGROUND INVESTIGATION UPDATE
A background investigation update may, at the discretion of the Chief of Police, be conducted in lieu of a complete new background investigation on a peace officer candidate who is reappointed within 180 days of voluntary separation from the Alhambra Police Department, or who is an interim police chief meeting the requirements contained in 11 CCR 1953(f).

1000.7 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
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- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.8 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Personnel Department should maintain validated standards for all positions.

1000.8.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by POST (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

(a) Free of any felony convictions
(b) Citizen of the United States, or permanent resident alien eligible for and has applied for citizenship
(c) At least 18 years of age
(d) Fingerprinted for local, state and national fingerprint check
(e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
(f) High school graduate, passed the GED or other high school equivalency test or obtained a two-year, four-year or advanced degree from an accredited or approved institution
(g) Free from any physical, emotional, or mental condition which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)
(h) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):

1. Reading and writing ability assessment (11 CCR 1951)
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2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

1000.8.2 STANDARDS FOR DISPATCHER
Candidates shall satisfy the POST selection requirements, including (11 CCR 1956):

(a) A verbal, reasoning, memory, and perceptual abilities assessment (11 CCR 1957)
(b) An oral communication assessment (11 CCR 1958)
(c) A medical evaluation (11 CCR 1960)

1000.9 PROBATIONARY PERIODS
The Support Services Assistant Chief should coordinate with the Alhambra Personnel Department to identify positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.
(b) Assessing the level of performance required to complete probation.
(c) Extending probation.
(d) Documenting successful or unsuccessful completion of probation.
Evaluation of Employees

1001.1 PURPOSE AND SCOPE
The Department’s employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY
The Alhambra Police Department utilizes a Performance Evaluation Form to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee’s position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

The Chief may add any specific objective information regarding performance to the report. The Chief of Police is ultimately responsible for the report, and the Chief’s signature indicates approval/concurrence with the report.

1001.2.1 GENERAL GUIDELINES
Employee Evaluation Forms will be written based on job related factors specific to the position occupied by the employee without regard to sex, race, color, or creed. Each evaluation will cover a specific period and should be based on performance during that period. The employee’s immediate supervisor will complete the Employee Evaluation Form.

(a) Supervisors assigned to prepare Employee Evaluation Forms are reminded of the importance of this function, not only for its impact on the employee being evaluated, but as a measure of the quality of leadership and the management skills of the supervisor.

(b) The supervisor must consider the needs and general interests of the Department while applying the standards set forth in these guidelines to the individual being evaluated. An evaluation must be written to motivate an employee to improve overall performance and must inform the employee of any deficiencies, which may have caused performance to fall below acceptable standards, and to maintain a higher level of performance. All evaluations and comments relative to the employee’s performance must be based on observed activities or characteristics.

(c) In using the Employee Evaluation Form, supervisors shall evaluate the performance of each employee in the employee’s present assignment and any other assignments the employee may have completed during the current evaluation period. The supervisor must place emphasis on efficiency and the general quality of the employee’s duty performance without regard to non-duty related personal traits or factors relevant only to prior evaluation periods. It must be remembered that in evaluating an employee
the supervisor is to consider the employee’s performance in relation to the same class and in conjunction with performance standards.

(d) Read and understand each performance element thoroughly before evaluating employees.

(e) Ratings should be based on facts, as you are required to explain every above or below average rating in the Narrative section of the evaluation form.

(f) Remember that the best employee may have a few weaknesses, while the poorest employee may have some strong points. Your evaluations should reflect this.

(g) When appropriate, all concerned direct supervisors shall coordinate the final evaluation in a group effort. This procedure is designed to preclude a single supervisor from assigning an undeservedly high or low overall evaluation to an employee, who may have worked for that supervisor for only a limited part of the evaluation period.

(h) Employees are inclined to accept suggestions for improving their performance when they are offered feedback in a less concentrated form than in the case of a scheduled review. The more time that elapses between performance and feedback, the less effective it becomes.

1001.2.2 USES OF PERFORMANCE EVALUATIONS
Performance evaluations can be used to:

(a) Keep employees informed of what is expected of them and how well they are performing.

(b) Recognize and reward good work.

(c) Recognize and remedy weaknesses in employee performance.

(d) Identify employees who should be given specific types of training.

(e) Provide a continuing record of an employee’s performance history.

(f) Serve as a guide to promotion, transfers, demotion, dismissals and other personnel actions.

(g) Help determine whether an employee will receive a merit increase.

(h) Check on the accuracy of job descriptions and classification.

(i) Check on the effectiveness of recruitment and examination procedures.

(j) Set goals for future performance, etcetera.

1001.2.3 PERFORMANCE EVALUATION “POINTERS”
- DO rate the employee’s performance, not his/her personality.
- DO rate the employee in comparison to performance standards.
- DO consider the employee’s performance during the entire rating period and not just their most recent performance.
- DO tell the employee how to correct substandard performance.
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• DO rate each evaluation factor individually.
• DO set goals of attainment for the next rating period.
• DO fill-out the forms so that it makes sense on its face.
• DON’T attempt to make a mathematical formula out of the performance evaluation form.
• DON’T fall victim to the “halo effect,” “leniency,” “central tendency,” “partiality” or “association error.”
  ◦ Halo Effect - The evaluator tends to base overall judgments or evaluations on selected pieces of information rather than all available relevant information. The employee is rated overall well above standard, when in fact they are performing well above standard in only a few categories. This tendency can also be seen in rating employees overall well below standard based upon substandard performance in a few categories.
  ◦ Leniency -- The evaluator tends to rate employees higher than their actual performance.
  ◦ Central Tendency -- The evaluator rates employees as average, when in fact the employee is working well above or well below standards.
  ◦ Partiality -- The evaluator rates the employees based upon the level of their relationship with them rather than their actual performance.
  ◦ Association Factor -- The evaluator finds it difficult to differentiate between categories because they overlap semantically for them.
• DON’T rate employee’s performance against that of other specific employees.
• DON’T place overemphasis on one incident during the rating period.

1001.3 EVALUATION PROCESS
Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee’s immediate supervisor. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the notes section of the evaluation.

Assessment of an employee’s job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.
Evaluation of Employees

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

1001.3.1 RESERVE OFFICER EVALUATIONS
Reserve officer evaluations are covered under Policy Manual § 350.5.6.

1001.4 FULL TIME PROBATIONARY PERSONNEL

(a) Civilian personnel are on probation for 12 months before being eligible for certification as regular employees.

(b) Sworn personnel hired as a lateral police officer are on probation for 12 months before being eligible for certification as regular employees.

(c) Personnel hired as an academy trainee are "at-will" employees until successful completion of an approved training academy. The employee's 12-month probationary period begins on the date they are sworn-in as a police officer.

(d) All initially hired employees (while assigned to on-the-job training) shall have a daily evaluation completed by their trainer(s).
   1. This evaluation shall be reviewed and approved by the immediate supervisor of the trainer, prior to it being given to the employee.
   2. The daily evaluation shall then be forwarded through the chain of command to the respective division commander or his/her designee, for their approval.

(e) Once the employee has successfully completed the training period, the employee shall receive a second, fifth, eighth and eleven month evaluation (in narrative form) from their immediate supervisor. These monthly evaluations will continue until the employee has successfully completed their probationary status.
   1. The monthly evaluations shall be reviewed and at minimum approved through the employee's chain of command up to the level of a division commander, or his/her designee, prior to being presented to the employee.

1001.5 FULL-TIME REGULAR STATUS PERSONNEL
Regular employees are subject to three types of performance evaluations:

Annual - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation
shall be completed by the current supervisor with input from the previous supervisor. If an employee is transferred from one assignment to another in the middle of an evaluation period and more than 90 days have transpired since the shift change, the immediate supervisor shall complete an evaluation prior to the date of the transfer.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

1001.5.1 RATINGS
When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Exemplary Performance for 90% to 100% - Is actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

Above Standards for 80% to 89.99% - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected, but is not of such rare nature to warrant outstanding.

Meets Standards for 73% to 79.99% - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

Needs Improvement - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating must be thoroughly discussed with the employee.

 Unsatisfactory - When the employee’s service is consistently below satisfactory compliance with the job specifications or the Rules and Regulations. This rating must include a detailed explanation. General statements such as “unacceptable work quality” are not acceptable. If an employee receives an unsatisfactory rating on the over-all evaluation, he/she must be considered for termination (Alhambra Municipal Code Title II, § 2.48.10 Rule XVI).

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee’s strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1001.6 EMPLOYEE SELF-EVALUATION
The supervisor may ask the employee to complete a written self-evaluation for the time period under consideration. The employee should be requested to provide the duties, responsibilities and assignments they were charged with, their strong points and areas that they need to improve upon. The employee is not obligated to write a self-evaluation. The employee should also list
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any schools, training or other accomplishments that are not included within their Personnel and Training Files.

1001.6.1 EVALUATION INTERVIEW
When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation.

Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Regular employees may also write comments in an addendum format for inclusion with the performance evaluation report.

Performance evaluations are not subject to the City’s Grievance Procedure. If the employee does not agree with any of the contents of the evaluation, he/she has the option of writing a memorandum to the division commander addressing their concerns. This memorandum must be submitted within 30 days of receiving the evaluation and will be attached to the evaluation (the letter then becomes part of the evaluation itself), and both documents shall be placed in the Personnel File of the employee.

1001.7 EVALUATION REVIEW
After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater’s supervisor (Assistant Chief). The Assistant Chief shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Assistant Chief shall evaluate the supervisor on the quality of ratings given.

1001.8 EVALUATION DISTRIBUTION
The original performance evaluation shall be maintained in the employee’s personnel file in the Personnel and Training Section for the tenure of the employee’s employment. A copy will be given to the employee and a copy will be forwarded to City Personnel Department.
Performance Improvement Plans

1002.1 PURPOSE AND SCOPE
The policy of the Alhambra Police Department is that all employees are expected to perform in a competent manner in accordance with the policies and procedures of the City of Alhambra and the Police Department.

During the course of an employee’s career, there may exist a time when their performance is unsatisfactory or needs improvement. If normal efforts to improve performance do not cause an improvement in performance, the more formal step of a Performance Improvement Plan (PIP) may be considered. Performance Improvement Plans assist the employee in bringing their performance up to satisfactory standards. A PIP is intended to be a training process. It is a tool to help the employee improve their skills in the organization, using internal and external resources.

1002.2 ESTABLISHMENT OF A PERFORMANCE IMPROVEMENT PLAN
In furtherance of the PIP, the department establishes this procedure whereby substandard and/or unacceptable performance can be identified and an appropriate program of corrective action can be established. To accomplish this objective, this procedural is developed upon the following key criteria:

(a) Identification of the substandard and/or unacceptable performance or behavior,
   1. The unacceptable and/or substandard performance or behavior must be measurable and articulable.
(b) Prior discussions with the employee regarding the substandard and/or unacceptable performance or behavior,
(c) Formal documentation of the deficiency and the expected change(s),
(d) Development of the document, which specifies an action plan,
(e) Language in the document that failure to successfully complete the program will result in a reduction in pay, demotion, transfer and/or termination.

1002.3 PERFORMANCE IMPROVEMENT PLAN OVERVIEW
(a) The supervisor will prepare a draft of the PIP.
(b) The supervisor will forward the draft of the PIP to his/her supervisor for review.
   1. The draft of the PIP will be forwarded through the chain-of-command to the Chief of Police for final review and approval.
   2. The Chief of Police will determine whether or not a supervisor will discuss the draft of the PIP with the employee prior to its finalization.
(c) The supervisor and the employee’s respective Division Commander or his/her designee will discuss the finalized PIP with the employee and have him/her sign the original document.
Performance Improvement Plans

(d) The supervisor shall follow the structured guidelines within the supervisory assistance section of the PIP and conduct any follow-up counseling or progress reports as specified in the document.

1. If training is stipulated, the supervisor shall ensure that the training is provided in a timely manner.

2. The employee shall meet with a supervisor no less than once per week.
   (a) If the supervisor is unable to meet with the employee during the week then the meeting should occur at the next available opportunity.

3. A supervisor or their designee shall write an evaluation of the employee's progress no less than once per week.
   1. (a) If an evaluation is not completed within the stipulated time frame then an evaluation shall be written as soon as practical.

(e) A supervisor will complete the final progress report and forward the completed file to the respective Division Commander for review.

(f) The Division Commander will forward the entire PIP package to the Chief of Police for review and approval.

1. Should punitive action be necessary, such action will be implemented in accordance with Policy 340 - Conduct.

1002.3.1 PERFORMANCE IMPROVEMENT PLAN FORMAT

(a) Heading
   1. A standard memorandum heading shall be used:
      1. (a) To: (Name of the affected employee),
      (b) From: (Name of the employee's supervisor),
      (c) Subject: FAILURE TO MEET PERFORMANCE STANDARDS
      (d) Date: (date of report).

(b) Performance Standards and How the Employee Failed to Meet Them
   1. List each performance standard in which the employee is deficient.
      1. (a) Example: "An employee shall be punctual in reporting for duty at the time and place specified by his/her supervisor." Cite the specific Policy Manual section(s) that the employee has violated or failed to meet.

2. List specifically and with detail each occasion where the employee failed to meet the listed standard.

3. Repeat this process for each standard the employee will be required to show improvement and/or attain.

(c) How the Employee can Improve Their Performance
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1. This section is a summary of the positive and/or productive behavior the supervisor expects the employee to exhibit in order to be regarded as an acceptable employee and satisfactorily complete the PIP.

(d) **Supervisory Assistance and Guidance**

1. The supervisor sets a review schedule where the supervisor will review the progress of the employee with him/her.

1. (a) Such reviews should be done daily, but at a minimum weekly.

(b) Each review with the employee shall be documented in a memorandum (the employee shall sign each review), which will be sent by the supervisor through the chain of command to the respective division commander.

(c) The employee will be provided a copy of each review.

2. The supervisor may direct the employee to obtain training and/or counseling when appropriate.

(e) **Time Frame and Consequences**

1. The supervisor will stipulate the duration of the Performance Improvement Plan.

1. (a) Normally, a Performance Improvement Plan will be 90 days in length. The minimum specified time for such a program is 60 days and the maximum time is 120 days.

(b) Should the employee progress at an accelerated rate, the PIP may be shortened from the specified time.

(f) The consequences of failing to satisfactorily complete the PIP must be clearly stated. In most situations, the consequence will be termination for failure to meet the specified performance standards within the allotted time. When appropriate, demotion, transfer and/or reduction in pay may be administered.

1002.3.2 **INITIAL INTERVIEW WITH THE EMPLOYEE ASSIGNED A PIP**

(a) The supervisor will address each performance deficiency identified in the PIP along with the expected corrective behavior.

(b) The supervisor should emphasize to the employee the intent of the department to assist the employee in improving their work product and/or behavior to meet the standards of the PIP.

(c) The supervisor should encourage the employee’s input and take appropriate notes concerning the employee’s viewpoints.

1. This information may be incorporated into any subsequent written reviews by the supervisor concerning the PIP.

(d) The supervisor will advise the employee of the review process and the schedule for the review sessions.

(e) The supervisor will inform the employee of any outside training and/or counseling that is required as part of the PIP.
Performance Improvement Plans

(f) The supervisor will inform the employee of the consequences that may result in the event the employee fails to satisfactorily complete the PIP.

(g) The supervisor will ensure the employee signs the PIP and provide the employee with a copy.

1002.3.3 FOLLOW-UP COUNSELING AND/OR PROGRESS REPORTS

(a) During the duration of the PIP, a supervisor will meet in counseling sessions with the employee as specified in the PIP.

1. If a scheduled counseling session is missed, a supervisor will meet with the employee at the next available opportunity.

(b) A supervisor will review the employee’s progress as it relates to each identified performance deficiency. Appropriate feedback and reinforcement should be given to the employee, whether or not the employee is improving.

(c) Each counseling session will be documented in a memorandum directed to the respective Division Commander, through the chain of command. The author of the memorandum shall ensure that the employee signs the document and provide the employee with a copy.

1. The Division Commander shall forward a copy of all reports regarding the PIP to the Chief of Police.

2. The Division Commander shall inform the Chief of Police of any significant incidents regarding the PIP in a timely manner.

(d) The supervisor assigned to oversee the employee’s PIP will be responsible for ensuring that any designated counseling sessions or periodic evaluation reports are completed and documented as directed, and forwarded to the employee’s Division File.

1. The supervisor will ensure the employee signs the document(s) and provide the employee with a copy.

1002.3.4 FINAL REPORT FOR A PIP

(a) At the end of the PIP, the supervisor shall prepare a final report regarding the employee’s progress in the PIP.

1. If the employee successfully completes the PIP, the final report should reinforce the employee’s improved performance and encourage continued acceptable performance. If the employee successfully completes the PIP and the PIP is not part of any formal disciplinary process, all documentation of the PIP will be provided to the employee for their review and signatures prior to it being placed into the employee’s Division File.

(a) The PIP will remain in the Division File for a period of not less than three years and until it has been documented in the employee’s evaluation. This three year time element is based upon Federal EEOC Codes. After this point in time, the PIP documents will be removed from the Division File and either returned to the employee or destroyed.
2. If the employee successfully completes the PIP and the PIP is part of any formal disciplinary process, all of the documentation of the PIP becomes part of that disciplinary paperwork and is subject to the guidelines established in Policy 340 - Conduct.

3. In the event the employee does not successfully complete the PIP, the final report should:

   (a) Specify those standards the employee failed to achieve and how he/she failed to do so,

   (b) State that the supervisor is recommending that the penalty contained in the PIP as a consequence for non-improvement, be implemented, and

   (c) Contain a detailed account of the employee’s comments regarding the final report.

   (b) The Final Report, along with all follow-up reports and other related documentation will be forwarded via the chain-of-command to the Chief of Police for review and appropriate action.
Promotional and Transfer Policy

1003.1 PURPOSE AND SCOPE
The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Alhambra Police Department.

1003.1.1 GENERAL REQUIREMENTS
The following conditions will be used in evaluating employees for promotion and transfer:

(a) Present a professional, neat appearance.
(b) Maintain a physical condition which aids in their performance.
(c) Demonstrate the following traits:
   1. Emotional stability and maturity
   2. Stress tolerance
   3. Sound judgment and decision-making
   4. Personal integrity and ethical conduct
   5. Leadership
   6. Initiative
   7. Adaptability and flexibility
   8. Ability to conform to organizational goals and objectives in a positive manner.

1003.2 SWORN NON-SUPERVISORY SELECTION PROCESS
The following positions are considered transfers and are not considered promotions:

(a) Special Enforcement Team member
(b) Detective
(c) Motor Officer
(d) Accident Investigator
(e) Field Training Officer
(f) Community Relations/Training Officer
(g) D.A.R.E. Officer
(h) Court Officer

1003.2.1 DESIRABLE QUALIFICATIONS
The following qualifications apply to consideration for transfer:

(a) Three years experience
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(b) Off probation

(c) Has shown an expressed interest in the position applied for

(d) Education, training and demonstrated abilities in related areas; such as, enforcement activities, investigative techniques, report writing, public relations, etc.

(e) Complete any training required by POST or law

1003.3 SELECTION PROCESS
The following criteria apply to transfers.

(a) Administrative evaluation as determined by the Chief of Police. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate will submit these recommendations.

(b) The supervisor recommendations will be submitted to the Assistant Chief for whom the candidate will work. The Assistant Chief will schedule interviews with each candidate.

(c) Based on supervisor recommendations and those of the Assistant Chief after the interview, the Assistant Chief will submit his/her recommendation(s) to the Chief of Police.

(d) Appointment by the Chief of Police

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

1003.4 PROMOTIONAL SPECIFICATIONS
Specifications for promotional opportunities are on file with the Alhambra Personnel Department.
Non-Disciplinary / Non-Punitive Measures

1004.1 TRAINING AND COUNSELING.

a. Training/Counseling is any oral admonition given to an employee to notify the employee that specific behavior or performance is unacceptable and to provide the employee with direction for improving or correcting the unacceptable behavior of performance.

b. The supervisor issuing the training/counseling should remind the employee of applicable standards and expectations and clarify the applicable standards and expectations, as necessary.

c. The supervisor may maintain a written record of the date and general circumstances in which the training/counseling took place in the Watch File. For employees who are entitled to the protections of the Public Safety Officers Procedural Bill of Rights Act, the supervisor's written record shall be retained for the sole purposes of permitting the supervisor to include the facts underlying the training/counseling in a future evaluation of the employee's performance, or Performance Improvement Plan.

d. Response to Training and Counseling. Any employee who has received training/counseling will be required to review, requested to sign, and entitled to respond in writing to the record of the training/counseling in accordance with department policy 1006, Right to Review and Respond to Adverse Comments.

e. The record of the training/counseling, and any response to it by the employee, will be destroyed by the supervisor, or his/her successor, if any, within one (1) year, or upon inclusion in the employee's next performance evaluation in the employee's City personnel file. This requirement shall apply solely to destruction of the training/counseling record or response, itself, and shall not extend to any subsequently prepared evaluation documents, or Performance Improvement Plan documents, unless required by applicable law. While the Public Safety Officers Procedural Bill of Rights Act only recognizes a select group to be entitled to this right, this right will be afforded to all department employees, including those not covered under the Public Safety Officers Procedural Bill of Rights Act.
Right to Review and Respond to Adverse Comments

1005.1 REVIEWING AND RESPONDING TO ADVERSE COMMENTS

a. Before a document containing a comment adverse to any employee's interest ("adverse comment") is included in his/her personnel file, or in any other file used for any personnel purposes, the employee will be required to read the document containing the adverse comment. The employee will then be provided an opportunity to sign the document(s) containing the adverse comment, signifying his/her awareness of the comment. If after reading the document the employee refuses to sign it, the refusal will be noted on the document and the employee will be required to sign or initial the document to signify that refusal.

b. The employee will also be provided the opportunity to respond in writing to an adverse comment within thirty (30) days of the employee's review of the document containing the adverse comment. Any written response by the employee will be attached to and retained in the same file as the document containing the adverse comment.
Anti-Retaliation

1006.1 PURPOSE AND SCOPE
This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members’ access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or memorandum of understanding.

1006.2 POLICY
The Alhambra Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1006.3 RETALIATION PROHIBITED
No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.
1006.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Director of Human Services.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member’s identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1006.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
(b) Receiving all complaints in a fair and impartial manner.
(c) Documenting the complaint and any steps taken to resolve the problem.
(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
(h) Not interfering with or denying the right of a member to make any complaint.
(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.
1006.6 COMMAND STAFF RESPONSIBILITIES
The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.
(b) The timely review of complaint investigations.
(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
(d) The timely communication of the outcome to the complainant.

1006.7 WHISTLE-BLOWING
California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

(a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member’s supervisor or any other member with the authority to investigate the reported violation.
(b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.
(c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.
(d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority, or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.
(e) Are family members of a person who has engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Professional Standards Unit for investigation pursuant to the Personnel Complaints Policy.

1006.7.1 DISPLAY OF WHISTLE-BLOWER LAWS
The Department shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).
1006.8 RECORDS RETENTION AND RELEASE
The Records Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1006.9 TRAINING
The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.
Reporting of Employee Convictions

1007.1 PURPOSE AND SCOPE
Convictions of certain offenses may restrict or prohibit an employee’s ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1007.2 DOMESTIC VIOLENCE CONVICTIONS, OUTSTANDING WARRANTS AND RESTRAINING ORDERS
California and federal law prohibit individuals convicted of, or having an outstanding warrant for, certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1007.3 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS
Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendre plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee’s ability to fully perform the duties of the job.

Outstanding warrants as provided in Penal Code § 29805 also place restrictions on a member’s ability to possess a firearm.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1007.4 REPORTING PROCEDURE
All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest, outstanding warrant or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired
Reporting of Employee Convictions

officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order or becomes the subject of an outstanding warrant.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1007.5 PROCEDURE FOR RELIEF
Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1007.5.1 NOTIFICATION REQUIREMENTS
The Support Services Supervisor shall submit within 30 days of final disposition a notice to the Commission on Peace Officer Standards and Training (POST) of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

The Support Services Supervisor shall submit within 30 days a notice to POST of any appointment, termination, reinstatement, name change, or status change regarding any peace officer, reserve peace officer, public safety dispatcher, and records supervisor employed by this department (11 CCR 1003).
Drug- and Alcohol-Free Workplace

**1008.1 PURPOSE AND SCOPE**
The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

**1008.2 POLICY**
It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

**1008.3 GENERAL GUIDELINES**
Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Watch Commander or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

**1008.3.1 USE OF MEDICATIONS**
Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

**1008.3.2 USE OF MARIJUANA**
Possession of marijuana, including medical marijuana, or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action (Ross v. Ragingwire, 42 Cal. 4th 920 (2008)).

**1008.4 MEMBER RESPONSIBILITIES**
Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.
Drug- and Alcohol-Free Workplace

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1008.4.1 AUTHORIZED CONSUMPTION OF ALCOHOL WHILE ON-DUTY
At times, special details within the Department will be assigned duties where the consumption of alcoholic beverages may be necessary. Officers consuming alcoholic beverages shall not carry a firearm unless the respective Division Commander has previously approved it. When an officer is armed and consuming alcoholic beverages, the officer should remain aware of the potential issues that can arise from such consumption and the affects of alcohol on their senses and judgment.

In all instances when an assigned officer is consuming alcoholic beverages, there shall be coverage by an officer, who has not consumed and is not consuming any alcoholic beverages. The covering officer should be located in a position where they can respond to an emergency in a timely manner.

1008.5 EMPLOYEE ASSISTANCE PROGRAM
There is available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). The Employee Assistance Program (EAP) is a 24 hour counseling referral and employee support system which is a resource for employees in obtaining help for a wide variety of personal problems. The program is confidential and is available to City of Alhambra employees and their families. The program is augmented with the counseling team, peer support, and Department chaplains.

Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Personnel Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1008.6 WORK RESTRICTIONS
If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.
1008.7 REQUESTING SCREENING TESTS
The supervisor may request an employee to submit to a screening test under the following circumstances:

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and/or efficiently.

(b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

1008.7.1 SUPERVISOR RESPONSIBILITY
The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1008.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy.

1008.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT
No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).
1008.9 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee’s other personnel files.
Sick Leave

1009.1 PURPOSE AND SCOPE
This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) and the California Family Rights Act, and leave related to domestic violence, sexual assault, stalking or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1009.2 EMPLOYEE RESPONSIBILITIES
Sick leave may be used for absences caused by illness, injury, diagnosis, care or treatment for existing health conditions, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee’s immediate family when it is not possible to schedule such appointments during non-working hours.

Employees shall not feign illness or injury, falsely report themselves sick, ill, injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health or that of their families.

Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

At the discretion of the Chief of Police or his/her designee, the Department may impose additional restrictions upon the employee’s use of sick leave (i.e. a doctor’s note, special call-in procedures, etcetera).

Upon return to work, employees shall complete and submit a leave request describing the type of leave used and the specific amount of time taken. For periods of illness or disability of one hour or more, the employee may be required to submit a physician’s release and/or doctor’s note prior to being allowed to resume full-duty. Any temporary modified duty assignment, as a result of an illness, must be certified by an attending physician (Alhambra Municipal Code § 2.54.011).

1009.3 EXTENDED MEDICAL ABSENCES
Employees on extended medical absences may be required to periodically contact their unit supervisor to provide an update on their absence and expected date of return. The frequency of contacts with the employee’s unit supervisor shall be arranged with the employee’s Division Commander. Employees absent from duty may be required to furnish a statement from their
health care provider supporting their inability to perform their essential job functions and to return to work.

1009.3.1 NOTIFICATION
All members should notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246). When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1009.4 EXTENDED ABSENCE
Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider’s statement for an absence of three or fewer days after the first three days of paid sick leave are used in a 12-month period.

1009.5 ABSENCE FROM DUTY
Employees shall not be absent from duty without first obtaining permission from the proper authority. Employees who are unable to report for duty shall notify their supervisor prior to their scheduled duty hours. This notification shall be made with the Watch Commander if the employee’s supervisor is not available. If neither is available, the employee shall notify the Communications Center as soon as possible or at least one hour prior to the start of their shift.

1009.6 REQUIRED NOTICES
The Director of Human Services shall ensure:

(a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.

(b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.
1009.7 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Personnel Department as appropriate.

(c) Addressing absences and sick leave use in the member’s performance evaluation when excessive or unusual use has:

1. Negatively affected the member’s performance or ability to complete assigned duties.

2. Negatively affected department operations.

(d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.

(e) Referring eligible members to an available employee assistance program when appropriate.
Communicable Diseases

1010.1 PURPOSE AND SCOPE
This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1010.1.1 COMMUNICABLE DISEASE STATUTES
Every supervisor should be familiar with the following California statutes relating to communicable diseases:

Health & Safety Code § 1797.188 - Requires notification to police officers when health officials become aware that a patient contacted by the officer(s) has a reportable condition.

Health & Safety Code § 199.97 - If a person resists arrest by biting, scratching, spitting, or transferring blood or other bodily fluids on, upon, or through the skin or membranes of a police officer, a court order for the person’s blood may be sought by petition and hearing. Testing can be made if the blood sample is obtained from the person voluntarily at the request of a health care professional.

Penal Code § 7510 - When a police officer files a report indicating that he has had contact with bodily fluids of a person that has been arrested, a request may be made to the Los Angeles County Chief Medical Officer to obtain a blood sample from the arrestee for HIV testing.

Penal Code § 7521 - A Parole or Probation Officer who seeks the assistance of Alhambra Police Department personnel to apprehend or take into custody a parolee or probationer who has a record of assaults on police officers, and has tested positive for HIV, shall inform the assisting officers of the person’s condition.

Penal Code § 1524.1 - A court, at the request of any victim of any crime, may issue a search warrant for the purpose of testing the accused’s blood with an HIV test when there is probable cause to believe the accused committed the offense and there is probable cause to believe that blood, semen or any other fluid capable of transmitting HIV has been transferred from the accused to the victim.

Health & Safety Code § 1797.186 - Entitles all personnel with occupational exposure to a contagious disease (refer to California Administrative Code § 2500, Title 17) to medical treatment to prevent the onset of disease when an exposure incident occurs while in the service of the Police Department.

1010.1.2 DEFINITIONS
Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.
Communicable Diseases

**Exposure** - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member’s position at the Alhambra Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

**1010.2 COMMUNICABLE DISEASES TRAINING**
The Personnel and Training Section shall be responsible for disseminating updated information and coordinating additional roll-call and/or in-service training regarding communicable diseases.

**1010.3 POLICY**
The Alhambra Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

**1010.4 EXPOSURE CONTROL OFFICER**
The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

(a) Exposure-prevention and decontamination procedures.
(b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member’s position and risk of exposure.
(d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
(e) Compliance with all relevant laws or regulations related to communicable diseases, including:
   1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
   2. Bloodborne pathogen mandates including (8 CCR 5193):
      (a) Sharps injury log.
      (b) Needleless systems and sharps injury protection.
   3. Airborne transmissible disease mandates including (8 CCR 5199):
      (a) Engineering and work practice controls related to airborne transmissible diseases.
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(b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.

4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).

5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.

6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

(f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1010.5 EXPOSURE PREVENTION AND MITIGATION

1010.5.1 GENERAL PRECAUTIONS
All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
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(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.

1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1010.5.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1010.5.3 PERSONAL PROTECTIVE EQUIPMENT
Personal protective equipment is the last line of defense against communicable disease. Therefore, the following equipment is provided for all personnel to assist in the protection against such exposures:

(a) Not less than two pair disposable latex type gloves.

1. It is recommended to keep a box (for each of the three sizes) of gloves in each police vehicle.

(b) Safety glasses or goggles.

(c) Rescue mask with a one-way valve.

(d) Vionex (or similar substance) to flush skin at emergency site.

1. Keeping several alcohol hand wipes in each police vehicle is recommended.

(e) PPE Chemical suits.

(f) Respirators (sizes for infant, child and adult).

The protective equipment is to be kept in each police vehicle; inspected at the start of each shift and replaced immediately upon returning to the station if used or damaged during the shift, or as otherwise needed.

Section Managers will be responsible for the inventory and dissemination of supplies for infectious disease control.

Personnel using supplies stored in Police Department vehicles are responsible for replacing them. Protective gloves, other first aid supplies, and disinfecting materials will be made readily available at all times.
Communicable Diseases

1010.5.4 CUSTODIAL CARE
Subjects taken into custody with blood or bodily fluids exposed on their persons shall be taken directly to and placed in a designated holding area for processing.

Jail personnel will be responsible for ensuring that the cell is properly sealed off and disinfected.

1010.6 POST EXPOSURE

1010.6.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

(a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
(b) Obtain medical attention as appropriate.
(c) Notify a supervisor as soon as practicable.

1010.6.2 REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

(a) Name and Social Security number of the member exposed
(b) Date and time of the incident
(c) Location of the incident
(d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
(e) Work being done during exposure
(f) How the incident occurred or was caused
(g) PPE in use at the time of the incident
(h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1010.6.3 DISPOSAL AND DECONTAMINATION
The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with a person’s blood or body fluids:

(a) Officers shall dispose of biohazard with the on-scene fire response vehicle, or at the attending clinic/hospital with their approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival.
1. The biohazard waste container located at the station shall be collapsible, leak-proof, red in color or appropriately labeled with a biohazard warning and routinely emptied. The Department Property Custodian will have the responsibility for emptying the biohazard waste container.

(b) Personnel shall wash their hands immediately (on-scene if possible), or as soon as possible following the removal of potentially contaminated gloves. All personnel shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic, or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps.

1. All hand, skin, and mucous membrane washing that takes place in the station shall be done in the designated cleaning or decontamination area. Cleaning shall not be done in the kitchen, bathrooms, or other locations not designated as the cleaning or decontamination area.

(c) Contaminated disposable supplies (gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or police vehicle. The waste material shall then be disposed of in a biohazard waste container at the hospital or police station.

(d) After using any reusable personal protective equipment, it shall be washed or disinfected and stored appropriately. If the personal protective equipment is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container.

(e) Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, portable radio, etc.) shall be decontaminated as soon as possible. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.

(f) Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains.

1. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing, and inform them of the potential contamination. The clothing will either be dry cleaned at Department’s expense, or replaced.

(g) Disinfection procedures shall be taken after blood or other bodily fluid discharges into a police vehicle.

1. A supervisor shall be notified, and the vehicle shall be taken to the station as soon as possible. Depending on the circumstances and location of the vehicle, the Supervisor may elect to have the vehicle towed to the station. The Supervisor shall determine if the vehicle is to be taken out of service, pending disinfection.

The ECO shall designate a location at the station that will serve as the area for cleaning/decontamination. This area is to be used to keep equipment clean and sanitary and for the employees to wash any potential contamination from their bodies. This area is to be thoroughly cleaned after each use and to be maintained in a clean and sanitary order at all times between each use. The application of cosmetics, smoking cigarettes, consuming food and drink are prohibited in this designated area at all times.
Communicable Diseases

1010.6.4 MEDICAL CONSULTATION, EVALUATION AND TREATMENT
Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.
(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1010.6.5 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1010.6.6 SOURCE TESTING
Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member’s supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.
(b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.
(c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
(d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).
(e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.
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The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1010.7 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member’s written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1010.8 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
Smoking and Tobacco Use

1011.1 PURPOSE AND SCOPE
This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Alhambra Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1011.2 DEFINITIONS
Public Place – Any enclosed area to which the public is invited or in which the public is permitted, including but not limited to, banks, educational facilities, health facilities, public transportation facilities, reception areas, lobbies, restaurants, retail food production and marketing establishments, retail stores, theatres, waiting rooms, offices, auditoriums, classrooms, conference and meeting rooms. A private residence is not a public place (AMC § 9.18.020).

Smoke or Smoking - Includes the carrying or holding of a lighted pipe, cigar or cigarette of any kind, or any other lighted smoking equipment or the lighting or emitting or exhaling the smoke of a pipe, cigar, cigarette, or any weed, plant or vapor of any kind (AMC § 9.18).

1011.3 POLICY
The Alhambra Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

Members will be encouraged, but not required to become non-smokers. Members will be provided with information, training and/or assistance, as necessary, to assist in such effort.

1011.4 SMOKING AND TOBACCO USE
It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1011.5 ADDITIONAL PROHIBITIONS
No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).
1011.5.1 NOTICE
The Chief of Police or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).
Personnel Complaints

1012.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Alhambra Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1012.2 POLICY
The Alhambra Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1012.3 PERSONNEL COMPLAINTS
Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1012.3.1 COMPLAINT CLASSIFICATIONS
Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a Department supervisor of rank greater than the accused employee. The responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Professional Standards Unit, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or
Personnel Complaints

the Professional Standards Unit, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1012.3.2 SOURCES OF COMPLAINTS
The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1012.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1012.4.1 COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1012.4.2 ACCEPTANCE
All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

A complainant shall be provided with a copy of his/her statement at the time it is filed with the Department (Penal Code § 832.7).

1012.4.3 AVAILABILITY OF WRITTEN PROCEDURES
The Department shall make available to the public a written description of the investigation procedures for complaints (Penal Code § 832.5).
1012.5 DOCUMENTATION
Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1012.5.1 ALLEGATIONS OF CRIMINAL CONDUCT BY APD PERSONNEL
When an employee of this Department is accused of potential criminal conduct, a supervisor or detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The employee’s respective Division Commander and the Chief of Police shall be notified as soon as practical when an APD employee is accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian and the employee may not be administratively ordered to provide any information to a criminal detective.

Employees shall provide complete and truthful responses to questions posed during interviews.

Except as provided by law, no information or evidence administratively coerced from an employee may be provided to a criminal detective. However, any information obtained from a criminal investigation may be provided to the administrative investigation.

1012.5.2 APD EMPLOYEE DETAINED FOR A CRIME BY AN OUTSIDE AGENCY
When the employee is a City of Alhambra sworn employee, the following guidelines shall apply:

(a) The following notifications shall be made:
   1. The Watch Commander
   2. The employee’s respective Division Commander
   3. The Chief of Police
   4. The Field Services Commander

(b) If an internal investigation is authorized, the Chief of Police or his/her designee will advise the concerned members of the outside agency that the impending investigation by the Alhambra Police Department will be for administrative purposes only.

(c) A police supervisor shall respond to the scene and conduct an initial inquiry into the facts of the incident. The supervisor should not be of a rank below the detained officer.
Personnel Complaints

1. Once the initial facts of the incident have been established, the supervisor shall notify the Watch Commander as soon as practical.

2. The supervisor on-scene should limit the scope of their investigation to an administrative investigation or review. If an interview of the employee occurs, AB 301 guidelines shall apply in gathering the initial facts for a potential administrative investigation.

(d) If the outside agency has requested the Alhambra Police Officer to submit to a chemical or breath test and the employee has refused to submit to the request, an order to submit to the test, for the purposes of an administrative investigation only, shall be given by the first available supervisor.

(e) All evidence obtained solely as a result of the personnel investigation is confidential and shall not be disclosed to members of the outside agency conducting the criminal investigation or to any other unauthorized persons.

Nonsworn Alhambra Police Department Employees - When advised by an outside public agency that a non-sworn APD employee is being detained for a criminal offense, the Alhambra Police Department's Watch Commander shall immediately notify the employee's respective Division Commander and the Chief of Police or his/her designee.

In consultation with the employee's respective Division Commander, the Chief of Police or his/her designee will determine the extent of any further Department involvement in the detention.

1012.5.3 ALHAMBRA CITY EMPLOYEE INVOLVED IN TRAFFIC COLLISION, DETAINED, OR SUSPECTED OF COMMITTING A CRIME WITHIN THE CITY

(a) When an employee is involved in a traffic accident while driving a city vehicle, or is detained or arrested for a felony or misdemeanor offense committed in the City of Alhambra, the following notifications shall be made (also refer to Policies 358 - Major Incident Notifications, and 502 - Traffic Collision Reporting):

1. The Watch Commander
2. The Field Services Assistant Chief
3. The Chief of Police
   
   (a) Only the Chief of Police or his/her designee is authorized to make notification to the City Manager and/or the employee's Department Head.

(b) A police supervisor shall respond to the scene and conduct an initial inquiry into the facts of the incident and oversee the investigation.

1. Once the initial facts of the incident have been established, the supervisor shall notify the Watch Commander as soon as practical.
2. The scope of the criminal investigation shall be the same as that for a private person detained under similar circumstances.

3. If the incident involves a traffic accident, please refer to Policy Manual §§ 502.3 through § 502.4.

(c) When any APD employee is notified or becomes aware of an impending investigation of a criminal offense committed by an Alhambra City employee, the APD employee shall notify their Assistant Chief as soon as practical.

1. The Assistant Chief shall notify the Chief of Police.

2. Only the Chief of Police or his/her designee shall be authorized to notify the City Manager and/or the employee’s Department Head.

3. The Support Services Assistant Chief or his/her designee shall oversee any investigative action, and if appropriate, the seeking of a criminal complaint.

4. The Support Services Assistant Chief shall keep the Chief of Police informed as to the investigation, significant events associated with the investigation and the intent to seek a criminal complaint against the City employee.

1012.5.4 OUTSIDE AGENCY PEACE OFFICER DETAINED OR SUSPECTED OF CRIMINAL CONDUCT

(a) Any law enforcement agency is authorized to release information to another law enforcement agency concerning the arrest or detention of a peace officer, which has not led to a conviction. However, no disciplinary action, other than paid administrative leave, shall be taken against the accused employee based solely on an arrest or crime report (Labor Code § 432.7(b)). An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with Department policy.

(b) If a peace officer from an outside agency is arrested or detained by officers from the Alhambra Police Department, the Watch Commander shall be notified as soon as practical.

1. The Watch Commander shall immediately notify the Assistant Chief of the APD officers who have either detained or arrested the peace officer from an outside agency.

2. The Assistant Chief shall immediately notify the Chief of Police or his/her designee.

   (a) In consultation with the Assistant Chief, the Chief of Police or his/her designee will decide when and how any notification is made to the peace officer's agency.
1012.6 ADMINISTRATIVE INVESTIGATIONS
Allegations of misconduct will be administratively investigated as follows.

1012.6.1 SUPERVISOR RESPONSIBILITIES
In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
   1. The original complaint form will be directed to the Watch Commander of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
   2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Assistant Chief or the Chief of Police, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.
   1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
   2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Watch Commander.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Commander and the Chief of Police are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Personnel Department and the Watch Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Watch Commander, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.

(h) Investigating a complaint as follows:
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1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

   (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
   
   (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1012.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

   (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.

   (b) Unless waived by the member, interviews of an accused member shall be at the Alhambra Police Department or other reasonable and appropriate place.

   (c) No more than two interviewers should ask questions of an accused member.

   (d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.

   (e) All interviews shall be for a reasonable period and the member’s personal needs should be accommodated.

   (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

   (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a Lybarger advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
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(h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.

(i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual’s statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(j) All members shall provide complete and truthful responses to questions posed during interviews.

(k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor’s Brady list or the name of the officer may otherwise be subject to disclosure pursuant to Brady v. Maryland. However, an investigation may be based on the underlying acts or omissions for which the officer has been placed on a Brady list or may otherwise be subject to disclosure pursuant to Brady v. Maryland (Government Code § 3305.5).

1012.6.3 ADMINISTRATIVE INVESTIGATION FORMAT
Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary of Allegations - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence as to Each Allegation - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

Investigator Notes – The original notes generated by investigators.
1012.6.4 DISPOSITIONS
Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.8).

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - A final determination by an investigating agency, commission, board, hearing officer, or arbitrator, as applicable, following an investigation and opportunity for an administrative appeal pursuant to Government Code § 3304 and Government Code § 3304.5 that the actions of an officer were found to violate law or department policy (Penal Code § 832.8).

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1012.6.5 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

1012.7 ADMINISTRATIVE SEARCHES
An employee of this Department may be administratively ordered to submit to a blood, breath, or urine test for alcohol, illegal drugs and/or legal drugs possessed illegally under any of the following circumstances:

- When the employee, whether on or off-duty, is involved in a shooting or police-related death.
- When the employee is involved in an injury or fatal accident while on-duty.
- When the employee is involved in an injury or fatal accident while operating any City owned vehicle whether on or off-duty.
- When the employee is found to be exhibiting objective symptoms of an alcoholic beverage, illegal drug and/or a legal drug possessed illegally while on-duty.
- When any off-duty employee, who is exhibiting objective symptoms of being under the influence of an illegal drug and/or a legal drug possessed illegally...
The type of said test is to be at the election of the Chief of Police or his/her designee. The use of compelled testing results shall be restricted to the administrative investigation.

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Administrative investigative searches of lockers, desks, assigned vehicles, etcetera shall not include the search of any closed containers within those areas, unless there are other legal guidelines that permit the search of the closed container(s).

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member’s presence, with the member’s consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

Searches conducted within the course and scope of a criminal investigation shall follow the guidelines of search and seizure laws. Accessing any of the above described locations for other legitimate reasons shall be conducted with common sense and sensitivity for the privacy of all employees. Only supervisors are authorized to access the assigned areas of another employee.

The supervisor must first notify the Watch Commander or the employee’s respective Division Commander before accessing the assigned area of any employee for any reason.

1012.7.1 DISCLOSURE OF FINANCIAL INFORMATION
An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

(a) Pursuant to a state law or proper legal process
(b) Information exists that tends to indicate a conflict of interest with official duties
(c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1012.8 ADMINISTRATIVE LEAVE
When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.
1012.9 CRIMINAL INVESTIGATION
Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

The Alhambra Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1012.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES
Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1012.10.1 DIVISION COMMANDER RESPONSIBILITIES
Upon receipt of any completed personnel investigation, the Assistant Chief of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Assistant Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Assistant Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Assistant Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1012.10.2 CHIEF OF POLICE RESPONSIBILITIES
Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Assistant Chief for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a pre-
disciplinary procedural due process hearing *(Skelly)* by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct *(Government Code § 3304(d))*. The Chief of Police shall also provide the member with:

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1012.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT
The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition *(i.e., sustained, not sustained, exonerated, unfounded)* of the complaint *(Penal Code § 832.7(f))*.

1012.10.4 NOTICE REQUIREMENTS
The disposition of any civilian’s complaint shall be released to the complaining party within 30 days of the final disposition. This release shall not include what discipline, if any, was imposed *(Penal Code § 832.7(f))*.

1012.11 PRE-DISCIPLINE EMPLOYEE RESPONSE
The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The Skelly response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
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(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1012.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1012.13 POST-DISCIPLINE APPEAL RIGHTS
Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that an officer has been placed on a Brady list or is otherwise subject to Brady restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such Brady evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

1012.13.1 CIVIL SERVICE RULES
The City of Alhambra has established Civil Service Rules which apply to certain classifications of personnel. The Civil Service Rules are found in Chapter 2.48 and Chapters 2.48.010 through 2.48.210 of the Alhambra Municipal Code.

1012.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS
At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary officer subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the POBR (Government Code § 3303; Government Code § 3304).

At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Chief of Police or authorized designee for a non-evidentiary hearing for the sole purpose of
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attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Chief of Police shall be final.

1012.15 RETENTION OF PERSONNEL INVESTIGATION FILES
All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1012.15.1 CONFIDENTIALITY OF PERSONNEL FILES
All investigations of personnel complaints shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information from the employee's personnel file to refute such false representations (Penal Code § 832.5).

All formal personnel complaints shall be maintained for a period of no less than five years (Penal Code § 832.5). All non-citizen (e.g., those that originate internally) initiated complaints shall be maintained no less than two years (Government Code § 34090 et seq.).

Sustained complaints shall be maintained in the employee's personnel file. Complaints which are unfounded, exonerated or not sustained shall be maintained by the Professional Standards Unit apart from the employee's personnel file.
Seat Belts

1013.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1013.1.1 DEFINITIONS
Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1013.2 POLICY
It is the policy of the Alhambra Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1013.3 WEARING OF SAFETY RESTRAINTS
All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

It is the intent of this policy that all members wear seat belts at all times. However, sworn officers may dispense with wearing safety restraints in specific tactical situations or when it reasonably appears that, due to unusual circumstances, wearing a seat belt would hinder rather than increase safety (e.g., just prior to the arrival at a crime in progress or when making traffic stops). Officers must be prepared to justify any deviation from this requirement.

1013.4 TRANSPORTING CHILDREN
Children under the age of 8 shall be transported in compliance with California's child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).
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1013.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES
Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1013.6 INOPERABLE SEAT BELTS
Department vehicles shall not be operated when the seat belt in the driver’s position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1013.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS
Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1013.8 VEHICLE AIRBAGS
In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.
Body Armor

1014.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1014.2 POLICY
It is the policy of the Alhambra Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1014.3 ISSUANCE OF BODY ARMOR
The Personnel and Training manager shall ensure that body armor is issued to all officers when the officer begins service at the Alhambra Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Personnel and Training manager shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1014.3.1 USE OF SOFT BODY ARMOR
Generally, the use of body armor is required subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) When officers are assigned to a SWAT Special Response Team (SRT) operation, stakeout, service of felony arrest warrant(s), serving a search warrant, are in uniform or at a location where there is reason to believe a felony suspect may be present, the wearing of a body armor is mandatory.

1. A stakeout, for purposes of this section, is a pre-planned event where time and practicality allow officers to put on body armor in anticipation of encountering armed or dangerous suspects or circumstances.

(d) Body armor must be worn when working in the capacity of a patrol officer or motor officer.

(e) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(f) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
Body Armor

(g) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

(h) Body armor vests are not required to be worn when in uniform at ceremonial events (i.e. Rotary meetings, police academy graduations, award banquets, etc.), or when assigned to a position within the station.

1014.3.2 INSPECTIONS OF BODY ARMOR
Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

1014.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR
Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1014.4 SUPPORT SERVICES COMMANDER'S RESPONSIBILITIES
The Support Services Commander or his/her designee should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates officers about the safety benefits of wearing body armor.
Personnel Records

1015.1 PURPOSE AND SCOPE
This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1015.2 POLICY
It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of California (Penal Code § 832.7).

1015.3 DEPARTMENT FILE
The department file shall be maintained as a record of a person’s employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.
   1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained pursuant to the established records retention schedule and at least two years (Government Code § 26202; Government Code § 34090).
   2. Disciplinary action resulting from a sustained civilian's complaint shall be maintained pursuant to the established records retention schedule and at least five years (Penal Code § 832.5).

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Government Code § 3305).
   1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment within 30 days (Government Code § 3306).
   2. Any member response shall be attached to and retained with the original adverse comment (Government Code § 3306).
   3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment and the member should sign or initial the noted refusal. Such a refusal, however, shall
not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file (Government Code § 3305).

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1015.4 WATCH FILE
The Watch File is maintained in the Watch Commander's Office and should contain, but is not limited to, the following:

a. Record of training and counseling in accordance with Policy 1005.1, Training/Counseling, commendations and other materials intended to serve as a foundation for the completion of timely Performance Evaluations.

b. All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code sections 3305 and 3306.

c. Duplicate copies of items that will also be included in the employee's Personnel and Training File may be placed in this interim file in anticipation of completing any upcoming performance evaluation.

d. Once the employee's Performance Evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy (refer to Policy Manual section 1005.1).

e. Field Training Officer's evaluations of officers in the field training program. Once the officer has completed their formal training phases their evaluations will be transferred to the Personnel and Training File.

f. All rules of confidentiality and disclosure shall apply equally to the Watch File.

1015.5 TRAINING FILE
An individual training file shall be maintained by the Training Manager for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Training Manager or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Manager or supervisor shall ensure that copies of such training records are placed in the member’s training file.
1015.6  INTERNAL AFFAIRS FILE
Internal affairs files shall be maintained under the exclusive control of the Professional Standards Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Professional Standards Unit supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition (Penal Code § 832.12). Investigations of complaints that result in the following findings shall not be placed in the member's file but will be maintained in the internal affairs file:

(a) Not sustained
(b) Unfounded
(c) Exonerated

Investigation files arising out of civilian's complaints shall be maintained pursuant to the established records retention schedule and for a period of at least five years. Investigations that resulted in other than a sustained finding may not be used by the Department to adversely affect an employee's career (Penal Code § 832.5).

Investigation files arising out of internally generated complaints shall be maintained pursuant to the established records retention schedule and for at least two years (Government Code § 26202; Government Code § 34090).

1015.7  MEDICAL FILE
A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
(b) Documents relating to workers’ compensation claims or the receipt of short- or long-term disability benefits.
(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
(d) Medical release forms, doctor’s slips and attendance records that reveal a member's medical condition.
(e) Any other documents or materials that reveal the member’s medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1015.7.1  PERSONNEL DEPARTMENT FILES
A Personnel Department File (medical file) shall be maintained separately from all other files and shall contain all documents relating to the employee's medical condition and history, including but not limited to the following:

(a) Materials relating to medical leaves of absence.
Personnel Records

(b) Documents relating to Workers Compensation claims or receipt of short or long term disability benefits.
(c) Fitness for duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
(d) Medical release forms, doctor's slips and attendance records which reveal an employee's medical condition.
(e) Any other documents or material which reveals the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

The Personnel Department File also consists of copies of evaluations, personnel action forms, application and related materials, promotional materials, etc.

1015.8 SECURITY
Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1015.8.1 REQUESTS FOR DISCLOSURE
Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made (Evidence Code § 1043).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1015.8.2 RELEASE OF PERSONNEL INFORMATION
Personnel records shall not be disclosed except as allowed by law (Penal Code § 832.7; Evidence Code § 1043) (See also Records Maintenance and Release Policy).

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).
The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member’s representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7).

**1015.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS**

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member’s request and the written response from the Department shall be retained with the contested item in the member’s corresponding personnel record (Government Code § 3306.5).

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person’s privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

**1015.10 RETENTION AND PURGING**

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.
(a) During the preparation of each member’s performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

1015.11 RELEASE OF PERSONNEL RECORDS AND RECORDS RELATED TO CERTAIN INCIDENTS, COMPLAINTS, AND INVESTIGATIONS OF OFFICERS

Personnel records and records related to certain incidents, complaints, and investigations of officers shall be released pursuant to a proper request under the Public Records Act and subject to redaction and delayed release as provided by law.

The Custodian of Records should work as appropriate with the Chief of Police or the Professional Standards Unit supervisor in determining what records may qualify for disclosure when a request for records is received and if the requested record is subject to redaction or delay from disclosure.

For purposes of this section, a record includes (Penal Code § 832.7(b)(2)):

- All investigation reports.
- Photographic, audio, and video evidence.
- Transcripts or recordings of interviews.
- Autopsy reports.
- All materials compiled and presented for review to the District Attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer’s action was consistent with law and department policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take.
- Documents setting forth findings or recommending findings.
- Copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.

Unless a record or information is confidential or qualifies for delayed disclosure as provided by Penal Code § 832.7(b)(7) or other law, the following records shall be made available for public inspection upon request (Penal Code § 832.7):
**Personnel Records**

(a) Records relating to the report, investigation, or findings of:

1. The discharge of a firearm at another person by an officer.
2. The use of force against a person resulting in death or in great bodily injury (as defined by Penal Code § 243(f)(4)) by an officer.

(b) Records relating to an incident where a sustained finding (see the Personnel Complaints Policy) was made by the department or oversight agency regarding:

1. An officer engaged in sexual assault of a member of the public (as defined by Penal Code § 832.7(b)).
2. Dishonesty of an officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another officer, including but not limited to any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

A record from a separate and prior investigation or assessment of a separate incident shall not be released unless it is independently subject to disclosure (Penal Code § 832.7(b)(3)).

When an investigation involves multiple officers, the Department shall not release information about allegations of misconduct or the analysis or disposition of an investigation of an officer unless it relates to a sustained finding of a qualified allegation as provided by Penal Code § 832.7(b)(4) against the officer. However, factual information about the action of the officer during an incident or the statements of an officer shall be released if the statements are relevant to a sustained finding of the qualified allegation against another officer that is subject to release (Penal Code § 832.7(b)(4)).

1015.11.1 REDACTION

The Custodian of Records, in consultation with the Chief of Police or authorized designee, shall redact the following portions of records made available for release (Penal Code § 832.7(b)(5)):

(a) Personal data or information (e.g., home address, telephone number, identities of family members) other than the names and work-related information of officers

(b) Information that would compromise the anonymity of complainants and witnesses

(c) Confidential medical, financial, or other information where disclosure is prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force

(d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the officer or another person

Additionally, a record may be redacted, including redacting personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosing it (Penal Code § 832.7(b)(6)).
1015.11.2 DELAY OF RELEASE
Unless otherwise directed by the Chief of Police, the Custodian of Records should consult with a supervisor familiar with the underlying investigation to determine whether to delay disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury due to any of the following conditions (Penal Code § 832.7):

(a) Active criminal investigations
   1. Disclosure may be delayed 60 days from the date the use of force occurred or until the District Attorney determines whether to file criminal charges, whichever occurs sooner.
   2. After the initial 60 days, delay of disclosure may be continued if the disclosure could reasonably be expected to interfere with a criminal enforcement proceeding against an officer or against someone other than an officer who used the force.

(b) Filed criminal charges
   1. When charges are filed related to an incident where force was used, disclosure may be delayed until a verdict on those charges is returned at trial or, if a plea of guilty or no contest is entered, the time to withdraw the plea has passed.

(c) Administrative investigations
   1. Disclosure may be delayed until whichever occurs later:
      (a) There is a determination from the investigation whether the use of force violated law or department policy, but no longer than 180 days after the date of the department’s discovery of the use of force or allegation of use of force
      (b) Thirty days after the close of any criminal investigation related to the officer’s use of force

1015.11.3 NOTICE OF DELAY OF RECORDS
When there is justification for delay of disclosure of records relating to the discharge of a firearm or use of force resulting in death or in great bodily injury during an active criminal investigation, the Custodian of Records shall provide written notice of the reason for any delay to a requester as follows (Penal Code § 832.7):

(a) Provide the specific basis for the determination that the interest in delaying disclosure clearly outweighs the public interest in disclosure. The notice shall also include the estimated date for the disclosure of the withheld information.

(b) When delay is continued beyond the initial 60 days because of criminal enforcement proceedings against anyone, at 180-day intervals provide the specific basis that disclosure could reasonably be expected to interfere with a criminal enforcement proceeding and the estimated date for disclosure.

   1. Information withheld shall be disclosed when the specific basis for withholding the information is resolved, the investigation or proceeding is no longer active, or
no later than 18 months after the date of the incident, whichever occurs sooner, unless:

(a) When the criminal proceeding is against someone other than an officer and there are extraordinary circumstances to warrant a continued delay due to the ongoing criminal investigation or proceeding, then the Department must show by clear and convincing evidence that the interest in preventing prejudice to the active and ongoing criminal investigation or proceeding outweighs the public interest for prompt disclosure of records about use of serious force by officers.

In cases where an action to compel disclosure is brought pursuant to Government Code § 6258, the Department may justify delay by filing an application to seal the basis for withholding if disclosure of the written basis itself would impact a privilege or compromise a pending investigation (Penal Code § 832.7(b)(7)).
Special Assignments

1016.1 PURPOSE AND SCOPE
It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

This policy will be followed for all Special Assignments. None of the criteria and guidelines within this policy are intended to limit or restrict the Department's ability or desire to assign eligible sworn Officers where and when appropriate to meet organizational needs.

The assignment of all Special Assignment positions, including, but not limited to the necessary qualifications, the testing and selection process, the duties and responsibilities, and the selection, transfer and removal from the assignment will be at the discretion of the Chief of Police and is subject to the terms and conditions of Department procedures, as determined by the Chief of Police.

1016.2 SPECIAL ASSIGNMENT POSITIONS
Selection and assignment to Special Assignments shall be by the Chief of Police at his/her sole discretion and shall include the following:

- Field Training Officer
- Training Officer
- Personnel Officer
- Detective
- Motor Officer
- K-9 Officer
- Professional Standards
- Police Liaison Officer (C.O.P.P.S., School Resource Officer)
- Any other position designated as a Special Assignment by the Chief of Police

1016.2.1 CREATION OF NEW SPECIAL ASSIGNMENTS
The Chief of Police, or his/her designee, with approval from the Human Resources Director, will create any new Special Assignment in the Department. A new Special Assignment will not be created and filled until a Special Assignment description has been prepared and an appropriate eligibility list established for such new Special Assignment.

1016.2.2 SPECIAL ASSIGNMENT DESCRIPTIONS
(a) The Chief of Police, or his/her designee, with the approval from the Human Resources Director will prepare a description for each Special Assignment.
Special Assignments

(b) Each description will include the title, a brief description of the scope, nature, and responsibility of the Special Assignment, a description of the tasks or duties ordinarily performed in the Special Assignment; a statement of the minimum qualifications considered necessary for proficient performance of the work, including education, experience, training, knowledge, skills, physical characteristics, and any additional eligibility factors considered pertinent. Descriptions are not restrictive. The descriptions, will not be construed as an all-inclusive list of tasks performed; or be interpreted as restricting the assignment of related tasks not specifically listed therein; or as limiting the authority of supervisory personnel to assign, direct and control the work of subordinate sworn Officers. The Department may assign other related duties and responsibilities or otherwise direct the work of sworn Officers.

(c) Revisions to descriptions will be made by the Chief of Police or his/her designee, with the approval of the Human Resources Director.

(d) Each description will identify the date of approval or last revision.

1016.2.3 DURATION OF SPECIAL ASSIGNMENTS

(a) The standard term for a special assignment for all non-management sworn and civilian personnel will be for three (3) years. Extensions may be granted twice for up to a one (1) year period of time each. An eligible sworn Officer may work in the same Special Assignment for a maximum of five (5) consecutive years.

(b) Requests for extensions must be submitted in writing and through the chain of command to the Chief of Police. The request for extension may be initiated by either the individual in the special assignment or by the supervisor of the unit. Extensions must be approved by the Chief of Police.

(c) Canine officers will typically have a tour of duty for the working life of the police service dog. Early release from this commitment may be obtained upon written request by the handler and the approval of the Chief of Police.

(d) Personnel desiring to transfer from any special assignment prior to the completion of the three year term must submit a request in writing through the chain of command to the Chief of Police. The Chief of Police retains the discretion to either approve or deny the requested transfer.

(e) Nothing precludes the Department from temporarily filling a vacancy when an emergency or unanticipated need arises until such time as the selection process can be completed, as set forth in section 1028.5.

1016.2.4 MANAGEMENT RESPONSIBILITY
Enhancing the careers of our personnel, while developing the organization to its full potential, are critical managerial responsibilities. Career and organizational development are both effectively served by diversity of job assignment, training, and education. Special assignments clearly enhance that objective.
None of the criteria and guidelines within this policy are intended to limit or restrict this Department's ability or desire to assign personnel where and when appropriate to meet organizational needs. All special assignments are considered lateral movement within the organization and carry with them no expectation of liberty or property interests.

These guidelines will be followed for all special assignments. The Department will track the terms and rotations of special assignments.

1016.3 SPECIAL ASSIGNMENT/TRANSFER POLICY

Newly hired Police Officers will be assigned to the Patrol Section of the Field Services Division until they demonstrate proficiency in police services. After demonstrating this proficiency, the patrol officer will be given the opportunity to serve in various assignments within the Department.

All non-Patrol Section assignments are considered Special Assignments and all other assignments and transfers shall not be considered permanent and will be made or revoked at the discretion of the Chief of Police.

All transfers will be based upon Departmental need to facilitate efficient operations, fill vacancies and maintain authorized personnel strength within divisions. Effort will be taken to ensure that transfers take place in a manner which minimally disrupts the lives of affected personnel and that sufficient notice of transfer is given so that employees may make plans accordingly. The Assistant Chief shall notify the employee as soon as a decision is made to transfer.

This policy does not pertain to the Police Sergeant classification.

Exceptions: Management staff is exempt. The Chief of Police retains the right to deviate from this rotation/transfer policy when it is in the best interest of the Department.

1016.3.1 ANNOUNCEMENT OF VACANCIES/ACCEPTANCE OF APPLICATIONS

a. If a continuing need for the Special Assignment exists, the Chief of Police will determine, in his/her sole discretion, whether filling the Special Assignment is in the best interest of the Department.

1. If the Special Assignment will be filled, then the Human Resources Department will advertise the Special Assignment for fourteen (14) calendar days by a written announcement setting forth the basic requirements for the assignment, a closing date for acceptance of applications, information where applications and the Special Assignment description can be obtained, and information regarding testing and the selection process.

2. The Human Resources Department will send the written announcement to all sworn Officers electronically to the officers’ work email address. The written announcement(s) of all vacant Special Assignments will be posted on a bulletin board in the Department for fourteen (14) days. The Department will provide a copy of the written announcement to any sworn Officer, who is on a paid or unpaid leave of absence in excess of five (5) days by U.S. Mail to the home address on file with Human Resources. The Personnel Training Manager will also provide telephonic notice of the opening.
3. The Human Resources Director will then initiate the examination process in accordance with section 1028.3.2.

b. As part of an initial screening process, sworn Officers who do not satisfy all of the following eligibility requirements will be disqualified from further consideration at the first step of the recruitment:

1. Must be a full-time sworn Officer holding the position of Police Officer, Corporal or Sergeant;
2. Must have successfully completed the initial probationary period;
3. Must not be on a formal Performance Improvement Plan (PIP);
4. Must have three (3) years of experience as a police officer;
5. Must have received a rating of "meet standard" or better on the two (2) most recent performance evaluations and,
6. Any additional eligibility requirements of the Special Assignment, as set forth in the description.

c. For all recruitments, Special Assignment applications will be available in the Human Resources Department and online through the City’s website. Applications will be collected by the Human Resources Department until the closing date specified in the announcement for acceptance of applications.

d. Applicants will be required to submit a completed Special Assignment application and any required supplemental material(s) specific to the Special Assignment, to the Human Resources Department prior to the closing date specified in the announcement for acceptance of application. The Human Resources Department reserves the right to change or modify the Special Assignment application and the required supplemental material(s) for any Special Assignment.

e. After submission, the Human Resources Department will certify that the applicant has submitted a complete and timely Special Assignment application and has provided all required supplemental material(s). Applicants who fail to submit a complete and timely Special Assignment application and required supplemental material(s) will not be allowed to proceed to the examination.

f. All Special Assignment applications and accompanying materials and documentation will be retained in an electronic format by the Human Resources Department in accordance with City and Department retention policies.

g. An applicant who wishes to apply for multiple Special Assignments must participate in each respective examination process and must meet the requisite criteria and qualifications for each Special Assignment applied for.

1016.3.2 EXAMINATION PROCESS FOR SPECIAL ASSIGNMENTS

(a) All applicants who are certified by the Human Resources Department will proceed to the examination process. The examination process for all Special Assignments is listed below:
Special Assignments

1. Examinations will be conducted and used to aid in the selection of qualified sworn Officers. They will consist of recognized selection techniques that will fairly test the qualifications of candidates and will be job-related. Examinations may include, but are not limited to, written tests, personal interviews, performance tests, physical agility tests, evaluation of daily work performance, work samples or any combination thereof. The Human Resources Director may set minimum standards for all tests.

2. The Chief of Police, with the approval of the Human Resources Director, will determine the selection components that will be used for each examination. Every examination process will include at minimum, an external oral panel interview and internal administrative assessment.

3. External Oral Panel Interview. The Oral Panel Interview is an external process and will be conducted by interviewers and/or raters who are not members or employees of the Department. The Human Resources Department will schedule interviews with each certified applicant.

4. Internal Administrative Assessment. The Administrative Assessment is an internal process conducted by police management as assigned by the Chief of Police. For all Special Assignments, a scored review of the applicant's personnel file for commendations, years of service, two most recent performance evaluations, and the required application materials and documentation for the specific Special Assignment, will be conducted for purposes of determining the applicant's qualifications and suitability for the Special Assignment.

5. Upon scoring of all selection components, the Human Resources Department will place the names of applicants on an eligibility list for the specific Special Assignment and maintain an eligibility list of all tested applicants for each specific Special Assignment, ranked in order of the highest scoring applicant to the lowest scoring applicant, in accordance with the Human Resources Department’s policies and procedures. Eligibility lists for a particular Special Assignment will be maintained separately and will not be combined with another Special Assignment. Applicants with tied scores will be listed in alphabetical order.

1016.3.3 DURATION OF ELIGIBILITY LIST
a. Eligibility lists will become effective upon the Human Resources Director's certification that the lists represent the relative evaluations of the candidates whose names appear on them.

b. Unless otherwise provided in this Policy, eligibility lists for a Special Assignment will remain in effect for a period of six (6) months after the creation of the list, provided that the Chief of Police may extend the period by six (6) months, for a maximum of 12 months. Applicants who are not selected will remain on the list and will maintain their rank for the duration of the list.

c. Whenever the current eligibility list contains two (2) or less names of qualified candidates, the Chief of Police may either select from the eligibility list or establish a new list. Two (2) or less names of qualified candidates available for appointment on an eligibility list constitutes sufficient cause for abolishing an eligibility list. The Human Resources Director may abolish for cause an eligibility list at any time and request a new recruitment and the preparation of a new eligibility list for any Special Assignment.
Special Assignments

1016.3.4 REMOVAL OF NAMES FROM ELIGIBILITY LISTS
a. The Human Resources Director may remove the name of any eligible candidate from an eligibility list for any of the following reasons:

1. On evidence that the eligible candidate cannot be located by postal authorities. Failure to reply within five (5) business days to a letter requesting information as to availability for appointment, or failure to notify the Human Resources Director of any change of address resulting in the return of letters without forwarding by the U.S. Post Office, will be considered grounds for removal. A candidate who is notified of his/her removal under this section may request in writing that the Human Resources Director restore his/her name to the eligibility list. Such a request may be granted if, in the Human Resources Director's sole discretion, an acceptable reason exists for the candidate's failure to reply to a notice requesting availability for appointment or failure to file a notice of a changed address.

2. Upon receipt of a verbal or written statement from the eligible candidate declining appointment and stating that he/she wishes his/her name to be removed from the eligibility list.

3. If an eligible candidate accepts an offer of Special Assignment.

4. If an eligible candidate leaves the City service.

5. After a determination has been made by the Human Resources Director that the candidate does not meet job-related standards.

1016.3.5 AVAILABILITY OF CANDIDATES
It will be the responsibility of eligible candidates to notify the Human Resources Department in writing of any change of address or other change affecting availability for consideration for appointment.

1016.3.6 SELECTION FROM ELIGIBILITY LIST
a. When a Special Assignment arises, the Chief of Police will request that the Human Resources Department provide the names of eligible applicants on the current eligibility list for the Special Assignment from the Human Resources Department.

1. If there is one Special Assignment opening, the Human Resources Department will provide the Chief of Police with the names of the applicants holding the top three rankings.

2. If there are two Special Assignment openings, for the same Special Assignment, the Human Resources Department will provide the Chief of Police with the names of the applicants holding the top four rankings.

3. If there are three Special Assignment openings, for the same Special Assignment, the Human Resources Department will provide the Chief of Police with the names of the applicants holding the top five rankings.

4. The Chief of Police, or his/her designee, will interview all of the applicants, whose names have been provided by the Human Resources Department, and will select an eligible applicant(s) for the Special Assignment opening(s).
### Special Assignments

**1016.3.7 WRITTEN CONFIRMATION**

An applicant who is selected by the Chief of Police for a Special Assignment will have five (5) calendar days to accept the Special Assignment. The applicant will be required to provide the Chief of Police and/or the Chief of Police's designee with written confirmation of their acceptance. The written confirmation will then be forwarded to the Human Resources Department for filing. The Human Resources Department will remove the applicant from the current eligibility list upon receipt of the applicant's written confirmation.

**1016.4 REQUESTS FOR CHANGE OF ASSIGNMENT**

Personnel wishing a change of assignment are to complete a Request for Change of Assignment memorandum. The form should then be forwarded through the chain of command to their respective Assistant Chief.

**1016.5 SELECTION PROCESS**

Selection of eligible sworn Officers for Special Assignments are made by the Chief of Police. Special Assignments may be filled only by selection from an eligibility list or by a temporary appointment. The Chief of Police may temporarily fill a Special Assignment when an emergency or unanticipated need arises until such time as the examination process can be completed.

**1016.6 REMOVAL FROM SPECIAL ASSIGNMENT POSITION**

All Special Assignment positions will not be considered permanent, are not a vested property right or interest, and may be revoked as a result of disciplinary action, for administrative purposes, or based on the needs of the Department.
Commendations and Awards

1017.1 PURPOSE AND SCOPE
This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Alhambra Police Department and individuals from the community.

1017.1.1 POLICY
It shall be the policy of this department to recognize heroic action, meritorious service, significant and career achievements under the provisions of this order. In order to attain the maximum benefit of the awards policy, it is essential that supervision, line and civilian personnel understand its importance and ensure that significant acts are promptly and properly recognized and reported.

1017.2 POLICY
It is the policy of the Alhambra Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1017.3 COMMENDATIONS
Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1017.4 REPORTING MERITORIOUS ACTS
It shall be the responsibility of each unit employee to report incidents of meritorious conduct and acts of valor involving members of this Department and citizens from the community.

Supervisors, who became aware by whatever means of possible meritorious conduct and acts of valor by members of this Department or citizens from the community, shall investigate the incident and complete a detailed report.

A list of Department and civilian witnesses at the occurrence should be included in the report along with all pertinent facts and circumstances.

Statements of employees and other individuals shall be obtained as soon as possible and include the employee’s and other person’s version of the occurrence with particular attention to awareness, state of mind, perception of danger, and reasoning.

The final report and attachments shall be routed via chain of command to the Chief of Police.

1017.4.1 REVIEW OF RECOMMENDATION FOR DEPARTMENT AWARD
The Chief of Police or his/her designee will review, in conjunction with the captains, all recommendations and determine if acts merit an award of a Departmental Award, and in which classification the award shall be made.

1017.4.2 AUTHORIZED AWARDS
The following four awards are authorized by the Chief of Police.
Commendations and Awards

Departmental Commendation - is for acts of bravery, extraordinary performance of duty, or outstanding performance of service requiring extreme tenacity of purpose and devotion to duty, signed by the Chief of Police and presented by management personnel.

Distinguished Service Award - is given to members of the Alhambra Police Department, for acts above and beyond the call of duty, performed at a great personal risk with the intent of saving life and/or property; and for acts of extraordinary performance of duty or service, presented by the Chief of Police.

Medal Of Valor - awarded by the Alhambra Police Department and given to members of the Alhambra Police Department for acts meeting the following criteria:

(a) The situation was extremely dangerous,
(b) A strong possibility existed that the officer could have suffered serious injury or death,
(c) The officer was cognizant of the immediate peril of great bodily injury either to himself/herself or others,
(d) The officer did not use poor judgment or procedures which created the necessity for his/her act.

Purple Heart – is awarded to any member of the Department who sustains traumatic physical injury in the performance of duty and posthumously to the next of kin in the name of those who gave their life in the line of duty.

1017.4.3 CORRESPONDING UNIFORM RIBBON
Whenever a member of the department is awarded a medal, a corresponding uniform ribbon shall be presented. Members are encouraged to wear the ribbon when in uniform.

(a) The ribbon is to be worn on the left shirt pocket, approximately 1/4 inch below the seam and centered.
(b) Recipients may display their respective medals with ribbons at appropriate civil functions when wearing the Class A dress uniform.
(c) Ribbons awarded from previous departments may be worn in the same manner.

1017.4.4 CORRESPONDING LETTER OF COMMENDATION
Whenever an employee is awarded a medal, an appropriate Department Commendation will be written and signed by the Chief of Police or his/her designee. A copy of the Department Commendation will be maintained in the employee’s permanent file.

1017.4.5 PRESENTATION OF AWARDS AND COMMENDATIONS
Presentations of all awards and commendations will be made at the discretion of the Chief of Police.

1017.5 CITIZEN REPORT OF APPRECIATION
A citizen letter of appreciation, phone call or commendation in person will be documented in a Notice of Supervisory Incident. The supervisor receiving the citizen commendation or the
supervisor of the employee being recognized may request that an additional level of recognition be considered. Such requests shall be made through the chain of command.

1017.6 RECOGNITION OF CITIZEN FOR COMMUNITY SERVICE
Many occasions arise where the efforts of a citizen result in the apprehension of criminals, the prevention of bodily injury, the saving of a life or protection of property.

In order to recognize those citizens, who become involved in the furtherance and/or promotion of a secure and safe environment, the following steps may be initiated:

(a) A letter of appreciation signed by the Chief of Police will be sent to those concerned citizens.

(b) At the Chief’s discretion, citizens deserving of recognition may be recognized by Council Resolution.

(c) The Department Civilian Commendation is for acts of bravery or extraordinary service to the Alhambra Police Department by a member of the public and is presented by the Chief of Police or his/her designee.

1017.7 CRITERIA
A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1017.7.1 DEPARTMENT MEMBER DOCUMENTATION
Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:
   1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
   2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the member submitting the documentation.

1017.7.2 COMMUNITY MEMBER DOCUMENTATION
Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:
Commendations and Awards

1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number
   (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
   (c) The signature of the person submitting the documentation.

1017.7.3 PROCESSING DOCUMENTATION
Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Assistant Chief for his/her review. The Assistant Chief should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Support Services secretary for entry into the member’s personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Support Services Assistant Chief. The documentation will be signed by the Assistant Chief and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual’s actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1017.8 AWARDS
Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- Award of Merit.
- Award of Valor.
- Lifesaving Award.
- Meritorious Conduct.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.
Fitness for Duty

1018.1 PURPOSE AND SCOPE
All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1018.2 EMPLOYEE RESPONSIBILITIES
(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.

(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1018.3 SUPERVISOR RESPONSIBILITIES
(a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.

(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

(d) In conjunction with the Watch Commander and the employee's Assistant Chief, a determination should be made whether or not the employee should be temporarily relieved from his/her duties. If the employee’s Assistant Chief is not available then the Chief of Police shall be notified and will determine whether or not the employee should be temporarily relieved from his/her duties.

(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.
(f) The Chief of Police, at his/her discretion, may assign the employee to Administrative Leave (also refer to Policy Manual § 1019.8 - Administrative Leave).

1. The Chief of Police may assign an employee to inactive duty pending completion of an investigation, the filing of administrative charges, and/or completion of a Fitness for Duty violation.

2. When it is contrary to the best interests of the city for an employee to continue his/her regular duties, the employee may be relieved from regular duty and assigned to inactive duty by the Chief of Police, or his/her designee.

(g) The Chief of Police should notify the Personnel Director and City Attorney whenever an employee is relieved from duty.

1018.4 NON-WORK RELATED CONDITIONS
Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other form of leave in order to obtain medical treatment or other reasonable rest period.

1018.5 WORK RELATED CONDITIONS
Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Watch Commander or unit supervisor and concurrence of an Assistant Chief, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee's conduct appears to be in compliance with policy and, if appropriate.

(b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1018.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police or his/her designee may serve the employee with a written order to undergo a physical and/or psychological examination in cooperation with the Personnel Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

(b) The examining physician or psychotherapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties (Civil Code § 56.10 (c)(8)(A)). If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or psychotherapist
Fitness for Duty

may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)(B)).

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or psychotherapist shall be part of the employee’s confidential Medical File maintained by the Personnel Department.

(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or psychotherapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or psychotherapist may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or psychotherapist, the employee will be notified to resume his/her duties.

1018.7 LIMITATION ON HOURS WORKED
Absent emergency operations, members should not work more than:

- 16 hours in one day (24 hour) period, or
- 32 hours in any 2 day (48 hour) period, or
- 84 hours in any 7 day (168 hour) period.

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1018.8 APPEALS
An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Policy 1019 - Personnel Complaints.
Meal Periods and Breaks

1019.1 PURPOSE AND SCOPE
This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all Police Department employees that has been established by the Chief of Police (also see AMC §§ 2.50.20 and 2.51.010 et Seq.).

1019.1.1 MEAL PERIODS
Sworn employees shall remain on-duty subject to call during meal breaks. All other employees are not on-call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from Communications Section prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City or having received prior approval from a supervisor.

The time spent for the meal period shall not exceed the authorized time of 45-minutes.

Meal breaks during the last one hour of a shift will only be granted under the following conditions with a supervisor's approval:

• The officer was unable to take a meal break earlier in the shift because of a special detail or assignment, or
• The officer requested a meal break earlier and was denied.

Meal breaks are subject to cancellation (even under non-emergent circumstances) at the discretion of the supervisor.

No more than two marked units may be out at the same location during a meal period or break without supervisory approval.

1019.1.2 15 MINUTE BREAKS
Each employee is entitled to a 15 minute break, near the midpoint, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain at the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Sworn field officers will take their breaks, subject to call and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of Communications Section.
Lactation Break Policy

1020.1 PURPOSE AND SCOPE
The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee’s infant child (Labor Code § 1034).

1020.2 POLICY
It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207; Labor Code § 1030).

1020.3 LACTATION BREAK TIME
A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207; Labor Code § 1030). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee’s regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify Communications Section or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1020.4 PRIVATE LOCATION
The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee’s work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207; Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.
Lactation Break Policy

1020.5 STORAGE OF EXPRESSED MILK
Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.

1020.5.1 STATE REQUIREMENTS
Employees have the right to request lactation accommodations. If a break time or location accommodation cannot be provided, the supervisor shall provide the member with a written response regarding the reasons for the determination (Labor Code § 1034).

Lactation rooms or other locations should comply with the prescribed feature and access requirements of Labor Code § 1031.

Employees who believe that their rights have been violated under this policy or have been the subject of discrimination or retaliation for exercising or attempting to exercise their rights under this policy, are encouraged to follow the chain of command in reporting a violation, but may also file a complaint directly with the Labor Commissioner (Labor Code § 1033).
Payroll Record Procedures

1021.1 PURPOSE AND SCOPE
It is the policy of the Alhambra Police Department to accurately report the payroll status and hours worked of employees to the Payroll Department. The responsibility for this payroll function is shared between individual sections and the Accounting Section.

Payroll records are submitted to the Accounting Section on a bi-weekly basis for the payment of wages.

1021.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS
Each Section in the Department is responsible for the accurate and timely submission of payroll records for the payment of wages (also refer to Policy 1038 – Overtime Compensation Requests).
   (a) To record all hours worked on city approved daily time sheets.
   (b) To record all hours of time off, indicating the benefit used.
   (c) To complete the daily time sheet accurately and in a timely manner.

1021.1.2 TIME REQUIREMENTS
All employees are paid on a bi-weekly basis usually on Wednesday with certain exceptions such as holidays.

The daily time sheet shall reflect each employee’s hours worked or indicate the reason that the employee was not on duty (e.g., sick leave, vacation, leave of absence, etc.). The daily time sheet must be approved by an appropriate supervisor and delivered to the Accounting Section no later than 0700 hours on the following Tuesday.

The Accounting Section is responsible for transferring the information on the daily time sheet to the Payroll Department.

1021.1.3 EMPLOYEE RESPONSIBILITY FOR USE OF LEAVE
It is the ultimate responsibility of the employee to request and use time off per Department policy and Memorandums of Understanding. The employee’s payroll check will have a record of available leave time to assist the employee in making this determination.

1021.1.4 DAILY TIME SHEET REVIEW
When processing and approving payroll records, supervisors shall review daily time sheets to ensure that an employee’s hours are accurately reflected on their time card.

1021.2 ACCOUNTING SECTION RESPONSIBILITIES
   (a) The Alhambra Police Department will comply with the City of Alhambra Municipal Code in the distribution of payroll checks to Department personnel. The responsibility for the distribution of payroll checks rests with the Accounting Section.
   (b) Only the designated employee of the Accounting Section will accept delivery of the Police Department payroll checks from the Payroll Department.
(c) Upon receipt, payroll checks will be sorted by the Accounting Section and will be distributed to other designated employees for further distribution within the Department.

(d) Payroll checks will only be delivered to the person whose name appears on the check. In the event an employee is ill, the check may be released to a person designated by the employee. In order to have a check released to another person, the employee must sign a written request. The request may be presented to the Accounting Section by the person receiving the employee’s check.

(e) All payroll checks that remain unclaimed after one week will be returned to the Accounting Section. The Section will return the unclaimed payroll check to the City’s Payroll Department.
Overtime Compensation Requests

1022.1 PURPOSE AND SCOPE
It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time off. In order to be compensated for either, the employee must complete and submit a Request for Overtime Payment as soon as practical after overtime is worked.

If any of the language listed in this policy is contrary to the Alhambra Municipal Code Chapters 250 - Regular Periods of Employment, and 251 - Overtime, the Alhambra Municipal Code will take precedent.

1022.1.1 DEPARTMENT POLICY
Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) shall not be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. All overtime compensation will be handled according to this policy and shall not be flexed. Overtime shall be properly recorded on a Request for Overtime Payment form.

The individual officer may request compensatory time in lieu of receiving overtime payment; however, the employee may not exceed 240 hours of compensatory time. Also refer to AMC § 2.51.020 for compensatory time-off for other Police Department employees.

1022.1.2 LIMITATIONS ON HOURS WORKED
Absent emergency operations, employees should not work more than:

(a) 16 hours in one day (24 hour period), or
(b) 32 hours in any two day (48 hour) period, or
(c) 84 hours in any seven day (168 hour) period.

Except in very limited circumstances employees should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any employee who has exceeded the above guidelines.
Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1022.1.3 REMOTE USE OF CITY TECHNOLOGY DURING NON-SCHEDULED WORK HOURS
Employees whose jobs are governed by the FLSA are classified as being either "exempt" or "nonexempt."

- Nonexempt employees are entitled to overtime pay.
- Exempt employees are not entitled to overtime pay.

Nonexempt employees are prohibited from using remote access to the City’s Technology Resources to conduct work during off-work hours outside their regularly scheduled or normal work hours. Nonexempt employees are permitted; however, on a very limited basis to voluntarily use remote access during non-work hours to check e-mail and/or other communication devices for messages and/or to exchange brief messages for informational purposes only and only for a duration not to exceed more than seven (7) minutes during any work day.

1022.2 REQUEST FOR OVERTIME COMPENSATION
Employees shall submit all overtime compensation requests via a Request for Overtime Payment to their immediate supervisors as soon as practicable for verification and forwarding to the Accounting Section.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

1022.2.1 EMPLOYEES RESPONSIBILITY
Employees shall complete the requests immediately after working the overtime and turn them in to their immediate supervisor or the Watch Commander. Employees submitting a Request for Overtime Payment for on-call pay shall submit cards to their immediate supervisor or, if unavailable, the Watch Commander, the first day after returning for work.

1022.2.2 SUPERVISORS RESPONSIBILITY
(a) The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.
(b) The supervisor shall then forward the Request for Overtime Payment form to their respective manager.
   1. If the original signature is from a rank of lieutenant or above then a second signature is not necessary.
   2. Only a single signature is required by supervisors assigned to the Detective Section.
(c) The manager will forward the approved overtime form to their respective manager for final review.
Overtime Compensation Requests

1022.2.3 DIVISION COMMANDERS RESPONSIBILITY
Assistant Chiefs, after approving payment, will then forward the form to the Chief of Police for review.

1022.3 ACCOUNTING FOR OVERTIME WORKED
Employees are to record the actual time worked in an overtime status on a Request for Overtime Payment form. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid, (e.g., two hours at straight-time for Court stand-by, four hours for outside overtime). The supervisor will enter the actual time worked.

1022.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR
When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<table>
<thead>
<tr>
<th>TIME WORKED</th>
<th>INDICATE ON REQUEST FOR OVERTIME PAYMENT FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 to 37 minutes</td>
<td>1/2 hour</td>
</tr>
<tr>
<td>38 to 60 minutes</td>
<td>1 hour</td>
</tr>
</tbody>
</table>

1022.3.2 VARIATION IN TIME REPORTED
Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the Watch Commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.
Outside Employment

1023.1 PURPOSE AND SCOPE
In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Outside employment shall not be inconsistent with, or in conflict with the employee’s duties in the City or with the duties, functions or responsibilities of the City (Government Code § 1126). Approval of outside employment shall be at the discretion of the employee’s Assistant Chief and Chief of Police in accordance with the provisions of this policy. Final approval for outside employment rests with the City’s Personnel Director (Alhambra Municipal Code § 2.48.130(c)).

1023.1.1 DEFINITIONS
Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1023.1.2 LIABILITY
The City of Alhambra will not assume liability for personnel engaged in outside employment in so far as these employees are acting in a capacity outside the scope of their employment with the City of Alhambra (Penal Code § 70).

1023.2 OBTAINING APPROVAL
No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee’s immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.
Outside Employment

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1023.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten calendar days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the Alhambra Municipal Code.

1023.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment permit, an employee’s conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee’s full time duties until the employee has returned to a full duty status.

1023.3 PROHIBITED OUTSIDE EMPLOYMENT
Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

(a) Involves the employee’s use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

(b) Involves the employee’s receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the
Outside Employment

regular course or hours of employment or as a part of the employee’s duties as a member of this department

(c) Involves the performance of an act in other than the employee’s capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department

(d) Involves time demands that would render performance of the employee’s duties for this department less efficient

1023.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT
Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police, or his/her designee in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.

(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:

1. The officer(s) shall wear the departmental uniform/identification.

2. The officer(s) shall be subject to the rules and regulations of this department.

3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.

4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.

5. Outside security services shall not be subject to the collective bargaining process.

6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1023.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner
Outside Employment

pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1023.3.3 SPECIAL RESTRICTIONS

(a) Except for emergency situations or with prior authorization from the employee’s respective Assistant Chief, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer’s law enforcement status.

(b) Court time resulting from outside employment shall not be compensated by the City of Alhambra. If court time is in conjunction with the employee’s scheduled shift then the employee shall utilize their compensatory time, vacation time or other such leave time as compensation for absence from their assigned duties.

1023.4 DEPARTMENT RESOURCES

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

1023.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

1023.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.
Outside Employment

1023.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY
Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor’s orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police, in consultation with the Personnel Department, determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member’s permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City’s professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee’s failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Alhambra Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.
Military Leave

1024.1 PURPOSE AND SCOPE
The purpose of the policy is to provide procedures for employees’ military deployment and reintegration to the Department. This policy shall apply to military employees who are absent from the Department for a period of 90 days or longer. This shall apply to any branch of military service covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA), and shall be in addition to any other additional benefits as provided by the City of Alhambra. The City will grant all employees leaves of absence to fulfill military service obligations in accordance with the requirements of applicable law.

1024.1.1 DEFINITIONS
Military Support Officer (MSO) – The Personnel and Training Section supervisor or his/her designee shall serve as the liaison between the deployed employee and the Department during his/her absence. The MSO will serve to assist in the care and oversight of the employee’s family and personal matters should the need arise during the employee's deployment. This shall not be construed as giving the MSO any legal authority to act in the employee’s stead unless it has been otherwise provided for in proper legal documentation.

Re-acclimation Process - Gradual, pre-determined steps, which are intended to give returning military employees the opportunity to more comfortably and successfully reintroduce themselves into their positions with the Department after deployment.

1024.2 PRE-DEPLOYMENT PROCEDURES
(a) Any employee seeking a military leave of absence must provide their respective Assistant Chief or his/her designee with advance notice of his/her intent to take a military leave unless advance notice is precluded by military necessity or is otherwise impossible or unreasonable.
(b) The employee will submit a copy of their military orders to their respective Assistant Chief or his/her designee, along with written notification, which will include the following:
   1. Anticipated date(s) of mobilization
   2. Unit name and identification
   3. Commanding Officer’s name, telephone number and e-mail address
   4. Immediate military supervisor’s name, telephone number and e-mail address
   5. Name of the military ombudsman (or equivalent) telephone number and e-mail address
(c) The employee will be advised that the Personnel and Training Section supervisor or his/her designee shall act as their Military Support Officer (MSO).
Military Leave

(d) The MSO will serve as the Department's point of contact and together with the Chief of Police will meet with the employee prior to deployment to discuss information regarding:

1. Employee benefits
2. Salary continuation
3. Any other relevant information which may aid in later reintegration

(e) The Personnel and Training Section supervisor or his/her designee and Chief of Police will provide oversight over the reintegration of military employees into the Department during the exit interview.

(f) Prior to their deployment, the employee shall turn in all issued uniforms and equipment to the Personnel and Training Section supervisor. The uniforms and equipment will be stored in a secure locker during their deployment.

1024.3 DEPLOYMENT PROCEDURES

(a) During the deployed employee’s absence, the Department shall provide support to the employee and his/her family through the Personnel and Training Section supervisor or his/her designee (MSO).

(b) The MSO should:

1. Keep an up-to-date status on the deployed employee and provide that information to the employee's immediate supervisor and up through the chain of command to the Chief of Police. Such information should include the deployed employee's current status, active needs and family needs.
2. Provide current e-mail and address information to the Personnel Department.

(c) The Personnel Training Section supervisor or his/her designee shall maintain a current file on the deployed employee, which should include the following:

1. The status of any certifications
2. Applicable Department training that has been missed
3. E-mail and address information to be made available for other Department members to maintain contact

(d) Department members are encouraged to maintain active contact with the deployed employee. The sending of Department events, newsletters, and other information assists the deployed employee in maintaining an active link with the Agency.

1024.4 REINTEGRATION

(a) Any employee on a military leave of absence, upon completing his/her military service obligation, must return to work in a timely manner as established by applicable laws. Failure to return to work after an approved military leave in a timely manner, falsification of the reasons for taking the military leave or working elsewhere while on the military leave can result in termination of the leave of absence and/or discipline.
(b) Prior to returning to full duty, the returning employee will meet with the Chief of Police for a reintegration interview.

(c) An employee returning from a military leave of absence will be reinstated in accordance with and as required by applicable laws. With some exceptions, an employee returning from a military leave of absence typically will be reinstated without loss of seniority, status or pay and return to either his/her prior position or the position in which the employee would have been employed had his/her continuous service not been interrupted by the military leave. Under certain circumstances, the Alhambra Police Department may require an employee to provide documentation demonstrating his/her eligibility to return to work.

(d) Upon return to work, the employee must provide appropriate documentation regarding the amount of military pay received during the leave, the amount of time served and documentation indicating the type of duty performed.

(e) Returning employees shall be reissued all uniforms and equipment. The employee shall contact his/her immediate supervisor as soon as notice to return to work is received and request re-issuance of all required uniforms and equipment.
Occupational Disease and Work-Related Injury Reporting

1025.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues, and work-related injuries.

1025.1.1 DEFINITIONS
Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, or mental health issue arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

1025.2 POLICY
The Alhambra Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers’ compensation requirements (Labor Code § 3200 et seq.).

1025.2.1 INCIDENTS INVOLVING EMPLOYEES WITH SERIOUS INJURY, DEATH, OR POTENTIAL CRISIS SITUATIONS
The employee’s respective Assistant Chief should remain informed of crisis situations involving their divisional personnel, who may require personal or other professional intervention. Situations of this type may include an employee who is on extended leave due to a serious injury, an employee who has recently had a death in their immediate family, an employee who has lost their home as a result of a natural disaster, etc.

1025.3 RESPONSIBILITIES

1025.3.1 MEMBER RESPONSIBILITIES
Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate (8 CCR 14300.35).

1025.3.2 SUPERVISOR RESPONSIBILITIES

(a) A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

1. Exposures that have no immediate symptoms may need a baseline blood test for future analysis of the employee.

(b) Upon notification, the supervisor or the employee shall call the “Company Nurse” hotline at (877) 223-9310. The Company Nurse will gather the necessary information and assist the injured worker in accessing the appropriate medical treatment.
Occupational Disease and Work-Related Injury Reporting

(c) Supervisors shall ensure that required documents regarding workers’ compensation are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

1. Every injured employee must be provided with an Employee’s Claim for Workers’ Compensation Benefits Form (DWC-1) within 24 hours, regardless of the nature of illness or injury.

(d) Supervisors shall determine whether the Potential Claims, Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1025.3.3 ASSISTANT CHIEF RESPONSIBILITIES
The Assistant Chief who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City’s risk management entity, and the Support Services Assistant Chief to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required in the Illness and Injury Prevention plan identified in the Illness and Injury Prevention Policy.

1025.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review and forward copies of the report to the Human Resources Department.

All Worker Compensation documentation shall be provided to and maintained within the Human Resources Department, in the employees worker’s compensation file. No Worker Compensation documentation or other medical records shall be maintained within the Police Department.

1025.4 OTHER DISEASE OR INJURY
Diseases and injuries caused or occurring on-duty that do not qualify for workers’ compensation reporting shall be documented on a Supervisor’s Report of Injury form, which shall be completed in triplicate and signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Assistant Chief through the chain of command and a copy sent to the Support Services Assistant Chief.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1025.4.1 INCIDENTS INVOLVING EMPLOYEES WITH SERIOUS INJURY, DEATH, OR POTENTIAL CRISIS SITUATIONS
The employee’s respective Assistant Chief should remain informed of crisis situations involving their assigned personnel, who may require personal or other professional intervention. Situations of this type may include an member who is on extended leave due to a serious injury, a member who has recently had a death in their immediate family, a member who has lost their home as a result of a natural disaster, etc.
1025.5 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1025.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL
No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.
Personal Appearance Standards

1026.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, personal grooming shall be in good taste and fashion within the general policy as established by the Chief of Police. Members shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment. It is the responsibility of each Assistant Chief and each member of this Department to ensure compliance with the content and spirit of this section.

Listed below, are the general guidelines for grooming standards that all members of this department shall maintain.

1026.2 GROOMING STANDARDS
Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1026.2.1 HAIR
Hairstyles of all members shall be neat, moderately tapered and cut in a manner that presents a conservative and professional appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance. Hair may not cover any part of the ear. Wigs or hairpieces are permitted if they conform to the above hairstyle standards. Hairstyles and/or wigs and hairpieces shall not interfere within normal wearing of any regulation headgear.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail. Female members not in uniform shall ensure their hair is kept clean, neat, well groomed and shall be worn in a manner which presents a conservative and professional appearance.

1026.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1026.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat. Flared sideburns shall not be permitted.

1026.2.4 FACIAL HAIR
Beards are not permitted for uniformed personnel.
Personal Appearance Standards

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the members respective Division Commander.

1026.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails of all uniformed personnel shall be trimmed so that no point of the nail extends beyond the tip of the finger.

Uniformed officers wearing fingernail polish shall not wear decals or ornamentation. Members shall wear the appropriate and suitable shades and color of fingernail polish.

1026.2.6 JEWELRY AND ACCESSORIES
(a) No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual.
(b) Jewelry, if worn around the neck, shall not be visible above the shirt collar.
(c) Earrings shall not be worn by uniformed members, detectives or special assignment personnel not assigned to station duty without permission of the respective Assistant Chief.
   1. Approved earrings for Female personnel may consist of a post earring, or earring of clip design and conservative in nature. Post earrings shall not exceed two per ear or one per ear for clip earrings.
(d) Only one ring may be worn on each hand of the employee while on-duty.

1026.2.7 CLOTHING CONTAINING SLOGANS OR LOGOS
No clothing may be worn on-duty that has a product endorsement, projects a negative image, represents a conflict of interest or otherwise is contrary to the best interests of the City of Alhambra. Examples include products which are contrary to the City’s Wellness Policy (e.g., alcoholic beverages, cigarettes and products which represent or advertise firearms or other weapons) or controversial slogans and products which create an uncomfortable, controversial or offensive image to the public.

1026.3 TATTOOS
Personnel with tattoos, body art, branding or intentional scarring shall not allow them to be visible whenever on-duty or while representing the City of Alhambra unless specifically approved by the Chief of Police. Appropriate measure shall be taken to cover all of the above-listed items (i.e. covering by long sleeve shirts, trousers during summer months, arm sleeves, or bandages). The employee will have the discretion as to how the tattoo, brand, and/or scarring is concealed, providing that no other departmental policy is violated. Detectives conducting plainclothes investigations may wear clothing that allows for the display of tattoos only during the course of said investigations. However, at no time while on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible.
**Personal Appearance Standards**

**1026.4 BODY PIERCING OR ALTERATION**
Conservative body piercing, which is visible, is allowable as long as no ornamentation is worn by on-duty personnel or while representing the City of Alhambra. Employees will not wear ornamentation such as nose rings, tongue rings or studs, or other unacceptable ornaments (e.g. chain from the ear to nose).

Employees shall not display, nor have visible, any item of jewelry pierced through any part of the body (i.e. nose rings, tongue studs, eyebrow rings or studs, etc.). Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth.
(d) Branding or scarification.
(e) Facial implants.

**1026.5 EXCEPTIONS TO PERSONNEL APPEARANCE STANDARDS**
Personnel assigned to work a duty assignment wherein it is necessary to conceal their identity as police personnel may be excused by their Assistant Chief from the provisions of all or part of these regulations.

**1026.6 EXEMPTIONS**
Members who seek cultural (e.g., culturally protected hairstyles) or other exemptions to this policy that are protected by law should generally be accommodated (Government Code § 12926). A member with an exemption may be ineligible for an assignment if the individual accommodation presents a security or safety risk. The Chief of Police should be advised any time a request for such an accommodation is denied or when a member with a cultural or other exemption is denied an assignment based on a safety or security risk.
Uniform Regulations

1027.1 PURPOSE AND SCOPE
The uniform policy of the Alhambra Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Policy 700 - Department Owned and Personal Property
Policy 1024 - Body Armor
Policy 1044 - Grooming Standards

The Chief of Police shall be the final authority on all matters pertaining to official uniforms, equipment and identification items.

1027.1.1 OFFICIAL RECORDS: UNIFORM AND EQUIPMENT
The Support Services Division Commander or his/her designee shall be responsible for the following:

- All correspondence pertaining to uniforms, weapons and equipment.
- A permanent file of all uniform or equipment exemptions granted by the Chief of Police.
- Personnel records showing issuance and receipt of Department issued equipment and uniform items.

1027.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT
Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, appear professionally pressed and all leather and metal polished.

(b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications as set forth in this Policy Manual.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
Uniform Regulations

(g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.

(j) Mirrored sunglasses will not be worn with any Department uniform.

(k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.

1. Wrist watch

2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand

3. Medical alert bracelet

(l) It shall be the responsibility of all supervisors, managers and executives to assure uniformity of authorized dress of Department personnel.

(m) Uniforms displaying unsightly wear shall be brought to the attention of the employee’s immediate supervisor.

(n) Unless authorized by a Section Manager, the uniform shall only be worn while on-duty. Civilian clothes shall not be worn in combination with any distinguishable part of the uniform while off-duty.

1027.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee’s name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on-duty or when carrying a concealed weapon.

(a) Whenever on-duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Assistant Chief.

1027.3 UNIFORM CLASSES

Authorized uniforms for Department personnel are designated as:

- Class A Uniform
- Class B Uniform
- Class C Uniform
Uniform Regulations

- Ceremonial Uniform
- Specialty Uniform

1027.3.1 CLASS A UNIFORM
The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform shall be midnight blue, wool, poly-wool blend or polyester with military creases and includes:

(a) Long sleeve shirt with a black clip-on tie.
   1. The shirt shall be made of the same type material as the pants.
(b) Black polished dress shoes or leather boots.
   1. Tennis shoes or boots with pointed toes are not permitted.
(c) Department shoulder patches shall be affixed to both sleeves.
(d) The trouser and Sam Browne belts shall be black basket weave leather with a chrome buckle.
(e) Command staff may wear their Ike jacket when in Class A uniform.
(f) Holsters with leg straps are not authorized while wearing a Class A uniform at a ceremonial event.
(g) Officers on-duty and in the field may wear a Class A uniform and a holster with leg straps.
(h) A protective body armor vest is not required to be worn when wearing a Class A uniform to special events, such as funerals or graduations.

1027.3.2 CLASS B UNIFORM
All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

(a) The long or short sleeve shirt may be worn with the collar open. No tie is required
(b) A white or black crew neck T-shirt must be worn with the uniform
(c) All shirt buttons must remain buttoned except for the last button at the neck
(d) Shoes for the Class B uniform may be as described in the Class A uniform
(e) Approved all black unpolished shoes may be worn
(f) Boots with pointed toes are not permitted
(g) Black nylon web-gear is acceptable.
1027.3.3 CLASS C UNIFORM
The Class C uniform may be established to allow field personnel cooler clothing during the summer months or special duty. The Chief of Police will establish the regulations and conditions for wearing the Class C uniform and the specifications for the Class C uniform.

The Class C uniform is approved to be worn by sworn personnel assigned to regular patrol duty May 1st through September 30th. The Class C uniform may be worn beyond these dates at the discretion of the on-duty Watch Commander. Sworn personnel working special assignments may also wear the Class C uniform at the discretion of the assignment supervisor. The Class C uniform shall not be worn by personnel assigned to desk duty, motorcycle patrol, Detective Bureau, or be worn to court. Nor shall it be worn to any function where a Class A or B uniform would be the appropriate choice for the occasion, unless specifically approved by a supervisor.

(a) The Class C uniform shall be a black “Cool Max” polo shirt, with a pocket over the left breast. The Alhambra Police badge shall be 3½” in length and embroidered in a position that is located ¾” above and centered above the left breast pocket.

(b) The pants shall consist of black, polyester/cotton blend, six pockets cargo shorts. The length of the shorts shall be no shorter than one (1) inch above the knee or extend beyond the lowest portion of the kneecap.

(c) The word “POLICE” in ¾” block letters shall be embroidered in white letters over the right breast. The word “POLICE” shall be located 3½” from the right shoulder seam towards the center line of the shirt, and 3¼” from the right sleeve seams on the right front portion of the shirt.

(d) The last name of the officer, in ½” uppercase block white letters, shall be embroidered upon the shirt centered on the right front portion of the shirt, below the word “POLICE.”

(e) Each of the sleeves will have affixed a 3¼” embroidered patch placed 1¾” below the shoulder seam and centered on the sleeve.

(f) Appropriate rank insignias, such as corporal or sergeant, will be affixed to the sleeves below the shoulder patch.

(g) On the back of the polo shirt, the word “POLICE” in 4” white block letters will be affixed and centered between the shoulder blades.

(h) Socks shall be black or navy blue in color.

1. When wearing shorts, black socks shall be worn with low to mid-cut leather shoes.

   (a) Socks will extend over the top edge of the low to mid-cut leather shoes.

(i) Plain black athletic shoes with black laces. No color marking or trim colors are permitted.

(j) Sam Browne belt may be leather or nylon.

(k) Undershirt shall be white or black and have a crew neck when worn with an opened collar uniform. Under no circumstances may a T-shirt extend above the collar or beyond the sleeves of the uniform.
1027.3.4 SPECIALIZED UNIT UNIFORMS
The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

(a) Motorcycle Officers:

1. Class A Uniform - shall conform to the same specifications established for all police officers, except that motor breeches, leather motor boots and the regulation helmet shall be worn in place of the hat when operating a motorcycle.

2. Class B Uniform - shall conform to the same specifications as established for all police officers, except that the regulation breeches, boots and helmet shall be substituted for the regulation trouser, shoes and cap. A black turtle-neck or Dickie may be worn instead of the regulation tie.

3. Class C Summer Uniform - must comply with § 1046.3.3 - Class C Uniform. This uniform may be utilized when the motorcycle officer is operating a police car, rather than a motorcycle. The Class C uniform shall not replace the Class B uniform when operating a Department motorcycle.

(a) In addition to the motorcycle officer’s approved Class A and B uniforms, motorcycle officers are authorized to wear a black colored “BDU” style Class C uniform for assigned perishable motor skills training.

4. Traffic Detail Emblem(s) - shall be a cloth patch embroidered with a wheel and wings. The motor detail shall be a cloth patch embroidered with a wheel and arrow. Emblems shall be worn on each sleeve of the uniform shirt between the shoulder and the elbow 1½” below the bottom of the shoulder patch.

(b) Canine Officers:

1. In addition to the officer’s approved Class A and B uniforms, canine handlers are authorized to wear a black “BDU” style Class C uniform for assigned patrol shifts.

(a) An embroidered name tag and a small embroidered “K-9” insignia shall be stitched on the right breast.

2. A utility/tactical “rip stop” type uniform and optional approved polo shirt may be worn for training sessions and rapid response call-outs, but is not approved for patrol shifts. The tactical ballistic vest may be worn over this uniform.

3. Canine handlers are authorized to wear an optional low-rise nylon tactical holster and utility belt during canine deployments. Regulation nylon or leather “Sam Browne” duty belts and holsters shall be worn during normal patrol assignments.

1027.3.5 FOUL WEATHER GEAR
Rain wear or inclement weather gear is issued by the Department and may only be worn during inclement weather. The respective Division Commander must approve any rain wear or inclement weather gear that has not been issued by the Department prior to it being worn.

(a) Any other rain wear worn at the officer’s option must have prior approval of the Division Commander. Pre-approved rain wear at the officer’s discretion may include baseball
type cap, cover for soft cap, department-approved rain wear, rain boots, colored “BDU” style Class C uniform, etc. - the cost of which shall be incurred by the officer.

(b) Reflectorized clothing may be worn during inclement weather or when directing traffic. All reflectorized clothing must be issued by the department or approved by the respective division commander prior to it being worn (also refer to Policy Manual § 500.5 - High-Visibility Vests).

1027.3.6 UNIFORM AND EQUIPMENT SPECIFICATIONS

(a) Dress belts and “Sam Brownes”

1. The dress belt shall be black "basket weave" leather, approximately 2" in width with a chromium plated buckle or black leather approximately 1" in width with "Velcro" or similar fastener.

2. The "Sam Browne" belt shall be black "basket weave" leather, approximately 2" in width, with a chromium plated buckle.

   (a) For all personnel, a black buckle or "Velcro" closure is optional.

3. All metal hardware on the equipment belt (and accessories) shall be chromium plated. Approval for the use of a specialized weapons belt and holster (nylon type) for specialty details assignments rests with the Division Commander.

(b) Keepers

1. The material make-up of the keepers must match that of the Sam Browne (i.e. only leather keepers on a leather Sam Browne and only nylon keepers on a nylon equipment duty belt).

2. The color of the snaps on the keepers must match the color of the front buckle on the Sam Browne (i.e. chromium plated keeper snaps to match the chromium plated buckle on the Sam Browne).

(c) Key holder (optional)

(d) Flashlight and flashlight holder (optional)

1. All flashlights must be black in color.

(e) A magazine pouch capable of carrying two 40 caliber magazines or four single stack 9mm/.45 caliber magazines (quad style) shall be attached to the Sam Browne equipment duty belt.

   1. Officers electing to carry a personally-owned firearm are responsible for providing the ammunition pouch.

(f) A baton, Monadnock, or ASP baton and baton holder.

   1. Under ordinary field circumstances, the department issued baton or Monadnock will be worn while outside the police unit or when a motor officer is not on their motorcycle.

   2. Officers who opt to wear an ASP baton will wear the ASP baton at all times while in uniform.
Uniform Regulations

3. Only that style of baton may be carried for which the officer has received appropriate training and has been approved and authorized by the Alhambra Police Department.

(g) Portable Radio Holder with Radio

(h) O.C. Spray and Case

(i) Handcuff Case/Single or Double Type. Two handcuff cases may be utilized, evenly spaced, two in the front and two in the back.
   1. Handcuffs are to be carried in the handcuff case and the keys shall be worn on the equipment duty belt as specified.

(j) Keeper Straps are to be evenly spaced, but not more than four inches apart and centered at the middle of the back.

(k) Holster (also refer to Policy 312 - Firearms and Qualifications).
   1. All holsters shall be designed and fitted for the handgun used and equipped with a safety strap. Holsters shall be worn on the side for which they are designed. Holsters shall not be modified from the manufacturer’s design.
   2. All holsters shall be subject to the approval of the Support Services Division Commander regarding the holster’s suitability for the weapon carried.

(l) Knife (optional for all uniformed personnel)
   1. Knives shall be a folding type, not exceed a blade length of 4”, have a single cutting edge, be carried in an approved sheath if visible on the Sam Browne or nylon equipment duty belt, and must be approved by a supervisor prior to carrying it.

(m) Portable recording devices, cell phones, latex glove holders (any other accessories must be black basket weave or conforming to the nylon web gear).

(n) Socks
   1. Shall be black or navy blue in color
   (a) Black crew socks shall be worn with boots or summer short pants.

(o) Shoes
   1. Shall be black in color, plain toed with no designs or engravings
   2. Must be in highly glossed or shined manner
   3. A solid black, soft leather type shoe may be worn with any uniform except Class A.
   (a) Exceptions for motor officers and K-9 officers
   4. A plain black leather athletic type shoe may be worn with any other uniform, except Class A.

(p) Boots
   1. Boots may be worn if maintained in a highly glossed or shined manner.
Uniform Regulations

2. Boots must be black with a plain toe (no steel toes allowed).
3. Motor officers shall wear appropriate safety boots while operating a police motorcycle.
4. K-9 officers shall wear appropriate boots at the discretion of the Division Commander.

(q) Bullet Proof Vest/Body Armor
1. All uniformed sworn employees assigned to field duties shall wear a ballistic vest while performing those duties. Field duties shall include, but not be limited to: routine patrol, special assignments and court appearances. Ballistic vest shall be a Level II or higher.

(r) Notebook
1. Uniformed line personnel, while on-duty, shall carry a pocket style notebook.

(s) Pen/Pencil
1. An ink pen with black or blue ink and a hard lead pencil shall be carried in the pen pocket of the left shirt pocket.

(t) Traffic Citation Books
1. Both traffic violation citation and parking citation books shall be carried.

(u) Portable Recording Devices
1. The portable recording devices may be carried by uniformed line personnel while on-duty.

(v) Gloves
1. Gloves worn by uniform personnel shall be black in color and may be leather or wool.
2. White gloves shall be worn only with Class A uniforms at officially designated ceremonies and special assignments.

(w) Jewelry
1. Peace officers are considered the most visible representatives of government.
   (a) No items of personal adornment shall be worn, which could create a hazardous condition due to size or location worn.
   (b) While in uniform, officers will not wear earrings, ear studs, ear cuffs, nose rings, nose studs, eyebrow rings, eyebrow studs, tongue studs, or necklaces when the necklace is visible above the shirt collar.
   (c) Any other jewelry worn must be conservative, in good taste and receive prior approval from the respective Division Commander and/or Chief of Police.

(x) Sunglasses
Uniform Regulations

1. Sunglasses should be professional in appearance and complimentary to the uniform.
2. Brightly colored frames or mirrored lenses are not authorized.

(y) Headwear
1. Helmets are to be worn at emergency situations requiring protective devices (i.e., riot accessories); at the discretion of the officer or under the direction of a supervisor when in his/her judgment, the circumstances justify additional protections, but not under routine field circumstances (i.e., car stops, pedestrian checks, etc.).
2. The department-approved black baseball caps (Flex-fit/Pro-fit style) with "Alhambra Police" embroidered on the front may be worn in inclement weather, or at the discretion of the division commander. Any other headwear worn is at the discretion of the Watch Commander.
   (a) Baseball caps are not intended for daily uniform use.
   (b) Inclement weather includes rainy days and excessively hot days.
   (c) Baseball caps may also be worn during extended periods of direct exposure to the sun (i.e. directing traffic for prolonged periods, outdoor special events, etc.).

1027.3.7 RANK INSIGNIA
All officers of the rank of Corporal or above shall wear the insignia of their rank as provided in this section.

   (a) Corporal: The regulation two-bar cloth chevron, pewter in color with blue trim, shall be worn on the uniform shirt. The chevron shall be worn on each sleeve with the uppermost portion of the chevron ½” below the lowermost portion of the shoulder patch.

   (b) Sergeant: The regulation three bar cloth chevron, pewter in color with blue trim, shall be worn on the uniform shirt. The chevron shall be worn on each sleeve with the uppermost portion of the chevron ½” below the lowermost portion of the shoulder patch.

   (c) Lieutenant: The specified single pewter in color metal bar shall be affixed to the center of each side of the shirt collar. The front edge of the bar shall be ½” from, and parallel to, the front edge of the collar.

   1. The specified single pewter in color metal bar shall be affixed to each shoulder of the jacket. It shall be placed with the outer edge five-eighths inch above the sleeve seam. The bar shall be centered over the shoulder seam and parallel to the sleeve seam.

   (d) Commander: The Commander's rank insignia worn on the uniform shirt shall be a single, five-pointed, pewter in color metal star. The star shall be centered between the top and bottom edges of the collar, 3/4” from the collar flap front.
Uniform Regulations

1. The specified five-pointed star shall be affixed to each shoulder of the jacket with the outer edge 1/2" above the sleeve seam. The insignia shall be centered over the shoulder seam.

(e) Assistant Chief: The Assistant Chief’s rank insignia worn on the uniform shirt shall be three, five-pointed, pewter in color metal stars. The stars shall be centered between the top and bottom edges of the collar, 3/4” from the collar flap front.

1. The specified five-pointed stars shall be affixed to each shoulder of the jacket with the outer edge 1/2” above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

(f) Chief of Police: The Chief’s rank insignia worn on the uniform shirt shall be four, five-pointed, pewter in color metal stars. The stars shall be centered between the top and bottom edges of the collar, ¾” from the collar flap front.

1. The specified five-pointed stars shall be affixed to each shoulder of the jacket with the outer edge ½” above the sleeve seam. The insignia shall be centered over the shoulder seam and shall be parallel to the sleeve seam.

1027.3.8 DISPATCHERS/RECORDS/CLERICAL PERSONNEL UNIFORMS

The following items shall constitute the basic uniform for dispatchers and clerical personnel:

(a) Dress Uniform:

1. The Dress uniform shall be worn in lieu of the casual work uniform during official events as determined by the Support Services Manager or the Assistant Chief. The Dress uniform consists of:

1. (a) Navy blue blazer or sweater
(b) Navy blue slacks or skirt
(c) Skirts shall not be more than two inches above the top of the kneecap when standing
(d) White uniform shirt (cotton, long or short sleeve with Alhambra Police Department shoulder patches)
(e) All others. (Chief’s secretary and CAIII’s): white or light blue conservative blouse (female), dress shirt (male)
(f) Navy blue or black business like shoes
(g) Black or navy blue socks (hosiery optional for females)
(h) Navy blue uniform vest
(i) Name tag, badge and award ribbons
(j) Jewelry/accessories shall be conservative and in accordance with 6.0.56(D) of this Policy Manual

(b) Casual Work Uniform:
Uniform Regulations

1. The casual work uniform may be worn in lieu of the dress uniform while employees are assigned to their respective work areas. The casual work uniform consists of:

   1. (a) Navy blue slacks or skirt
   (b) Skirts shall not be more than two inches above the top of the kneecap when standing
   (c) Black business like shoes or black ankle-high tactical boots
   (d) White ankle-high stockings, cotton polo shirt with collar, Alhambra Police Department embroidered on the front left side and the respective employee’s name and rank embroidered on the front right side
   (e) Jewelry/accessories shall be conservative and in accordance with Policy Manual § 1044.2.6 - Jewelry and Accessories.

(c) Part-time Personnel:

   1. In order to maintain the standards of dress throughout the section, personnel serving as part-time clerical assistants in the Records Section will be required to wear Clerical Assistant or Explorer Scout Uniforms, light-blue shirts and midnight blue wool or polyester pants, or other dress as approved by the Section Manager while on-duty.

1027.4 INSEIGNA AND PATCHES

(a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

(b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.

   1. This provision shall not only include the City of Alhambra, but shall recognize service with any law enforcement agency within the United States. Service stripes shall only be worn on the Class A and Class B uniforms.

(c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee’s last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket and the bottom edge touching the top seam of the uniform pocket.
Uniform Regulations

(d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.

(e) Assignment Insignias - Assignment insignias, (FTO, COPPS, etc.) may be worn as designated by the Chief of Police.

(f) American Flag Pin. Flag pins shall be worn centered on the top portion of the left pocket flap.
   1. When wearing an American flag pin, no other flag or ribbon shall be placed above or next to it.

(g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.

(h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

(i) Authorized Medals - Meritorious and Longevity medals, awarded by the Department, are the only medals authorized for display on the uniform. The Chief of Police has the discretion of authorizing the wearing of other medal(s) and insignia.
   1. Recipients of the Medal of Valor or Distinguished Service Award may display the appropriate award insignia centered on the top portion of the left pocket flap. In the event more than one pin is possessed by an officer, they are to be worn centered, side-by-side.
   2. Employees who achieve eligibility and are assigned to a detail not requiring the use of a uniform, may wear the pin on the lapel of a jacket or sweater.
      (a) In the event that both pins are possessed, they are to be worn centered, side-by-side.

(j) Station Security - All personnel within the Alhambra Police Department building are required to wear some form of visible police identification. The display of the Alhambra Police Badge, Access Card with photo or an identification card will meet this requirement. Volunteers, who are not in uniform and temporary personnel, shall also wear their city issued identification.

1027.4.1 MOURNING BADGE
Uniformed employees shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

(a) An officer of this department - From the time of death until midnight on the 14th day after the death.

(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of an out of region fallen officer.

(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
Uniform Regulations

(e) As directed by the Chief of Police.

1027.5 CIVILIAN ATTIRE
There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.

(d) The following items shall not be worn on duty:
   1. T-shirt alone
   2. Open toed sandals or thongs
   3. Swimsuit, tube tops, or halter-tops
   4. Spandex type pants or see-through clothing
   5. Distasteful printed slogans, buttons or pins

(e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee’s assignment or current task is not conducive to the wearing of such clothing.

(f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Alhambra Police Department or the morale of the employees.

(g) When court appearance is not required, appropriate casual attire may be worn with the approval of the Section Manager.
   1. Hawaiian or other type theme shirts are not permitted. Casual pants will be secured with a belt and be consistent with business attire. Levi style pants, blue jeans or shorts are not permitted. Sandals or flip flops are not permitted.
   2. Tank tops, halter tops, tube tops, bare midriff tops are not permitted.

1027.5.1 REQUIRED PLAIN CLOTHES EQUIPMENT AND ATTIRE

(a) Required Equipment - Officers, while on plainclothes duty, except for special assignments and details approved by their supervisor, shall carry the following equipment:
   1. Department Badge and Identification Card
Uniform Regulations

2. Firearm - fully loaded
3. At least one fully loaded spare magazine for the firearm carried
4. Handcuffs and keys
5. Pen (optional; hard lead pencil)
6. Notebook
7. Holster
8. Equipment belt is optional

(b) On-Duty Holsters - shall be of high quality commercial construction, shaped to fit the weapon carried and kept in good condition. Holsters for plainclothes personnel must be approved by the Section Manager and may be:
   1. Inside waist band
   2. Shoulder holster
   3. Outside waistband (belt or paddle mounted)
   4. Ankle (Undercover and backup weapons)

(c) Equipment Belt - shall be of high quality leather and the accessories attached shall be of quality construction and finish. The wearing of the required accessories on the equipment belt shall be in accordance with Section directives. This belt may be worn with the existing trouser belt.

(d) Equipment Concealment - When in civilian clothing, the weapon or holster may be either exposed or concealed to public view, unless special circumstances dictate otherwise.

1027.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS
Unless specifically authorized by the Chief of Police, Alhambra Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Alhambra Police Department to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.
(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
(c) Endorse, support, or oppose, any product, service, company or other commercial entity.
(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.
1027.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

(a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this order as optional shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.

2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (Policy § 700 - Department Owned and Personal Property).

1027.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Alhambra Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Policy Manual or by the Chief of Police or designee.

Alhambra Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Policy Manual or by the Chief of Police or designee.
Gratuities, Solicitations and Special Funds

1028.1 PURPOSE AND SCOPE
To establish guidelines and procedures for the interaction of employees with the public and businesses when it pertains to the solicitation and/or the acceptance contributions, the management of special funds, and restriction of gratuities.

1028.1.1 GENERAL GUIDELINES
When dealing with the public, the conduct of every employee of the Alhambra Police Department is expected and required to be commensurate with the high level of public trust that is placed upon everyone within the law enforcement profession. Any public action, inaction, attitude, or opinion of police personnel, which can be interpreted as being unprofessional or unworthy of public trust can undermine and detract from the public’s respect for this agency. The public's perception and relationship with law enforcement can be quickly disrupted when money, gifts or favors are interjected into the relationship. The following sections define the requirements, restrictions and guidelines pertaining to these and other peripheral issues. This policy is in addition to, and not in lieu of, state laws and City of Alhambra ordinances and policies concerning conflicts of interest and the solicitation or receipt contributions and the restriction of gratuities.

In general, the Alhambra Municipal Code and City Administrative Manual prohibit any employee from soliciting or receiving any gift from persons doing business with the City of Alhambra. Employees shall not seek or accept gratuities of any form where it may be reasonably inferred that the person, business or organization seeks to influence action of an official nature or affect the performance or non-performance of an official duty.

This policy is not meant to preclude the acceptance of:

(a) Free attendance or participation at official functions such as oral boards, open houses, awards ceremonies, banquets, or similar events when the employee attends in their normal or official capacity as a Police Department employee, and

(b) Free meals and/or entertainment that are part of such programs or functions.

1028.2 SOLICITATION OF FUNDS OR SERVICES

(a) No employee, without the expressed written permission of the Chief of Police or his/her designee, shall directly solicit from any person, business, or organization any reward, contribution, discounted merchandise, loan, favor, or gift where there is any direct connection between the solicitation and your departmental membership or employment.

1. With the approval of the Division Commander or Watch Commander, items may be accepted that can be consumed by all employees and are intended for such use by the offering person or organization. Acceptance of gifts intended for the entire department, such as cookies and cakes, that are made available to all personnel, shall not constitute a violation of this policy directive.
2. The City Manager’s approval shall be required in the disposition of gifts that have a fair market value greater than $50.

(b) No employee shall solicit or accept, directly or indirectly, any form of compensation or favor from any person they know, or should know, is under investigation for any crime, or in custody, or from anyone acting on behalf, or in conjunction with any such person.

(c) No employee, without the expressed written permission of the Chief of Police or his/her designee may solicit, establish, control, manage, or participate in any funds on behalf of the APD. An employee, who, as part of their employment responsibilities, has been specifically assigned fiduciary duties, is not in violation of this policy directive.

(d) Any member of the Department who solicits or accepts any contribution or gratuity without the permission of the Chief of Police or his/her designee shall be subject to disciplinary action. In such instances the Chief of Police or his/her designee shall assume responsibility for returning the gratuity or contribution to the donor.

1028.2.1 ABUSE OF POSITION

(a) Use of Official Position or Identification - Employees are prohibited from identifying themselves as police officers or city employees using their official position, official identification cards, patches, city seal, or badges, etc., for personal or financial gain or for obtaining privileges not otherwise available to them except in the performance of duty.

(b) Use of Name, Photograph or Title - Employees shall not permit or authorize the use of their names, photographs, or official titles that identify them as members of the Alhambra Police Department in connection with testimonials or advertisements of any commodity or commercial enterprise.

(c) Interference with Investigations - Employees shall not use their position or knowledge gained by employment with the Department to intervene or interfere with any case or investigation being handled by this Department or any other agency.

(d) Approval Needed for Items for Sale or Distribution - All pins, T-shirts, stationary, business cards, or any other such items representing the Alhambra Police Department are to be approved by the Chief of Police prior to production, use, or display. This includes any use of Department badge, pins, or City logo that could be construed as being endorsed by the management of the Department whether the items are offered for sale or general distribution to members of the Department or the public.

1028.2.2 PROTOCOL FOR ACCEPTANCE OF CONTRIBUTIONS TO THE AGENCY

On occasion, employees may be approached by members of the public or businesses in regards to making a contribution to the agency, or special assignment within the agency. If this should occur the following guidelines shall be followed:

(a) Once the employee has been offered any potential contribution, discount, favor, or anything else of value the employee shall advise the person(s) making this offer that they do not have the authority to accept such an offer. The employee shall advise the person(s) who made the offer that they should contact their respective Division Commander if they wish to make a contribution to the agency,
Gratuities, Solicitations and Special Funds

(b) The employee shall immediately notify their Division Commander, via the chain of command, regarding the offer of any form of contribution to the agency or special assignment within the agency,

c) The Division Commander shall immediately advise the Chief of Police or his/her designee regarding the offer of any form of contribution to the agency or special assignment within the agency.

The Chief of Police or his/her designee is the only employee within the agency who can authorize the acceptance of any form of contribution to the agency. As such, the Chief of Police shall follow the appropriate guidelines established within the city’s policies and procedures regarding the acceptance of contributions.

1028.3 CREATION OF SPECIAL FUNDS WITHIN THE AGENCY

No employee, without the expressed written permission of the Chief of Police, may create any special funds on behalf of or in conjunction with any special assignments (i.e. Canine Team, Special Enforcement Unit), employee groups (i.e. Records Bureau, Communication Center), or any special projects (i.e. Parent Project, Citizen’s Academy, Explorer Post).

Upon receiving the written permission of the Chief of Police or his/her designee the proposed administrators of the special fund shall contact the Accounting Section in a timely manner. The Accounting Section will develop accounting protocols and procedures for the proper administration of the special fund.

At least once per fiscal year after the implementation of a special fund, the Administrative Section shall audit the ledgers of the special fund to ensure compliance with this Policy Manual, the Alhambra Municipal Codes and state laws. If the Accounting Section learns of any irregularities or non-compliance with policies and procedures, the respective Division Commander and the Chief of Police shall be notified as soon as practicable.

1028.4 SOLICITATION OF CONTRIBUTIONS BY CAPA AND/OR EMPLOYEES

The APD and the Chief of Police acknowledge that the City of Alhambra Police Association (CAPA) is the only recognized employee’s bargaining unit, as is established through the Memorandum of Understanding (MOU). As such, it is also acknowledged that CAPA has the authority, subject to applicable state laws and city ordinances, to solicit and receive contributions, gifts, loans, discounted merchandise, or other things of value from the public or businesses. The fact that employees may be involved in conducting solicitations or the acceptance of contributions through the auspices of CAPA necessitates the following guidelines:

(a) No employee, without the expressed written permission of the Chief of Police or his/her designee, may directly solicit or accept from any person, business, or organization any reward, contribution, discounted merchandise, loan, favor, gift, or anything else of value unless it is clearly represented by the employee that such actions are being conducted solely on behalf of CAPA and that these actions are being conducted without any direct benefit to the APD.
Gratuities, Solicitations and Special Funds

(b) No employee, without the expressed written permission of the Chief of Police or his/her designee, may form, represent, or be associated with, either directly or indirectly, any person, business, or organization whose name, acronym, symbol, emblem, business card, or any other representation might lead a reasonable person to believe that the person, business, or organization is connected, either directly or indirectly, with the APD. This section does not apply if the organization in question is CAPA (also refer to Policy Manual § 1052.4 - Permitted Use by Employee Groups.)
Nepotism and Conflicting Relationships

1029.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

1029.1.1 DEFINITIONS
Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee’s annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee’s action, inaction or decisions are or may be influenced by the employee’s personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee’s parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1029.1.2 POLICY
Camaraderie among employees is healthy for the organization and a necessary ingredient in a successful, productive and fulfilling occupation. However, public trust, safety and department morale require that employees avoid even the appearance of a conflict between their professional responsibilities and personal relationships with other employees. Generally, the greatest potential for such a conflict arises from an off-duty social relationship or an outside business interest with a fellow employee. Either situation could lead to a personal or financial interest, which conflicts with a duty-related responsibility.
The avoidance of an actual or potential conflict is particularly acute for supervisors and subordinates, by rank or pay grade, within the same chain-of-command. The authority given a supervisor over a subordinate is a solemn responsibility entrusted to that superior supervisor by the Chief of Police. That trust makes the supervisor an extension of the Chief of Police and demands that every decision made by the supervisor be totally objective, impeccably fair and, above all, devoid of any personal favoritism. If a supervisor, as defined below, enters into a personal or business relationship with a subordinate or fellow officer, the motive for decisions made by that supervisor relative to the subordinate may become suspect and compromise the integrity of those involved. This could lead to a disrupted work environment, reduced production and safety, raise legal issues of hostile work environment or race/gender based discrimination and a decline in morale.

All employees should avoid situations that give rise to an actual or apparent conflict between their professional responsibilities and their personal relationships with other employees. However, should such a situation develop, it is the duty of each involved employees to immediately notify their Division Commander either in person or through the chain-of-command. The Department reserves the right to reasonably investigate personal relationships to the extent they are, or have the potential to create a conflict of interest or otherwise impact the workplace. It then becomes the responsibility of that Division Commander to take appropriate action to determine if a conflict exists and if so, to eliminate the conflict, keeping the best interest of both the employees and the Department in mind.

1029.2 RESTRICTED DUTIES AND ASSIGNMENTS
The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940):

(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
Nepotism and Conflicting Relationships

(c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.

(e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

1029.2.1 EMPLOYEE RESPONSIBILITY
Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor. Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, next highest level of supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1029.2.2 SUPERVISOR'S RESPONSIBILITY
Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.
Department Badges

1030.1 PURPOSE AND SCOPE
The Alhambra Police Department badge and uniform patch as well as the likeness of these items and the name of the Alhambra Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1030.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1030.2.1 FLAT BADGE
Sworn officers are issued a flat badge. The issuance of flat badges will be maintained by the Personnel and Training Section. The use of the flat badge is subject to all the same provisions of departmental policy as a uniform badge.

(a) Should the flat badge become lost, damaged, or otherwise removed from the officer’s control, he/she shall make the proper notifications as outlined in the Policy 700 - Department Owned and Personal Property.

(b) An honorably retired officer may keep his/her flat badge upon retirement.

(c) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1030.2.2 NON-SWORN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1030.2.3 RETIREE UNIFORM BADGE
The Chief of Police may issue a badge when a person has honorably retired from the Alhambra Police Department. A police officer will be considered retired if the officer receives a medical retirement or, if after five years of continuous service as a police officer with the Alhambra Police Department, the employee leaves the city’s services, applies for, and immediately thereafter starts receiving retirement benefits.
A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words "Honorably Retired" clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Alhambra Police Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1030.2.4 ISSUANCE OF A "RETIREMENT" FLAT BADGE
Any retiring police officer may request a "Retired" police officer flat badge. All such requests must be made in writing to the Chief of Police. Any medically retired police officer shall automatically meet the tenure requirements to receive a retirement flat badge.

(a) Retirement flat badges will be issued to retiring employees at the discretion of the Chief of Police.

(b) A record of the issued retirement flat badge will be noted in the Badge Control Log with a similar notation in the retiring employee’s Personnel File maintained in the Personnel and Training Section.

1. CCW privileges will also be noted in the Personnel File.

(c) The retirement badge will be flat, with the bottom panel reading "Retired" in place of the employee identification number.

1030.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1030.4 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Alhambra Police Department. The following modifications shall be included:
Department Badges

1. The text on the upper and lower ribbons is replaced with the name of the employee association (City of Alhambra Police Association).

2. The badge number portion displays the acronym of the employee association (CAPA).

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.
Temporary Modified-Duty Assignments

1031.1 PURPOSE AND SCOPE
On occasion, employees might incur an injury or illness that precludes them from performing their regular duties. Further, such instances may impose a financial hardship upon the employee by virtue of insufficient accrued leave or hardship upon the department because of reduced personnel resources. Consequently, it will be the policy of this department for the Chief of Police or his/her designee to consider and evaluate modified duty assignments on a case-by-case basis, in conjunction with an interactive process. The decision of the Chief of Police or his/her designee must be approved by the Personnel Department, which has the final authority in these matters.

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

NOTE: It is the practice of this agency not to have any permanent modified duty assignments, except as expressly granted as a reasonable accommodation following an interactive process.

1031.1.1 DEFINITIONS
Modified Duty -- Means a temporary, limited term assignment not requiring performance of the full range of duties associated with the regular job classification.

1031.2 POLICY
Subject to operational considerations, the Alhambra Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1031.3 GENERAL CONSIDERATIONS
Consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Alhambra Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty
Temporary Modified-Duty Assignments

Assignments are subject to continuous reassessment, with consideration given to operational needs and the employee’s ability to perform in a modified-duty assignment.

If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated. The lack of department need or a change in priorities may result in the employee’s removal from or further modification of a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, working less than full-time (if that is the available modified duty assignment), changing the employee’s work schedule to fit the modified duty assignment, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Sworn officers assigned to modified-duty shall retain their peace officer status. Employees may be required to wear civilian or other appropriate attire during such assignment. The intent of this order is to keep employees working and not subject them to conditions that might aggravate their medical conditions. As such, sworn officers should work within the restrictions of their modified duty assignment, use good judgment and confine direct intervention only to instances that present an immediate and clear jeopardy to life or substantial property loss. Otherwise, the employee on modified-duty should wait for assistance and not subject themselves to possible further injury.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 320 hours in any one-year period.

1031.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Assistant Chiefs or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature of the injury and/or illness (if work related) and probable duration of the illness or injury (whether work related or not).
    1. A statement from the physician must estimate as to a specific date of recovery from the illness or injury to the extent the employee can be returned to full-duty. Such dates can be adjusted based upon accelerated rehabilitation or recovery or a prolonged period due to aggravated circumstances.

(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids or medical devices.

(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.
Temporary Modified-Duty Assignments

The employee’s supervisor may opt to meet with the employee and request additional information regarding potential work restrictions and evaluating the essential job functions of their current assignment.

The Assistant Chief will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Personnel Department or the City Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the employee’s respective Assistant Chief, in consultation with the Chief of Police and approval from the Personnel Department.

1031.5 ACCOUNTABILITY

(a) Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Assistant Chief.

(b) Employees on modified duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee’s appropriate leave time.

(c) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to their supervisor no less than once every 30 days while the employee is on modified duty.

(d) Supervisors shall keep their Assistant Chief apprised of the employee’s status and ability to perform the modified-duty assignment. Modified-duty assignments that extend beyond 320 hours will require a written status report and a request for an extension to the Assistant Chief with an update of the employee’s current status and anticipated date of return to regular duty. Extensions require approval of the Chief of Police or his/her designee and the Personnel Department.

(e) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the Assistant Chief. The Assistant Chief or his/her designee will ensure that all training and certification necessary for a return to duty shall be reviewed and updated as necessary.

1031.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:
Temporary Modified-Duty Assignments

(a) Employees are responsible for working within any job restrictions and promptly notifying their respective supervisor if there are any concerns about working within these restrictions.

(b) A general obligation to engage in the interactive process in good faith, provide reasonable medical documentation (if work related) and information about qualifications.

(c) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(d) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(e) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(f) Submitting a written status report to the Assistant Chief that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment may extend beyond 320 hours.

(g) The employee is required to submit a “fit for duty” status report from their physician to their respective Assistant Chief, prior to reporting for their normal work assignment.

1. All documentation shall be submitted by the Assistant Chief to the Personnel Department.

1031.5.2 SUPERVISOR RESPONSIBILITIES
The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

(a) Periodically apprising the Assistant Chief of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Assistant Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

(d) The employee’s respective Division Commander is responsible for keeping the Personnel Department up to date regarding the employee’s status and providing all documents for the Personnel Department’s Medical File.

1031.6 MEDICAL EXAMINATIONS
Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.
Temporary Modified-Duty Assignments

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with Policy 1032 - Fitness for Duty. Such examinations shall be at the expense of the Department.

1031.7 PREGNANCY
If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1031.7.1 NOTIFICATION
Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave, and pregnancy disability leave.

1031.8 PROBATIONARY EMPLOYEES
Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1031.9 MAINTENANCE OF CERTIFICATION AND TRAINING
Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.
Employee Speech, Expression and Social Networking

1032.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1032.1.1 APPLICABILITY
This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

1032.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Alhambra Police Department will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1032.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the internet. Speech and expression that may negatively affect the safety of the Alhambra Police Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee’s family, or associates.
Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

**1032.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the department’s safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Alhambra Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Alhambra Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Alhambra Police Department or its employees. Examples may include:
   1. Statements that indicate disregard for the law or the state or U.S. Constitution.
   2. Expression that demonstrates support for criminal activity.
   3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Alhambra Police Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department.
for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Alhambra Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).

2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1032.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Alhambra Police Department or identify themselves in any way that could be reasonably perceived as representing the Alhambra Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or officer associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Alhambra Police Department.
Employee Speech, Expression and Social Networking

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty.

However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1032.5 PRIVACY EXPECTATION
Employees forfeit any expectation of privacy with regard to e-mails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook) that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require an employee to disclose a personal user name or password for accessing personal social media or to open a personal social website; however, the Department may request access when it is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

1032.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1032.7 OFFICIAL USE OF SOCIAL MEDIA
All Alhambra Police Department social media sites or pages shall be approved by the Chief of Police and shall be administered by the Support Services Division Commander or his/her
Employee Speech, Expression and Social Networking

definition. Where possible, social media pages shall clearly indicate they are maintained by the Department and shall have department contact information prominently displayed.

(a) Social media content shall adhere to applicable laws, regulations and policies, including all information technology and records management policies.

1. Content is subject to federal and state public records laws. Relevant records retention schedules apply to social media content.
2. Content must be managed, stored and retrieved to comply with open records laws and e-discovery laws and policies.

(b) Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency’s presence on the website. If appropriate, the page should link to the Department’s official website. Social media pages shall be designed for the target audiences such as, but not limited to, youth or potential applicants. Additionally, social media pages should state that the opinions expressed by visitors to the pages do not reflect the opinions of the City of Alhambra or the Alhambra Police Department.

1. Pages shall clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments and personal attacks.
2. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

(c) Alhambra Police Department personnel representing the department via social media outlets shall adhere to the following:

1. Conduct themselves at all times as representatives of the Police Department, adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.
2. Identify themselves as a member of the Alhambra Police Department.
3. Refrain from making statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions. Confidential information, including photographs or videos related to department training, activities or work-related assignments, shall not be posted, transmitted or otherwise disseminated without the expressed written permission of the Support Services Division Commander or his/her designee.
4. Refrain from conducting political activities or private business. Refrain from using personally owned devices to manage the department’s social media activities without the expressed written permission of the Support Services Division Commander or his/her designee.
5. Abide by all copyright, trademark and service mark restrictions in posting materials to electronic media.
1032.8 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.
Illness and Injury Prevention

1033.1 PURPOSE AND SCOPE
The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Alhambra Police Department, in accordance with the requirements of 8 CCR § 3203.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1033.2 POLICY
The Alhambra Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an Illness and Injury Prevention program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1033.3 ILLNESS AND INJURY PREVENTION PLAN
The Support Services Assistant Chief is responsible for developing an illness and injury prevention plan that shall include:

(a) Workplace safety and health training programs.
(b) Regularly scheduled safety meetings.
(c) Posted or distributed safety information.
(d) A system for members to anonymously inform management about workplace hazards.
(e) Establishment of a safety and health committee that will:
   1. Meet regularly.
   2. Prepare a written record of safety and health committee meetings.
   3. Review the results of periodic scheduled inspections.
   4. Review investigations of accidents and exposures.
   5. Make suggestions to command staff for the prevention of future incidents.
   6. Review investigations of alleged hazardous conditions.
   7. Submit recommendations to assist in the evaluation of member safety suggestions.
   8. Assess the effectiveness of efforts made by the Department to meet relevant standards.
Illness and Injury Prevention

(f) Establishment of a process to ensure serious illnesses or injuries and death are reported as required by the Division of Occupational Safety and Health Administration (Cal/OSHA) (8 CCR § 342).

1033.4 SUPPORT SERVICES ASSISTANT CHIEF RESPONSIBILITIES
The responsibilities of the Support Services Assistant Chief include but are not limited to:

(a) Managing and implementing a plan to reduce the incidence of member illness and injury.

(b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:

1. New member orientation that includes a discussion of safety and health policies and procedures.

2. Regular member review of the illness and injury prevention plan.

(c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.

(d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:

1. Informing members of the illness and injury prevention guidelines.

2. Recognizing members who perform safe work practices.

3. Ensuring that the member evaluation process includes member safety performance.

4. Ensuring department compliance to meet standards regarding the following:
   (a) Respiratory protection (8 CCR § 5144)
   (b) Bloodborne pathogens (8 CCR § 5193)
   (c) Aerosol transmissible diseases (8 CCR § 5199)
   (d) Heat illness (8 CCR § 3395)
   (e) Emergency Action Plan (8 CCR § 3220)
   (f) Fire Prevention Plan (8 CCR § 3221)
   (g) Hazards associated with wildfire smoke (8 CCR § 5141.1)

(e) Making available the Identified Hazards and Correction Record form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.

(f) Making available the Investigation/Corrective Action Report to document individual incidents or accidents.

(g) Making available a form to document the safety and health training of each member. This form will include the member’s name or other identifier, training dates, type of training, and training providers.
Illness and Injury Prevention

(h) Conducting and documenting a regular review of the illness and injury prevention plan.

1033.5 SUPERVISOR RESPONSIBILITIES
Supervisor responsibilities include, but are not limited to:

(a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

(b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.

(c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.

(d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Support Services Assistant Chief.

(e) Notifying the Support Services Assistant Chief or his/her designee when:
   1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
   2. New, previously unidentified hazards are recognized.
   3. Occupational illnesses and injuries occur.
   4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
   5. Workplace conditions warrant an inspection.

1033.6 HAZARDS
All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on an Identified Hazards and Correction Record form. This form should be forwarded to the Support Services Assistant Chief via the chain of command.
Illness and Injury Prevention

The Support Services Assistant Chief will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1033.7 INSPECTIONS
Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Support Services Assistant Chief shall ensure that the appropriate documentation is completed for each inspection.

1033.7.1 EQUIPMENT
Members are charged with daily vehicle inspections of their assigned vehicles and of their personal protective equipment (PPE) prior to working in the field. Members shall complete the Identified Hazards and Correction Record form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

1033.8 INVESTIGATIONS
Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

(a) A visit to the accident scene as soon as possible.
(b) An interview of the injured member and witnesses.
(c) An examination of the workplace for factors associated with the accident/exposure.
(d) Determination of the cause of the accident/exposure.
(e) Corrective action to prevent the accident/exposure from reoccurring.
(f) Documentation of the findings and corrective actions taken.
(h) Completion of an Identified Hazards and Correction Record form.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.
**Illness and Injury Prevention**

**1033.9 TRAINING**
The Support Services Assistant Chief should work with the Training Manager to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

(a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.

(b) To all members with respect to hazards specific to each member's job assignment.

(c) To all members given new job assignments for which training has not previously been provided.

(d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.

(e) Whenever the Department is made aware of a new or previously unrecognized hazard.

**1033.9.1 TRAINING TOPICS**
The Training Manager shall ensure that training includes:

(a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.

(b) Use of appropriate clothing, including gloves and footwear.

(c) Use of respiratory equipment.

(d) Availability of toilet, hand-washing and drinking-water facilities.

(e) Provisions for medical services and first aid.

(f) Handling of bloodborne pathogens and other biological hazards.

(g) Prevention of heat and cold stress.

(h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).

(i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.

(j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

(k) Back exercises/stretches and proper lifting techniques.

(l) Avoidance of slips and falls.

(m) Good housekeeping and fire prevention.

(n) Other job-specific safety concerns.

**1033.10 RECORDS**
Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.
Attachments
Hate Crime Checklist.pdf
## HATE CRIME CHECKLIST

**Victim Type:**
- Individual
  - Legal name (Last, First):
  - Other Names used (AKA):
- School, business or organization
  - Name:
  - Type: (e.g., non-profit, private, public school)
  - Address:
- Faith-based organization
  - Name:
  - Faith:
  - Address:

**Target of Crime (Check all that apply):**
- Person
- Private property
- Public property
- Other

**Nature of Crime (Check all that apply):**
- Bodily injury
- Threat of violence
- Property damage
- Other crime:

**Property damage - estimated value**

**Type of Bias**
- Disability
- Gender
- Gender identity/expression
- Sexual orientation
- Race
- Ethnicity
- Nationality
- Religion
- Significant day of offense (e.g., 9/11, holy days)
- Other:

**Actual or Perceived Bias – Victim’s Statement:**
- Actual bias [Victim actually has the indicated characteristic(s)]
- Perceived bias [Suspect believed victim had the indicated characteristic(s)]

*If perceived, explain the circumstances in narrative portion of Report.*

**Reason for Bias:**
- Do you feel you were targeted based on one of these characteristics?
  - Yes
  - No
  - Explain in narrative portion of Report.
- Do you know what motivated the suspect to commit this crime?
  - Yes
  - No
  - Explain in narrative portion of Report.
- Do you feel you were targeted because you associated yourself with an individual or a group?
  - Yes
  - No
  - Explain in narrative portion of Report.
- Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?
  - Yes
  - No
  - Describe in narrative portion of Report.
- Are there indicators the suspect is affiliated with a criminal street gang?
  - Yes
  - No
  - Describe in narrative portion of Report.

**Bias Indicators (Check all that apply):**
- Hate speech
- Acts/gestures
- Property damage
- Symbol used
- Written/electronic communication
- Graffiti/spray paint
- Other:

*Describe with exact detail in narrative portion of Report.*

**Relationship Between Suspect & Victim:**
- Suspect known to victim?
  - Yes
  - No
- Nature of relationship:
- Length of relationship:
  - If Yes, describe *in narrative portion of Report*

**Prior reported incidents with suspect? Total #**

**Prior unreported incidents with suspect? Total #**

**Restraining orders?**
- Yes
- No

*If Yes, describe *in narrative portion of Report*  
Type of order: __________ Order/Case# *

**Weapon(s) used during incident?**
- Yes
- No
  - Type:
- Weapon(s) booked as evidence?
  - Yes
  - No
- Automated Firearms System (AFS) Inquiry attached to Report?
  - Yes
  - No

POST 05/19 (Based on LAPD’s Hate Crime Supplemental Report, used with permission)
## HATE CRIME CHECKLIST

### EVIDENCE
- Witnesses present during incident?  □ Yes  □ No
- Statements taken?  □ Yes  □ No
- Evidence collected?  □ Yes  □ No
- Photos taken?  □ Yes  □ No
- Total # of photos: __________  D#: __________
- Taken by: __________  Serial #: __________
- Recordings:  □ Video  □ Audio  □ Booked
- Suspect identified:  □ Field ID  □ By photo  □ Known to victim

### OBSERVATIONS
- Victim
  - □ Tattoos
  - □ Shaking
  - □ Unresponsive
  - □ Crying
  - □ Scared
  - □ Angry
  - □ Fearful
  - □ Calm
  - □ Agitated
  - □ Nervous
  - □ Threatening
  - □ Apologetic
  - □ Other observations:
- Suspect
  - □ Tattoos
  - □ Shaking
  - □ Unresponsive
  - □ Crying
  - □ Scared
  - □ Angry
  - □ Fearful
  - □ Calm
  - □ Agitated
  - □ Nervous
  - □ Threatening
  - □ Apologetic
  - □ Other observations:

### ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):
- Has suspect ever threatened you?  □ Yes  □ No
- Has suspect ever harmed you?  □ Yes  □ No
- Does suspect possess or have access to a firearm?  □ Yes  □ No
- Are you afraid for your safety?  □ Yes  □ No
- Do you have any other information that may be helpful?  □ Yes  □ No

### MEDICAL
- Victim:  □  □  Declined medical treatment
- Suspect:  □  □  Will seek own medical treatment
- □  □  Received medical treatment
- Authorization to Release Medical Information, Form 05.03.00, signed?  □ Yes  □ No
- Paramedics at scene?  □ Yes  □ No  Unit #: ______
  - Name(s)/ID #: __________________________
  - Hospital: __________________________
  - Jail Dispensary: __________________________
  - Physician/Doctor: __________________________
  - Patient #: __________________________

### Resources offered at scene:
- □ Yes  □ No  Type:

### POST 05/19
Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf
Statutes and Legal Requirements

Items listed in this section include sections from the California Penal Code (CPC), Welfare and Institutions Code (WI) and Government Code (GC).

Definitions

CPC 422.55 - Provides general definition of hate crimes in California.

CPC 422.56 - Provides definitions of terms included in hate crimes statutes.

GC 12926 - Disability-related definitions applicable to some hate crime statutes.

Felonies

Hate Crimes

CPC 422.7 - Commission of a crime for the purpose of interfering with another’s exercise of civil rights.

Related Crimes

CPC 190.2(a)(16) - Homicide penalties related to certain hate crime related acts.

CPC 190.03(a) - Homicide penalties related to certain hate crime related acts.

CPC 288(b)(2) - Sexual assault of dependent person by caretaker

CPC 368(b) - Dependent adult abuse generally - may apply as disability-related hate crime.

CPC 594.3 - Vandalism of places of worship.

CPC 11412 - Causing or attempting to cause other to refrain from exercising religion by threat.

CPC 11413 - Arson or destructive device at place of worship.

Misdemeanors

Hate Crimes

CPC 422.6 - Use of force, threats, or destruction of property to interfere with another’s exercise of civil rights.

CPC 422.77 - Violation of civil order (Bane Act) protecting the exercise of civil rights

Related Crimes

CPC 302 - Disorderly conduct during an assemblage of people gathered for religious worship at a tax-exempt place of worship.

CPC 538(c) - Unauthorized insertion of advertisements in newspapers and redistribution to the public.

CPC 640.2 - Placing handbill, notice of advertisement on a consumer product or product packaged without authorization.

CPC 11411 - Terrorism of owner or occupant of real property. Placement or display of sign, symbol, or other physical impression without authorization, engagement in pattern of conduct, or burning or desecration of religious symbols.
**Enhancements**

CPC 190.2(a)(16) - Special circumstances imposing the Death Penalty or Life Without Possibility of Parole, if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 190.3 - Special circumstances imposing LWOP if the victim was intentionally killed because of sexual orientation, gender, or disability.

CPC 422.75 - Penalty for felony committed because of victim's race, color, religion, nationality, country or origin, ancestry, disability, or sexual orientation shall be enhanced one, two, or three years in prison, if the person acts alone; and two, three, or four years if the person commits the act with another.

CPC 1170.8 - Enhancement for robbery or assault at a place of worship.

CPC 1170.85(b) - Felony assault or battery enhancement due to age or disability.

**Reporting**

CPC 13023 - Requirement for law enforcement agencies to report hate crime data to DOJ.

WI 15630 – Elder and Dependent Adult Abuse Mandated Reporting (may apply in disability-related hate crimes).

**Training and Policy Requirements**

CPC 422.87 - Hate crimes policy adoption and update requirements (AB 1985, Effective January 1, 2019).

CPC 13519.6 - Defines hate crime training requirements for peace officers.

CPC 13519.41 - Training requirements on sexual orientation and gender identity-related hate crimes for peace officers and dispatchers (AB 2504, Effective January 1, 2019).

**Miscellaneous Provisions**

CPC 422.78 - Responsibility for prosecution of stay away order violations.

CPC 422.86 - Public policy regarding hate crimes.

CPC 422.89 - Legislative intent regarding violations of civil rights and hate crimes

CPC 422.92 - Hate crimes victims brochure requirement for law enforcement agencies.

CPC 422.93 - Protection of victims and witnesses from being reported to immigration authorities.

GC 6254 - Victim confidentiality.
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Alhambra Police Department
Alhambra PD Policy Manual

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# Alhambra Police Department

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<td>Portable audio/video</td>
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