PREFACE

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Chapter 2 - Organization and Administration

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Corporal Use in Supervisory Capacity

200.1 PURPOSE

To clarify Department policy and establish Department procedures for the use of police corporals (corporals) and/or police officers (officers) in a supervisory capacity and other duties.

See National City PD policy on Staffing Levels.

200.2 POLICY

In addition to performing the typical duties of a police officer, corporals may perform functional supervision and training duties. Functional supervision may include, but is not limited to, deployment of patrol units in accordance with the needs of the Department; follows up on routine and non-routine service calls and assists and instructs officers in the handling of routine and non-routine cases; conducts or assists in conducting roll call and gives special orders and instructions for the day. Corporals are expected to perform functional supervisory duties in the absence of the squad's sergeant or as directed by a superior officer.

In addition to routine functional supervisory duties, those officers holding the rank of corporal may be used to assume some of the supervisory responsibilities of the sergeant in the temporary absence of a sergeant. At the discretion of the Watch Commander and Chief of Police or designee, such supervisory responsibility in the absence of a sergeant may also be granted to officers who are currently on, or have been on, a prior sergeant's eligibility list. Prior sergeant's eligibility lists shall only be used on those occasions when there is no active sergeant's list available from the Human Resources Department.

(a) Corporals and/or officers will be used in a squad supervisory role only when there is no sergeant available to assume supervision of the squad. It is recognized that a sergeant may exercise supervisory responsibility over more than one squad or unit at a time. It is further recognized that there may be times when it is more prudent to have a sergeant assume supervisory responsibility over a squad or unit.

(b) When a sergeant is not available to assume supervisory responsibility of a patrol squad and a corporal or officer is charged with such duty, the corporal will not be considered toward minimum deployment standards in determining squad strength. If the use of a corporal or officer in a supervisory role causes squad strength to be below minimum deployment levels, another officer will be assigned to "backfill" the squad.

(c) Corporals on probation may be used to assume supervisory responsibility over a squad in the absence of a sergeant at the discretion of the Watch Commander. Further, this section is not designed to limit or diminish the fact that all corporals, regardless of their probationary status, are recognized to hold a rank and with such rank comes duties, responsibilities and expectations that may not be noted in this particular operating procedure. It is preferred, though not mandated, that corporals assigned supervisory responsibility over a squad or unit do so while other sergeants or lieutenants are working, so as to provide any necessary support.

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(d) Corporals and/or officers assuming responsibility for a squad or unit shall limit their supervisory duties to those matters requiring immediate attention. Such individuals may perform the duties of a sergeant to include direct supervision of the squad, approval of police reports, completion of the Watch Commander's log, and other reports as necessary. Generally, the granting of vacations, comp time off or other leave will be deferred to a sergeant or lieutenant. Further, the approval of training requests, the granting of temporary assigned duties, or other special requests should also be deferred. Additionally, corporals and/or officers assuming responsibility of a squad or unit should not be placed in the position of investigating citizen complaints or conducting other administrative investigations; upon receiving a citizen complaint, the corporal or officer shall forward it through the chain of command in accordance with existing policies and procedures.

(e) Corporals assigned by command staff to work a full shift or more as an acting sergeant shall be compensated in accordance with the Memorandum of Understanding (MOU) between the City of National City and the National City Police Officers Association.

(f) This section does not preclude corporals from being moved from a squad or unit as a part of normal rotation or to meet other departmental needs as they may arise (such as the lack of a designated senior officer on a particular squad due to rotation, transfer, etc.), provided such move is consistent with MOU provisions and any other department operating procedures.

(g) The use of a corporal and/or officers to fill the temporary absence of a sergeant is strictly a discretionary decision. Such decision is to be made by the watch commander and the Chief of Police or designee.

Note: This policy is not to be confused with the Acting Sergeant position, which is appointed by the Chief of Police for a designated period of time.

See National City PD policy on Staffing Levels.

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Travel Time for Approved Training

201.1 PURPOSE

To establish a procedure that is consistent, fair, manageable, and reflects the practice and philosophy of the Department for travel time compensation and Department approved training.

See Training Policy for further information.

201.2 POLICY

It is the policy of the National City Police Department to be a conscientious fiscal steward of City funds. To the extent possible, travel time to and from approved training locations will be accomplished through the adjustment of work schedules.Further, it is the policy of the National City Police Department that Department approved training and travel is an extension of, or another component to, the regular and normal “work” of an member.It is recognized and understood that certain circumstances may require that overtime be paid related to training or a combination of travel and training.Those cases will be determined and approved by a lieutenant or higher rank superior consistent with law, the existing M.O.U., and any related Department Operating Procedures.

See Training Policy for further information.

201.3 PROCEDURE

(a) For the purpose of travel time to Department approved training, there are two separate categories (Training within San Diego County does not qualify for travel time):

1. Category 1: Travel to all training sites outside of San Diego County except as described in Category 2.
2. Category 2: Travel by automobile to training sites outside of San Diego County requiring the transportation of specialized equipment. This may include, but is not limited to, firearms, chemical agents, or other equipment requiring special handling procedures and travel by air is not permitted.

(b) Personnel who fly under Category 1 (defined above) will be granted flight time each way plus travel time to reach the training facility, place of lodging and travel to and from the airport. Travel to and from the airport will start from the police department. Travel time to and from the airport outside the county will be calculated from the training facility or place of lodging and end at the police department. Total travel time for both days will not exceed two working days and will be given as “Flex” time off on the member’s final work day prior to the training and the first scheduled work day following the scheduled class. Personnel who are required to drive under Category 2 will be granted one hour of travel time for every 50 miles of travel. The start location will be calculated from the police department and will end at the training facility or place of lodging. The travel distance back to San Diego County will start from the training facility or place of lodging and will end at the police department. Total travel time for both days will not exceed two working days and will be given as “Flex” time off on the member’s

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final day of work prior to the training and the first scheduled work day following the scheduled class. (Note: The department understands that there are circumstances where travel time may be delayed (i.e. – weather conditions, road closures, detours and mechanical issues with department vehicles) and in those cases, the department will provide flex time off equivalent to the actual time required for travel.)

(c) Distance in miles to a training location, airport (place of lodging or training site, whichever is closer) shall be determined by the Training Coordinator using industry standards and available technology and resources. Personnel will notify their command as to how much travel time is required prior to the travel.This will help to facilitate proper staffing.

(d) Commands may consider day off changes to accommodate travel, training and or staffing requirements, provided such changes are consistent with the existing M.O.U., any other related Department Operating Procedures, and the law. In the event an member will have an excess of 80 hours for the pay period as a result of attending training, the Department will adjust the member's work schedule within such 80 hour pay period in terms of "time off," provided such action is consistent with the existing M.O.U., any other Department Operating Procedures, and the law. Overtime can be paid when exceptional circumstances arise. Such overtime expenditure must be approved by a lieutenant or someone of higher rank.

See Training Policy for further information.

201.4 EXPENSE FOR NON-POST TRAINING

Members on approved department non-POST training will use the reimbursement guideline established by the Training Unit.

See Training Policy for further information.

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Chapter 3 - General Operations

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Emergency Protective Orders

300.1 BACKGROUND

Section 546 (b) of the Civil Code was enacted in 1988. Under this section, Emergency Protective Orders (EPO) may be issued "orally, by telephone or otherwise," during times when Superior Court is not in session. A domestic violence victim can request that a police officer prepare an Emergency Protective Order, subject to review and approval of an on-call magistrate. The EPO is valid until the earlier of the following times :

(a) The close of business on the fifth court day following the day of its issuance.

(b) The seventh calendar day following the day of its issuance.

If an incident falls within the definition of being domestic violence related, the utilization of the EPO procedure is appropriate.

Criteria that the magistrate will evaluate when determining the suitability of an EPO include:

(a) The victim/complainant's perception of being in imminent jeopardy;

(b) Whether the incident was assaultive in nature;

(c) Whether the offense committed was a felony or misdemeanor.

The fact that an actual crime may not have been committed does not eliminate the potential need for an EPO. As a practical matter, EPOs should be used in cases where arrest may not be a viable option. Recent violent acts or threats of violence are the only criteria required to request the order. Although it is up to the victim to decide whether a request for an Order should be made, the officer may advise the victim of the existence of the Orders.

See Policy Manual on Domestic Violence policy for further information.

300.2 PROCEDURE

If an officer feels that an Emergency Protective Order is appropriate, he/she will take the following steps:

(a) Complete lines 1-2 and 9-12 on the Emergency Protective Order (form EPO-001);

(b) Contact the on-duty Magistrate at 858-974-2493. Identify yourself and state your purpose. Fill in the name of the judicial officer contacted, and the date and time on line 8;

(c) Pursuant to the orders of the Magistrate, complete the Emergency Protective Order by filling in lines 3-7.

(d) Obtain a case number from Dispatch and record the number in the box on the upper right hand corner of the application;

(e) Make three copies of the completed form.

(f) Give one copy of the EPO to the victim and advise the victim to retain the copy until expiration of the order;

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(g) Emergency Protective Order regulation requires that the officer make a reasonable attempt to serve the restrained party. If the restrained person is served, they shall be issued a copy of the EPO;

(h) Provide a copy of the EPO to Dispatch to be entered the California Restraining and Protective Order System (CARPOS);

(i) The original EPO should be attached to the associated report.

See Policy Manual on Domestic Violence policy for further information.

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Workplace Violence and Security

301.1 POLICY STATEMENT

It is the policy of the City of National City that every employee is entitled to work in a safe environment. To this end, violence or the threat of violence in the workplace will not be tolerated in any form. It is inappropriate to use violence or threats of violence in an attempt to intimidate, prevent work from being completed or in any way interfere with the maintenance of a safe work place. To this end, the City Council adopts the following policy.

Employees are expected to conduct themselves in accordance with the Personnel Rules and Regulations of the City. The City recognizes that individuals may experience difficulties related to their work, their relationships with co-workers, supervisors, superintendents, managers or members of the public. The City offers an Employee Assistance Program (EAP) for all City employees to receive support in handling any personal difficulties that may arise. When such difficulties are known, departments should inform affected employee(s) of the services provided by the EAP.

(a) No employee of the City shall threaten or commit an act of violence toward another employee, the public or property of the City. The City has a “zero-tolerance” policy for any act or threat of violence in the workplace.

(b) All acts or threats of violence will be reported immediately to a supervisor, superintendent, Department Head, the Risk Manager and/or Personnel Director.

(c) All reported acts or threats of violence will be investigated by the department in which the act occurred or, if more than one department is involved, by personnel.

(d) No employee shall bring to the worksite, on their person, or in their belongings or vehicle any non-job related weapon or dangerous material of any type.

(e) Individuals who commit acts or threats of violence are subject to disciplinary action up to and including termination. Even in the absence of prior progressive disciplinary action, violating this workplace safety program may be caused for dismissal from employment.

(f) All employees are responsible for using safe work practices, for following written procedures and policies, and for assisting in maintaining a safe and secure work environment.

See Policy Manual on Discriminatory Harassment/Workplace Violence for further information.

301.1.1 DEFINITIONS

Workplace violence - An intense and extreme behavior used to frighten, intimidate, injure, damage, or destroy another person or property at the place of work. It is usually an expression of anger, and can take the following forms:

(a) Gestures

(b) Innuendo

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(c) Intimidation

(d) Physical force

(e) Retaliation

(f) Rough action

(g) Self-prediction of loss of control

(h) Stalking

(i) Fostering strong negative feeling or emotion

(j) Threats

(k) Violation of another's rights, properties or sensibilities

Threat - A direct or implied expression of intent to inflict physical harm and/or actions that a reasonable person would perceive as a threat to physical safety or property.

The following are some examples of behaviors that may be considered threats. Additionally, because intent may not always be discerned by co-workers, jokes about physical acts of violence will not be tolerated.

(a) Verbal threats are voiced descriptions of what the violent person plans to do, or bizarre statements or actions threatening physical harm often stemming from a perceived work injustice; or

(b) Threatening conduct, such as intimidating others, is showing-off or actually brandishing a weapon or potential dangerous device, or the obsessions, such as apparently nursing a grudge against a co-worker or supervisor or from frustrated romantic interests.

All individuals have the right to self-expression. However, the City will not tolerate abuse of this right.

301.2 ASSIGNMENT OF RESPONSIBILITY

301.2.1 MANAGEMENT

All managers, superintendents and supervisors are responsible for ensuring each employee is aware of the policy and complies with this workplace violence prevention program in their work areas.

The City supports a communication system that promotes and encourages a continuous flow of safety, health and security information between management and employees without fear of reprisal. Within the City it is recognized that in order to maintain a safe, healthy and violence-free workplace, there must be open and two-way communication between all employees, supervisors, superintendents and managers on workplace safety, health and security issues.

301.2.2 EMPLOYEE

Employees are charged with adhering to this City policy against workplace violence.

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301.3 COMPLIANCE

The procedure for ensuring that all employees, including supervisors, superintendents, and managers, comply with work practices that are designed to make the workplace more secure and free of violence, and do not engage in verbal threats or physical actions which create a security hazard for others in the work place, includes:

(a) Informing employees, supervisors, superintendents and managers of the provisions of the Workplace Violence and Security Policy;

(b) Evaluating the performance of all employees for compliance with the Workplace Violence and Security measures;

(c) Recognizing employees who perform work practices which promote security in the workplace;

(d) Providing training and/or counseling to employees whose performance in complying with work practices designed to ensure workplace security is deficient;

(e) Disciplining workers for failure to comply with the Workplace Violence and Security Policy and practices up to and including termination.

301.4 TRAINING

301.4.1 PROCEDURES

All employees, including managers, superintendents and supervisors, shall be instructed on general and job-specific workplace security practices by their immediate supervisor.

All new employees and all other employees, for which instruction has not been provided and documented, shall be instructed on this policy, sign an acknowledgement receipt and comply with the policy.

All employees, supervisors, superintendents and managers shall be re-instructed on this policy whenever the City is made aware of a new or previously unrecognized security hazard, violent behavior or other tendencies on the part of the employee that may lead to violence or security problems.

301.5 INCIDENT INVESTIGATION AND REPORTING

It is the responsibility of the Department Director to report and investigate all threats or acts of violence that occur in their department. The Department Director may designate a manager from within the Department to conduct the investigation. The immediate supervisor in the area where the incident occurred should immediately begin an informal investigation into the matter and prepare the written report of the incident to the Department Director.

301.5.1 REPORTING

A written report shall be completed immediately after the incident of the threat or act of the workplace violence by:

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The employee who the act or threat was committed against and the supervisor/superintendent where the incident took place on a form provided by the Personnel Department. See Occupational Safety or Security Program Incident Report Form attachment.

301.5.2 INVESTIGATING

An investigation, in such detail as may be appropriate, shall immediately follow a report of an act of violence. A written summary of the investigation, and a description of the resolution, if any, shall be issued by the investigating officer/Department Head to both the Risk Manager and Personnel Director.

In investigating an act or threat of workplace violence, the investigating officer shall:

(a) Review all previous incidents involving violence at the workplace, including threats of violence and verbal abuse;

(b) Visit the scene of the incident as soon as possible;

(c) Interview the injured and threatened employees and witnesses;

(d) Examine the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator;

(e) Determine the cause of the incident;

(f) Take corrective action to prevent the incident from recurring; and

(g) Record the findings and corrective actions taken, to include any disciplinary action taken or proposed.

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Official Department Website - Use of

302.1 PROCEDURES

(a) Website Manager

1. The Backgrounds/Internal Affairs (IA) Sergeant is the website manager.
2. The Backgrounds/IA Sergeant will be responsible for general website maintenance.
3. The Backgrounds/IA Sergeant will ensure the information on the website is accurate and timely.

(b) Posting of general employment information

1. As a general rule, the Backgrounds/IA Sergeant will have the discretion to post the following information:
   (a) Employment opportunities within the police department.
   (b) Benefit package information to enhance police personnel recruitment.
   (c) Test dates.
   (d) Recruitment dates and locations.
   (e) General employment application information.
   (f) General volunteer application information.

(c) Posting of department messages and photographs

1. As a general rule, the following is to be approved by the Chief of Police or designee prior to posting on the website:
   (a) Photographs.
   (b) Messages or information relating to the department's and/or City's mission or activities.
   (c) Information relating to job descriptions, duties, and responsibilities.
   (d) Press releases.
   (e) Community alert messages.
   (f) Crime data/statistics.
   (g) Website graphics.
   (h) Links to other websites.
   (i) All items not listed or implied in this policy.

(d) Request process

(a) Department employees can request to have information posted on the website.

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(b) Requests to post information listed in Section C will be made via email to the Backgrounds/IA Sergeant including an email attachment of the information or photograph requesting to be posted on the website.

(c) The Sergeant shall receive approval from the Chief of Police or his designee prior to posting the items on the website.

See Policy Manual on Department Use of Social Media for further information.

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Registration of Gang Members

303.1 PURPOSE AND SCOPE

Penal Code § 186.30 allows the court to order gang members to register with local law enforcement agencies. The Gang Enforcement Team supervisor will be responsible for handling all gang registration within the jurisdiction of the National City Police Department.

Registrants appearing at the station will be provided a copy of the Gang Registration Form (PD-670) and that directs them to register at the station front counter. To schedule an appointment for registration, contact the Gang Enforcement Team supervisor. Personnel from the Gang Enforcement Team, or authorized designee, will print, photograph and interview registrants in accordance with Penal Code § 186.30.

See Policy Manual on Registered Offender Information for further information.

303.2 PROCEDURE

The following is the step-by step procedure for Gang Registration:

(a) The registrant is given instructions by front counter personnel.

(b) Front counter personnel will call a designated gang detective. The detective handling the registrant will respond to conduct the interview.

(c) If required, the interviewer will take major case prints.

(d) The interviewer will take line-up quality photos and photos of all major tattoos.

(e) The interviewer will fill out the Registration Form (PD 671), See attachment for PD 671 Registration Notification Statement Form (PD 671A) See attachment: PD671A.pdf , Registration Interview Form (PD-672) and Registration Receipt Form (PD 673). The registrant will be advised that the registration receipt will be mailed within seven business days (the receipt may be used for proof of registration for their parole or probation officer.

(f) The interviewer will provide a copy of the Registration Form (PD 671, 671A) and Interview (PD 672) to the detective handling the gang file. The original forms, photos and prints will be placed in a manila case jacket and given to the designated gang detective.

(g) The information, including photos, will be entered into the authorized law enforcement computer system by either a gang detective or a crime analyst. On subjects that are not documented in the system, the detective will follow-up on possible documentation.

(h) A Registration Receipt (PD 673) will be mailed to the registrant within seven business days.

(i) A designated gang detective will file the jacket in the registration file and the Interview Form (PD 672) in a separate file.

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(j) Court minutes will be forwarded to a designated gang detective. Calendaring will be used to show the 10 day requirement. When 10 days are up, the information will be given to a gang detective for violation of the registration requirement.

(k) Return receipts will be forwarded to a designated gang detective to be logged for follow-up on the address for a possible registration violation.

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Registration of Classified Criminal Offenders

304.1 PURPOSE AND SCOPE

To establish guidelines for the handling of persons required to register as criminal offenders.

See Policy Manual on Registered Offender Information for further information.

304.2 POLICY

Personnel of the National City Police Department shall adhere to all laws, regulations and department policy and procedures relating to obtaining, disseminating, and data entry of criminal registrant information. The police department has an obligation to protect the public from certain designated offenders. These procedures will define and guide those obligations.

See Policy Manual on Registered Offender Information for further information.

304.3 ACCESS

All sworn Police Officers, Reserve Officers, records personnel (excluding volunteers), CAU personnel and communications personnel will have viewing access to the San Diego County Regional Registration System (REG-REG). Only the records personnel will have edit/entry access to REG-REG. This is to ensure integrity in the database required by law.

See Policy Manual on Registered Offender Information for further information.

304.4 PROCEDURE

See Policy Manual on Registered Offender Information for further information.

304.4.1 RECORDS

(a) When a person comes to NCPD and requests to register as a criminal offender, records personnel shall request a valid form of government identification. If a person does not have identification, records personnel can make suggestions to the person to obtain identification, but records personnel shall not decline a person's request to register because the person lacks identification.

(b) Records personnel shall request proof of residency from the registrant. Proof of residency is a California driver's license, California identification card, rent or utility receipts, personal checks, bank statements or other corroborative information deemed reliable by records personnel. Records personnel shall not decline a person's request to register because the person lacks proof of residency. Records personnel shall inform the person that he has 30 days to provide proof of residency, per 290(e)(2)(E) PC. Once the person brings in proof of residency, records personnel must make an entry into the person's registrant file that residency was proven on the given date. Residency must be proved every annual update and every change of address.

(c) If the person is registering with NCPD for the first time, records personnel shall have the person complete the DOJ-8102S form. Records must make sure the

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information provided on the 8102S form is valid, complete and legible. Once the form is completed, records personnel will enter the provided information into REG-REG. Records personnel will print pages 1 through 5 of the registration forms. The person will read and sign pages 1 through 5, and initial the appropriate registration requirements on pages 3 through 5. Records will prepare a temporary receipt of registration for the person, take a digital photo of the person and fingerprint the person if required. Records personnel will prepare a permanent registration receipt and mail it to the person within 10 days. Transient registration receipts will be valid for a period of 30 days.

(d) If the person has registered with NCPD in the past, records personnel shall print out the existing REG-REG form and have the person make the appropriate changes. Records will enter the updated information into REG-REG. Records will prepare a temporary receipt for the person, take a digital photo of the person and fingerprint the person if required. Records personnel will prepare a permanent registration receipt and later mail it to the person within 10 days. Transient registration receipts will be valid for a period of 30 days.

(e) Once the person has completed the registration process, records personnel have three days to enter the information into California Sex Arson Registry (CSAR) (per PC 290.015 (b)) and forward the updated photo to DOJ (via CalPhoto). A second copy will be forwarded to CAU without delay.

(f) Records personnel will periodically receive audit forms from patrol officers. Records is responsible for entering the information provided on the audit into the person's REG-REG file. If it is indicated that a registrant has moved out of National City, records will cause that file to be reclassified as inactive. Records must forward a copy of any updated registrant form to CAU.

See Policy Manual on Registered Offender Information for further information.

304.4.2 SEX OFFENDERS

(a) For sex offenders registering for the first time at NCPD, records personnel will run a criminal history on the person to determine if DNA samples have been collected. If it is determined DNA needs to be collected, records personnel will obtain a DNA swab provided by the DOJ.. Records personnel should bethe only employees who will routinely be involved in collecting DNA samples from sex offenders. Records personnel must complete the forms provided in the DOJ DNA kit and mailed to the address provided on the envelope Records will request the desk officer or sex crimes detective to supervise the registrant as the DNA is collected. DNA collection should take place in the interview room in the main lobby. If that room is unavailable, another area should be utilized that is out of the public view.
It is absolutely mandatory the registrant has valid government identification at the time of the DNA collection.

(b) For sex offenders who have registered with NCPD in the past, records shall review the existing CSAR entry contained within the file to determine if DNA needs to be collected. If it is determined DNA needs to be collected, records will obtain a DNA sample. Records personnel should be the only employees who will routinely

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be involved in collecting DNA samples from sex offenders. Records personnel must complete the forms provided in the DOJ DNA kit and mailed to the address provided on the envelope.Records will request the desk officer or sex crimes detective to supervise the registrant as the DNA is collected. DNA collection should take place in the interview room in the main lobby. If that room is unavailable, another area should be utilized that is out of the public view.

(c) When records receives a list from DOJ containing the sex registrants listed in CSAR, records must compare that list to the REG-REG database. Any sex registrants who have moved out of National City will be placed in INACTIVE status in REG-REG. Records will forward a list of those sex registrants no longer in National City to CAU.

See Policy Manual on Registered Offender Information for further information.

304.4.3 PATROL

(a) Patrol officers will receive registration forms in line-up from CAU. The forms will consist of new registrants and registrants that have changed their addresses within National City. The shift supervisor will pass out the registration form(s) to the corresponding beat unit for an audit. The beat officer should go to the registrant's residence and conduct an audit of the offender. The completed audit will then be placed in the records unit's mailbox. Records will enter the updated audit information into the registrant's REG-REG file.

(b) Patrol officers are also expected to use REG-REG to make periodic checks or audits of known offenders. It has been found that apprehension of current offenders and prevention of victimization are substantially enhanced when periodic audits of registrants are completed. When conducting audits, officers should locate any item(s) of dominion and control which confirm residency, per 290(e)(2)(E) PC.

(c) If a patrol officer discovers a sex offender is in violation of his registration conditions he shall generate a crime case and attempt to locate the offender. The officer shall also note that a crime case has been generated from the audit and forward that information to records for entry into REG-REG.

See Policy Manual on Registered Offender Information for further information.

304.4.4 CAU

(a) Crime analysis unit will receive a copy of the registration form(s) from records personnel. CAU will update any existing entry in ONS or create a new ONS entry for a new offender. The ONS entry shall be completed in a timely manner but no later than 10 working days. CAU will provide a copy of the registration form, 8102S, to the line-up room so it can be disseminated by the shift supervisor. Mere sex registrant updates will not be forwarded to line-up. Only new forms or change of address forms will be forwarded to line-up.

(b) CAU will put an electronic copy of the registration form into the corresponding beat books located in the line-up room. CAU will keep the beat books current when updates are received from records.

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(c) CAU will periodically receive a list from records indicating certain sex registrants have moved from National City. CAU will remove those files from the beat books. These files must then be forwarded to records to be placed in the registrants' files.

(d)

See Policy Manual on Registered Offender Information for further information.

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Firearms: Tactical Rifle Program

305.1 PURPOSE

To establish an optional AR-15/M4 Carbine Rifle Program that allows officers to purchase their own department-approved weapon for on-duty use. This program is intended to be cost neutral while at the same time providing officers the opportunity to utilize a superior tactical carbine/rifle platform.

Tactical Rifle Program

Officers who were approved and completed the requirements for the Department's "Tactical Rifle Program" prior to January 1, 2017, will be allowed to carry their department-approved, personally owned AR-15 M4.223/5.56 rifles on-duty. All other officers will use the department-issued patrol rifle as a support weapon while on-duty.

See Firearms Policy for further information.

305.2 (OPTIONAL) TACTICAL RIFLE PROGRAM

The AR-15/M4.223 caliber tactical carbine (rifle) has proven itself as a useful safety tool in modern policing. This program allows qualified officers the option of a personally owned, department-approved carbine for on-duty use under those circumstances that dictate it as the best tool or option available. Officers shall recognize and consider the full capabilities and limitations of the AR-15/M4 and deploy it accordingly. This weapon is an optional piece of equipment that may be purchased by an eligible sworn police officer with the authorization of the Chief of Police. Only rifle carbines approved by the Department may be used on-duty.

See Firearms Policy for further information.

305.3 ELIGIBILITY AND APPLICATION

The Chief of Police reserves the authority to deny, suspend or revoke participation in this program at any time. As this program is entirely optional, if an officer is not allowed to enter or continue to participate in this program, the Department will not be responsible for any costs incurred by the officer.

A police officer must meet the below listed minimum requirements to participate in this program:

(a) Must be a non-probationary sworn full-time police officer.

(b) Three years of patrol experience as a police officer or equivalent experience.

(c) Received a standard or better rating on most recent performance evaluation.

(d) Submit a memo to the Chief of Police via the chain of command requesting to participate in the program with written supervisory endorsement attached.

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See Firearms Policy for further information.

305.4 AR-15/M4 STANDARDS AND CONFIGURATION

AR-15/M4 carbines and rifles shall be configured in accordance to department standards. Weapons not meeting these criteria will not be approved for duty purchase or use. Since manufacturer's model numbers and names change regularly, it is strongly advised officers wishing to purchase a weapon check with the Rangemaster or his/her designee prior to ordering.

All modifications to the original configuration (OEM) must be approved by range staff prior to installation and must be inspected by range staff after installation. Range staff shall document the modification and inspection in the Department range records.
AR-15/M4 rifles and carbines shall be configured in accordance to the following standards.

See Firearms Policy for further information.

305.4.1 TYPE

AR-15/M4 configuration rifle or carbine, semi-automatic action, 16 to 20 inch barrel length. 16 inch is standard.

305.4.2 APPROVED MANUFACTURERS

Colt, Rock River, LWRC, DPMS, Ruger or Smith & Wesson. All other AR-15/M4 manufacturers will require specific approval and pass inspection by qualified range staff.

305.4.3 FINISH

Parkerized or similar flat finish.

305.4.4 CHAMBER

5.56 mm/.223 Rem (Authorized .223 Rem ammunition only).

305.4.5 STOCKS

Fixed or adjustable.

305.4.6 MAGAZINE

High quality magazines such as Magpul with 10, 20 or 30 round capacity.

305.4.7 IRON SIGHTS

All rifles and carbines must be equipped with iron sights capable of co-witnessing with approved optional electronic or holographic sights.

305.4.8 OPTIONAL ELECTRONIC SIGHTS

Aimpoint, EOTech or Trijicon brands capable of co-witnessing with iron sights authorized as optional equipment. Compatible magnifiers are authorized.

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305.4.9 WEAPON LIGHT
Surefire and Streamlight type weapons systems lights are authorized. The lights shall be of quality construction, securely fixed to the weapon, with all wiring, on/off switches installed in such a manner that they do not interfere with the operation of the weapon.

305.4.10 SLINGS
Single, two or three point systems are authorized. The selection of sling type must be made prior to the initial weapon training.

305.4.11 FORWARD HANDGUARD AND GRIPS
Picatinny or Weaver rail front handguard systems and monolithic upper receiver rail systems of quality construction for mounting of accessories is authorized. A foregrip of sturdy construction attached to the front rail handguard is also authorized. The pistol grip may be replaced with quality Hogue or Magpul type grips offering better comfort, control and grip.

305.5 STORAGE
While the rifle is being carried in a Department vehicle, it will be carried inside

See Firearms Policy for further information.

305.6 ACQUISITION AND REGISTRATION
Previously registered AR-15/M4 assault rifles will only be authorized at the discretion of the Chief of Police. Officers electing to purchase an AR-15/M4 rifle or carbine or receive a previously owned weapon from another state, must do so from a State of California authorized Assault Weapons Dealer. A letter from the Chief of Police authorizing an officer to purchase or receive a rifle defined as an assault weapon will be available from the Office of the Chief of Police. If a weapon qualifies as an “Assault Weapon” per California firearms laws, it must be registered as such.

The weapon must be immediately registered with the State of California pursuant to California Penal Code section 12280(g)(2). Proof of registration must be presented to the range staff at the time the weapon is entered into the officers list of authorized weapons. Once the rifle or carbine is legally registered, it becomes the property of the officer. If the officer retains the weapon upon retirement, termination, or transfer to another agency, all applicable state laws concerning possession of an assault weapon apply.

On December 31, 2010, the California Attorney General issued an official published opinion (No.09-901) stating that a retired (separated) peace officer is not permitted to keep an assault rifle he/she lawfully purchased and registered while serving as an active law enforcement officer.

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See Firearms Policy for further information.

305.7 TRAINING, QUALIFICATION AND MAINTENANCE

Officers authorized to participate in this program must complete a minimum two day POST-approved tactical patrol rifle training course prior to carrying a department-approved AR-15/M4 rifle carbine in the field. Based on availability of training funds for this program, the Department may elect to pay all, a portion of or none of the costs of the course including ammunition. Approval to participate in this program should be obtained prior to submitting a training request for this course.

Current SWAT officers, who have completed the 80 hour basic SWAT course and are qualified with the AR-15/M4 type rifle they intend to use on-duty, shall be exempt from this requirement. Officers must have the weapon inspected and approved by the range staff and qualify bi-annually as required in the Firearms Operating Procedure No. 051.1. Weapons approved for on-duty use shall be armored by certified Department armorers or an armorer approved by the Department on an annual basis.

This is an optional voluntary program and the officer is responsible for the purchase, condition, maintenance and security of the weapon. The Department shall not be responsible for any lost, damaged or stolen weapons, equipment or accessories associated with participation in this program.

See Firearms Policy for further information.

305.8 AMMUNITION

Ammunition will be issued by the Department of the type and caliber authorized in the Department Firearms Operating Procedure No. 051.1 as specified for an AR-15/M4.223 Rem. caliber. No unauthorized ammunition shall be used.

See Firearms Policy for further information.

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Handler Identification

306.1 HANDLER IDENTIFICATION

All K-9 handlers will be issued a badge (2.5 inch replica of an officer's badge). The badge will include the K9 handler's last name and the canine's name on the banners. An identification card and a harness for the canine will be issued to the K9 handler. Both the identification card and badge will be attached to the harness while the dog is in service unless during deployment the harness could become a safety issue for the K-9.

At the end of the K-9 handler's deployment in the unit, the handler will be presented with a shadowbox (dimensions – 12" X 10") containing the K-9 identification card, the K-9 badge and the handler's identification card as acknowledgement of the handler's commitment to the unit and department.

See Canines Policy for further information.

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Bite Injury Reporting and Investigation

307.1 BITE INJURY REPORTING AND INVESTIGATION

Reporting

All bite injuries inflicted by a National City Police Canine, whether accidental or intentional, will be documented by the involved K-9 handler in form of the "Animal Bite Report," PD Form 440. One copy of the Animal Bite Report will be submitted to the K-9 coordinator for review and approval, then a copy will be forwarded to the animal control officer.The Animal Bite Report shall be assigned the same case number as assigned to the related case(s) (crime report, arrest report, etc.).

(a) A separate administrative investigative report (N.C.P.D. “Police Canine Bite Report,” P.D. Form 550) which details the circumstances and injuries associated with the use of the canine will be completed by the involved K-9 handler, reviewed by the on-duty supervisor and forwarded to the K-9 coordinator.No copies of this report will be attached to any other report or included in any other file.This report will be submitted to the supervisor in charge of the Department’s Canine Program who will ensure that it is routed to the lieutenant in command of the Canine Program for his/her review.

1. All photos of injuries will be impounded into Evidence under this report number (the assigned I.A. number). Personal photograph of dog bite injuries are prohibited.
2. This report will be assigned a number by Internal Affairs and kept in an administrative file specific to each canine handler.
3. There will be no copies of this report made or retained.

(b) Investigation

After review of all reports associated with an injury caused by a police canine, it shall be the responsibility of the on duty supervisor, the K-9 coordinator and the lieutenant in command of the Canine Program to review the incident to determine whether or not there were any violations of Department Rules and Regulations, Operating Procedures or any state law.If no violations have occurred, and no further administrative review is necessary, the lieutenant will ensure that the report package is routed to Internal Affairs for filing.

Any necessary review or administrative investigation will be conducted in compliance with guidelines as specified by Department Rules and Regulations, Operating Procedures, the Memorandum of Understanding, Civil Service Rules, City Policies and the Peace Officers’ Procedural Bill of Rights pursuant to Government Code Section 3300, et.seq.

Internal Affairs will provide a yearly total of dog bite injuries to the Chief’s Office.

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Media Relations

308.1 PROCEDURES FOR RELEASING INFORMATION

(a) All members of the Department are encouraged to cooperate fully with authorized news media in providing information to the public about the affairs of this Department in which the public has a legitimate interest.

(b) In situations permitting, the ranking Department member most acquainted with the facts of an incident should be designated to respond to media inquires and to conduct the media briefings. When this is not practicable, a Watch Commander or his/her designee should respond to media questions and conduct any press briefing after he/she has been briefed by officers acquainted with the situation.

(c) The Chief of Police, Division or Watch Commanders have the discretion to contact the on call Public Information Officer and have him/her respond to a scene that is likely to generate a high degree of media coverage. The Public Information Officer will coordinate news releases, briefs, and/or press conferences accordingly.

(d) News releases will be completed on the NCPD Form 90, Rev. 03/2004, (computer template), National City Police Department News Release Form (attachment) made available to the media as warranted.

(e) News releases of upcoming events (warrant sweeps, community functions, ceremonies, etc.) will be completed on NCPD Form PD 91, Rev. 03/2004, (computer template), National City Police Department News Advisory Form (attachment) made available to the media as warranted.

(f) Any member of the Department who generates a press release or a press advisory shall provide a copy to the Chief of Police, Watch Commanders, and the Public Information Officer, with prior notification to the Chief of Police whenever practical.

(g) News releases regarding inter-agency cases will be the responsibility of the agency having primary jurisdiction.

(h) Department members are generally discouraged from providing information to the news media with a request to “hold back” or not to publish information, as the news media is under no obligation to honor such requests.

(i) The Investigations Unit supervisors are responsible for the dissemination of follow up information regarding matters under investigation by their particular units. Except as otherwise provided for in this Procedure, no other member of the Department shall release any information pertaining to cases which are under investigation by any investigative unit of the Department. Previously disseminated news releases by the Department may me reiterated by any Department member.

(j) Restricted Release of Certain Information. Statements of Department policy, official positions of the Department, official responses to criticism of the Department, comments critical of another department/agency/institution or public official, or statements pertaining to pending or ongoing litigation involving the Department shall be made only by the Chief of Police or his designee.

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1. Command personnel may release verbatim excerpts from Department Policies and Procedures, and may quote statutory law which affects the Department.
2. Command personnel may respond to criticism regarding a particular incident or activities by members of the Police Department, except when the criticism has resulted in an Internal Affairs investigation.
3. The release of any information regarding internal investigations of alleged misconduct by members of the Department, or disciplinary actions taken as a result of such investigations is prohibited.
4. The release of any information regarding the employment history or performance of Department members except verification of current assignment shall be made only by the Chief of Police or his designee. Guidelines for the release of personnel information are contained in 832.7 P.C.

See Media Relations Policy for further information.

308.2 INFORMATION WHICH MAY NOT BE RELEASED

(a) Criminal Suspects or Arrested Persons- Prejudicial Information Regarding:

1. Statements or opinions regarding a suspect's character, criminal record or reputation, except to aid in the apprehension of the suspect.
2. The existence or content of any admission or confession.
3. Any refusal by a suspect to make a statement.
4. The performance or result of any examination or test.
5. The testimony or credibility of any prospective witness.
6. Any statement or opinion of the guilt or innocence of a suspect.
7. The names of identities of any juvenile arrested, or listed as a suspect in a crime report.
8. Names and addresses of sex crime victims.
9. Any information known to be admissible as evidence in a trial.

(b) No copies of "rap sheets" or any information obtained from "rap sheets" may be released (section 11142 P.C. and 13303 P.C.)

(c) The names of deceased persons shall not be released to the news media until the next of kin of the decedents have been notified by the Medical Examiner's Office.

(d) Information which would tend to hamper an investigation or disclose a confidential source shall not be released to the news media.

(e) Information which would endanger the safety of a person involved in an investigation shall not be released.

(f) Misinformation or information known to be false shall not be released.

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(g) Residence addresses and phone numbers of Department members shall not be released to the news media.

See Media Relations Policy for further information.

308.3 INFORMATION WHICH MAY BE RELEASED

Most Department information which is not confidential or which would not hamper an investigation or jeopardize anyone's rights can and should be released to the news media.The information which may be released within the law (Government Code Section 6254f) and this Procedure can be generally described as:

(a) Arrestee Information

1. The full name, current address and occupation of every person arrested by the agency.
2. The arrestee's physical description including date of birth, sex, weight, height, and color of hair and eyes.
3. Date and time of arrest.
4. Date and time of booking.
5. Location of arrest.
6. A synopsis of the factual circumstances surrounding the arrest.
7. Amount of bail.
8. Time and manner of release or location where the arrestee is being held.
9. All charges the subject is being held on, including warrants and probation / parole holds.

(b) Incident Information

1. Circumstances surrounding an incident or arrest such as:

(a) Time, substance and location of all complaints or requests for assistance.

(b) Time and nature of response, thereto, including to the extent that such information is recorded.

1. Time, date and location of occurrence.
2. Time and date of report.
3. Name, age and current address of victim, (with the exception of sex crime victims and domestic violence victims, whose names may be withheld).
4. The factual circumstances surrounding the crime or incident.
5. General description of any injuries or weapons involved.
6. Description of resistance or pursuit involved.
7. General description of items seized.

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8. Duration of the investigation and identification of any other law enforcement agencies involved. (Assure the release of this information does not hamper a current investigation.)

9. Names of Department members involved, except undercover officers.

(c) Suspect and incident information seeking public assistance may be released.

1. Any information necessary to obtain public assistance in the apprehension of a criminal suspect.

2. Any information warning the public of danger or of the nature and frequency of crime in the community.

3. Any information which might result in public assistance of any investigation.

4. Any description of the general scope of any investigation.

(d) Photographs or “mugshots” of adults arrested or wanted for serious crimes may be released under the following conditions:

1. To aid in the capture or warn the public of dangerous wanted suspects.

2. The booking numbers or other identification numbers have been removed from the photograph.

3. The Investigations Unit responsible for the case has determined the photo release will not interfere with the investigation, and the appropriate Investigation Lieutenant or higher ranking officer authorizes the release.

(e) The identity of drivers involved in vehicular accidents except when the driver or other parties are fatally injured in the accident.

1. The investigating officer should release driver information if the information does not endanger the successful completion of the investigation.

2. The Traffic Division Sergeant or designee will be responsible for preparing the news releases involving fatal accidents.

(c) Crime Victim Information

1. California Government Code Section 6254(f) mandates that local law enforcement agencies make public the following information:

(a) Time and date of report.

(b) Time, date, and location of the crime.

(c) The factual circumstances of the crime.

(d) General description of injuries, property, and weapons involved.

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(e) Name, age, and current address of victim, except under the following circumstances:

1. EXCEPTION: Government Code Section 6254 (f) prohibits the disclosure of addresses of victims of specified sex crimes. These are Penal Code Sections 220, 261, 264, 264.1, 273a, 273d, 273.5, 286, 288, 288a, 289, 422.6, 422.7, 422.75.This prohibition is also in effect where multiple crimes have occurred and one or more of these specified sex crimes is alleged.

2. Under Penal Code Sections 293 and 293.5, Department members are prohibited from releasing the name of a victim of these specified sex crimes if the victim has requested confidentiality. A victim's wish for confidentiality may be obtained from the ARJIS-2 Crime Report Form.

(d) Release of Information Relating to Juveniles

1. Based on the decision in the case of T.N.G. vs. Superior Court, 4 Cal. 3d 767 (1971), the Juvenile Court has the exclusive authority to determine the extent to which juvenile records and identification may be released to third parties. The T.N.G. vs. Superior Court case does not prohibit law enforcement agencies from releasing information to news media about the facts and nature of crimes committed by juveniles. It merely prohibits the agency from identifying juveniles under the age of eighteen years of age who have been arrested, detained, or made a ward of the court, without first obtaining the written consent of the Juvenile Court. Matters involving juveniles that do not amount to an arrest or detention do not come within the T.N.G. case decision and there would be no restriction on disclosure to the news media.

2. Examples include an automobile accident in which the victim is a juvenile and against whom no criminal charges are pending.

See Media Relations Policy for further information.

308.4 CONDUCT OF MEDIA REPRESENTATIVES

Any Department member having a complaint regarding the conduct of any news media representatives should write a memorandum to the Administrative Support Lieutenant who will receive and record the complaint and then make such investigation as my be deemed appropriate. The Administrative Support Lieutenant will forward the results of the investigation to the Chief of Police with the recommendation for appropriate Department action.

The Administrative Support Lieutenant may request that the Public Information Officer handle a minor complaint regarding a member of the news media. Complaints regarding media members may include, but are not limited to, demeanor, protocol, and the misuse of information provided by the Police Department.

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308.5 ACCESS TO DEPARTMENT REPORTS

To fulfill the requirements of statutory law and to keep the public informed on law enforcement related topics, the on-duty Watch Commander or his/her designee, or Public Information Officer will release basic information to the media in a timely manner according to the following guidelines.

(a) The following items from agency files are subject to public examination.

1. Arrest reports, excluding narrative portion.
2. Crime reports, excluding narrative portion.

(b) The following items are exempt from public disclosure:

1. Anything contained in the items listed under Section A above that would endanger any person involved in an investigation or adversely impact the outcome of an investigation if made public.

(c) Watch Commanders or the supervisor of the Investigations Unit responsible for the follow up investigation are accountable for the decision to withhold any specific report or information to the media or general public. No member of the Department will give assurance to any person involved in an incident that an incident will not receive publicity.

See Media Relations Policy for further information.

308.6 RELEASE OF REPORTS RELATING TO JUVENILES

(a) Based on the decision in the case of T.N.G. vs. Superior Court, law enforcement agencies may release any information in their files regarding juveniles to the following:

1. The minor.
2. The parents or guardian of said minor.
3. Foster parents.
4. De facto parents
5. Attorneys for minors, parents, guardians, foster parents and de facto parents.
6. All California District Attorneys' Offices.
7. California Bureau of Investigation and Information.=
8. All California law enforcement agencies (including all of the many types of peace officers designated in Penal Code sections 830.1, 830.2, 830.4, and 830.9).
9. All California school systems.
10. All California probation departments.
11. All California public welfare agencies.
12. California Youth Authority and its parole agents.
13. Department of Corrections and its parole agents.
14. Authorized court personnel.

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15. Hospitals, schools, camps, job corps, ranches, or placement agencies which require the information for the placement, treatment or rehabilitation of the juvenile.
16. The persons entitled thereto under Vehicle Code sections 20008-200012.
17. Any coroner.
18. San Diego County Community Health and/or its subsidiary.
19. San Diego county Department of Public Health.
20. San Diego County Department of Revenue and Recovery.
21. Community referral agencies, whether in or out of California, provided the forwarding law enforcement agency has first obtained the written consent of the parent or other person having legal custody of the minor.
22. A city attorney or city prosecutor authorized to prosecute criminal or juvenile cases under California law.

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Reserve Officer Procedure

309.1 RESERVE OFFICER PROCEDURE

MISSION STATEMENT

The Mission of the National City Police Department Reserve Unit:
To augment the department's regular police force through the strategic deployment of sworn reserve officers in a variety of assignments, primarily uniformed patrol, as department needs dictate, and to enhance the department's level of service to the community

RESERVE PEACE OFFICERS – DEFINED
California Peace Officers Standards and Training (POST) recognizes three separate and distinct categories of reserve police officers as outlined in section 832.6 PC:

Level I Reserve Officers: May perform general law enforcement duties alone. The entry ¬level training requirement for Level I reserve officers appointed after January 1, 1997 is the POST Basic Course. The requirement for the Basic Course may be completed by graduation from Modules A, B, C and D under the previous POST training standard or Level I Training under the new training standard. A minimum of 24 hours of POST Continual Professional Training is required every two years.

Level II Reserve Officers: May perform general law enforcement duties under the immediate supervision of a Basic Course graduate or the limited support duties of a Level III reserve officer without immediate or proximate supervision. The entry level training requirement for Level II reserve officers appointed after January 1, 1997 is Module A and B under the previous POST training standard or Level II Training under the new training standard. A minimum of 24 hours of POST Continual Professional Training is required every two years.

Level III Reserve Officers: May perform limited support duties such as traffic control, security at parades and sporting events, prisoner and evidence transportation, parking enforcement and other duties that are not likely to result in physical arrests while working in the approximate vicinity of a Level I reserve officer or Basic Course graduate. The entry level training requirement for Level III reserve officers appointed after January 1, 1997 is Module A under the previous POST training standard or Level III Training under the new training standard. There is no requirement for POST Continual Professional Training.

DEPLOYMENT OF NATIONAL CITY POLICE RESERVE OFFICERS

The Reserve Unit of the National City Police Department is currently comprised of both Level I and Level II Reserve Officers.
Reserve Officers are sworn police officers with the same duties and responsibilities as a full¬time police officer when they are on duty or performing an authorized assignment.

Level I reserve officers may perform general law enforcement duties alone or with another Level I reserve officer, or any full¬time police officer.

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Level II reserve officers may work only under the immediate supervision of a POST Basic Course graduate when performing general law enforcement duties. Level II reserve officers may perform the limited support duties of a Level III reserve officer with immediate or proximate supervision.

Level III reserve officers can only perform support duties such as traffic control, security at parades and sporting events, prisoner and evidence transportation, parking enforcement and other duties that are not likely to result in physical arrests while working in the immediate vicinity of a Level 1 reserve officer or a Basic Course graduate.

TRAINING

RESERVE FIELD TRAINING PROGRAM (NEW OFFICERS)

Probationary Level I and Level II reserve officers will **be exclusively assigned to the Department Field Training Program.** The Department FTO Supervisor shall schedule and track the reserve officer trainee's progress. Level II reserve officer trainees must complete 200 hours of documented field training within one year of their official date of hire. If the trainee qualifies to become a Level I reserve officer they may elect to remain in the field training program and complete an additional 200 hours of field training for a total of 400 hours.(POST requires that all Level I reserves complete 400 hours of field training). Level I trainees must complete the additional 200 hours within two years of their official hire date.The FTO Supervisor, the FTO Lieutenant and the Chief of Police shall certify the completion of field training for all reserve officers prior to being released and assigned to the Reserve Program.Level I and Level II reserve officers shall be considered fully¬qualified to perform the duties of their respective positions once certified and released from the Field Training Program.

RESERVE FIELD TRAINING PROGRAM (LATERAL OFFICERS)

Upon appointment, Level I reserve officers that lateral from another agency shall be assigned to complete a minimum 40 ¬hour Field Training Program to familiarize them with National City Police Department operations and standards. The amount of Field Training hours can be increased if recommended by the Reserve Coordinator and the Field Training Supervisor.Exceptions can be made by the Chief of Police who can attest to the lateral reserve officer's competency and waive this requirement.

CONTINUAL PROFESSIONAL TRAINING

POST requires a minimum of 24 hours of Continual Professional Training for Level I and Level II reserve officers every two years. A typical way to satisfy this requirement is to have the reserve officer complete the Association of Reserve Police Officers Conference (ARPOC) at least every 2 years.

FIREARMS QUALIFICATIONS

Reserve Personnel shall qualify with firearms on the same schedule as full¬time officers. Reserve Personnel who fail to attend the regularly scheduled qualification shoot will be relieved of field duties until the qualification is completed.

RESERVE OPERATIONS MANUAL

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Additions, deletions, and changes to the Reserve Operations Manual may only be made with the approval Reserve Coordinator, the Neighborhood Policing Team I Commander, the Field Operations Captain and the Chief of Police.

CHAIN OF COMMAND

The chain of command for the reserve organization will follow the rank structure of reserve officer and reserve sergeant.

The chain of command for the reserve organization is through full¬time sworn ranks with the Reserve Coordinator, the Neighborhood Policing Team I Commander, Captain, and finally the Chief of Police.

All issues and requests will be routed through the above chain of command.

LEVEL I, II, and III RESERVE POLICE OFFICERS

All RESERVE OFFICERS are expected to:

(a) Keep their reserve sergeant aware of work availability pertaining to vacation, school and holiday schedules. At least once a month, all reserve officers will have had contact with the reserve sergeant.

(b) Notify their reserve sergeant and police communications center within 24 hours of any change in telephone numbers, home addresses, etc.

(c) Enter into the Telestaff computer system any hours they worked by the end of that particular pay period.

(d) Keep the reserve office and reserve sergeant advised of any problems or incidents that occur on or off-duty, which may relate to the position of reserve officer.

(e) Volunteer to meet the needs of the reserve unit as required, in addition to the minimum hour requirements.

(f) Maintain skill levels through a balance of special detail, training and field hours. Notify the reserve sergeant of any specialized training courses that have been completed and follow proper training request procedures.

(g) Remain current with Department Policy and Procedures Manual issuances and updates, and Reserve Operations Manual. Also, review Department Orders, announcements, and bulletins as they disseminate.

(h) Reserve Officers who cannot work a future assignment they have accepted will make every effort to find a replacement. If a replacement cannot be found, the reserve officer must notify the officer in charge of the detail as soon as possible.

RESERVE SERGEANT

Reserve sergeants shall report to the Reserve Coordinator (Community Services Sergeant) and is responsible for the direct supervision of the reserve officers in the police department. Reserve sergeants will ensure that reserve officers conduct themselves in a manner consistent with the reserve operations manual and Department guidelines.

RESERVE SERGEANTS are expected to:

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(a) Maintain contact with the reserve coordinator at least once a week.

(b) Keep the reserve coordinator informed of any problems that are affecting the reserve officer program.

(c) Be responsible to see that all orders or requests are promptly executed.

(d) Routinely assume supervisory assignments in special reserve details unless directed otherwise by a full¬time officer in charge of that detail.

(e) Maintain accurate records detailing assignments, officer participation, and any other pertinent data such as counseling or corrective interview sessions with reserve officers. The corrective records will be forwarded up the chain of command and placed into the reserve officer's personnel file after having been reviewed and initialed by the reserve officer.

(f) Complete the Quarterly Report detailing all reserve hours worked so that it can be signed by the Reserve Commander, Reserve Coordinator, and the Chief of Police. This Quarterly Report will then be submitted to the City Finance Department so all reserve officers in good standing can receive their due compensation.

(g) Obtain and issue new equipment and supplies to reserve officers as needed.

(h) Act as a liaison between the police department and the San Diego County Reserve Commanders Association.

CCW Permits for Active Reserve Officers

OFF-DUTY CONCEALED WEAPON PERMIT

When in an off-duty status, no reserve officer shall carry a concealed firearm unless he or she possess a valid CCW permit issued by the San Diego County Sheriff's Department for that firearm, and is carrying it in compliance with the terms of the permit.

All reserve officers must meet and comply with the application process when seeking a letter of endorsement from the Chief of Police that is needed to apply for the CCW permit.

CCW ENDORSEMENTS

The police department shall endorse the identification card of any reserve officer who has met the department standards and receives a CCW permit from the San Diego County Sheriff's Department. All identification cards will be reviewed annually, by the Reserve Coordinator to assure compliance with both the terms of the CCW permit as well as the reserve officer continuing to meet the requirements as outlined by Department Policy.

HONORABLY SEPARATED RESERVE OFFICERS

Refer to Retirement under AB703

RETRACTION OF CCW PERMIT

Reserve officers who leave the National City Police Department, have been removed from the program, or have not been honorably separated will have their CCW permit retracted. It is the responsibility of the Reserve Coordinator to to verify the CCW status of all reserve officers who leave the department for any reason. Any wording or reference to the National City Police

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Department will be removed from any future CCW applications by the individual and the Sheriff's Department will be immediately notified of this change.

General Rules of Conduct

PEACE OFFICER STATUS PER 830.6 PC
Each reserve officer shall have the status of a police officer and have the same powers as a full-time officer when on duty as defined in 830.6 PC.

OFF-DUTY STATUS
When not on duty, members of the National City Police reserve unit shall not have any power as a police officer.

If any off-duty reserve officer is summoned to assist a peace officer, pursuant to section 830.6 (c) PC, the reserve officer has peace officer status for those tasks assigned and for those actions reasonably necessary to carry out those tasks.

EMPLOYMENT
All reserve personnel shall not be employed in any business that is not compatible with professional law enforcement.

DMV CONFIDENTIALITY
Reserve officers are entitled to request DMV confidentiality of their home address. This will allow the reserve's home address, or that of his/her spouse and/or children to be made confidential except for inquiries from law enforcement and from the courts.

Within 15 days of termination or resignation, the Reserve Coordinator shall contact the DMV to remove the request for confidentiality.

Honorably separated reserve officers are entitled to permanent DMV confidentiality by state law. The "retired" box should be checked on confidentiality requests initiated after a reserve officer retires.

Reserve Hours

METHOD OF REPORTING HOURS
Every member of the reserve unit is required to document the hours they volunteer into the Telestaff computer system, preferably at the end of their work shift and before they go home. If this is not possible, all hours must be in the Telestaff computer system prior to the end of the police department's pay period.

MINIMUM HOURS
Each reserve officer is expected to work a minimum average of 20 hours per month. Monthly averages for each officer will be calculated every three months. Officers who do not average 20 hours per month over a three month period may be subject to review and possible discipline. A vacation month is available to be used on a one time basis during the same calendar year. The vacation month cannot be split to cover two months.

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Reserve officers who show a pattern of non-compliance with this requirement or a failure to volunteer within a six-month period may be terminated from the reserve unit.

MAXIMUM HOURS

Reserve officers will not work more than one regular field shift per day, and there must be an adequate amount of time between shifts to accommodate proper rest of the reserve officer. Emergency holdovers required by a regular shift or special detail is an exception to this rule.

MISSED SHIFTS/EVENTS

Officers who are unable to attend a scheduled shift/event shall give 72 hours-notice prior to the shift/event. Officers will be responsible for attempting to find a replacement to cover the shift/event. In the event an officer misses two shifts/events in a 3 month period, the officer may be subject to review and possible discipline.

PERFORMANCE EXPECTATIONS

Reserve officers are held to the same high standard by the Department and the public as full-time sworn officers. It is imperative all reserve officers remain up to date on all issues which effect patrol functions to retain their qualified active status.

Requests for Assistance

NON-EMERGENCY REQUESTS

Requests for reserve assistance are usually received from two sources, internal and external.

(a) Internal requests for assistance may originate from any command officer, or their designee, within the National City Police Department.

(b) External requests are generally routed through the Chief of Police, or his designee, and forwarded to the Reserve Coordinator.

The Reserve Coordinator will review requests to be forwarded to the Reserve Sergeant for assignment.

EMERGENCY CALL-BACK

Reserve officers may be called to active duty, via the Watch Commander, when an urgent or emergency situation requires additional manpower on short notice.

(a) A full callback can be initiated by the On-Duty Watch Commander. The Reserve Coordinator will be notified and, in turn, will notify the necessary personnel. If the Reserve Coordinator cannot be reached, the reserve chain of command will be followed until the senior reserve officer responds. Information about the reporting location and number of personnel needed must be given on the first call.

(b) An abbreviated callback may be initiated by a ranking regular officer at any time via the on-duty Watch Commander. The same process as above will be followed.

(c) A “standby” for reserve personnel may be initiated as described above, with the request specifying that reserve officers remain available at work or home in the event of actual need. This method is preferred whenever possible.

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(d) In the event of a large-scale disaster or critical incident, it is probable that telephone communications will be disrupted or overloaded, and normal callback procedures will be infeasible. In that event:

- After securing the safety of their families and homes, off-duty reserves will immediately respond to the National City Police Department.
- If unable to reach the National City Police Department, they are to go to the nearest police facility.
- Reserve officers will monitor local radio and television stations for emergency communications.

Uniforms

UNIFORMS

Reserve officers shall carry and / or have available uniform items as provided in the National City Police Department Policy and Procedures Manual.

WEARING OF RANK / INSIGNIA

Reserve officers shall wear their rank, insignia, service stripes, nametags, and tie bars in accordance to Department Policy.

- Reserve sergeants may wear their rank and insignia in gold on their collar during ceremonial/special events designated as primarily “reserve events” where enforcement powers/assistance is not needed. Reserve sergeants will not wear their rank when conducting enforcement duties.
- Rank insignias shall only be worn at reserve events (i.e. ARPOC, Mother Goose Parade, etc.) Insignia of rank shall not to be worn while on duty within the City or during County events as the wearing of rank tends to confuse and hinder outside agencies that may be looking to place these reserve officers into positions of leadership.

BADGES AND IDENTIFICATION CARDS

All reserve officers, including trainees, will be issued a National City Police Department reserve officer badge and identification card. Those officers who are promoted will be issued badges and identification cards commensurate with their rank. Separation police identification cards may be issues to those who meet the requirements for service eligibility. The police badge may be provided encased in Lucite. These will be provided in a case by case basis.

Quarterly Reports / Compensation

QUARTERLY TIME PERIODS DEFINED With there being four quarters in a calendar year, there will be four Quarterly Reports completed annually. The time periods for these quarters are defined as follows:

(a) Quarter 1 will be from January 1 through March 31.

(b) Quarter 2 will be from April 1 through June 30.

(c) Quarter 3 will be from July 1 through September 30.

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(d) Quarter 4 will be from October 1 through December 31.

COMPLETION OF QUARTERLY REPORTS / SUBMISSION FOR DISBURSEMENT

The completion of the Quarterly Reports will normally be the responsibility of the Reserve Sergeant or whoever is assigned by the Reserve Coordinator.

(a) All Quarterly Reports will be completed within ten (10) working days following the end of a quarter and submitted to the Reserve Coordinator for approval and signature.

(b) The Reserve Coordinator will then submit the Quarterly Report to the Chief of Police for approval and signature.

(c) After approval and signature from the Chief of Police is received, the Reserve Coordinator will submit the report to the Finance Department for processing and disbursement.

STIPEND FORMULA

National City Police Reserve Officers receive a stipend for active quarterly service. The stipend formula is as follows:

(a) For working 20 hours in a month, a reserve officer shall receive $200.

(b) For working 40 or more hours in any month, a reserve officer shall receive $300.

(c) The maximum stipend a reserve officer can receive in any reporting quarter shall be $900.

(d) To have an “active quarterly service,” the reserve officer has to have a minimum average of 20 hours for each month within the quarter.

Leave / Separation / Retirement

SEPARATION

Mandatory separation may be enforced when it is determined that a reserve officer can no longer meet the physical, medical, or mental requirements of the position or at the discretion of the Chief of Police.

RETIREMENT

Reserve officers with ten years of consecutive service as a Level I officer in good standing with the City and the Police Department are eligible to be classified as “retired” upon resignation.

Qualified “retired” reserve officers are eligible to obtain a CCW endorsed Reserve Retiree Identification Card from the department in accordance with State Assembly Bill 703 if the following requirements are met:

(a) The reserve officer was authorized to, and did, carry a firearm during the course and scope of his or her appointment as a reserve officer.

(b) The officer was a Level I reserve officer and served at least ten consecutive years as a Level I reserve officer after January 1, 1997.

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(c) The retired reserve officer demonstrated firearms proficiency during department firearm qualification shoots during his or her previous 12 months of service prior to retirement.

(d) The department has the discretion to revoke or deny the CCW endorsement pursuant to California Penal Code Section 26305, which states:

1. No peace officer who is retired after January 1, 1989, because of a psychological disability shall be issued an endorsement to carry a concealed and loaded firearm pursuant to this article.

2. A retired peace officer may have the privilege to carry a concealed and loaded firearm revoked or denied by violating any departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency.

3. An identification certificate authorizing the officer to carry a concealed and loaded firearm or an endorsement on the certificate may be immediately and temporarily revoked by the issuing agency when the conduct of a retired peace officer compromises public safety.

4. An identification certificate authorizing the officer to carry a concealed and loaded firearm or an endorsement may be permanently revoked or denied by the issuing agency only upon a showing of good cause. Good cause shall be determined at a hearing, as specified in Section 26320.

(a) Refer to California Penal Code Sections 26310, 26312, 26315, and 26325 for addition legislation related to the revocation of CCW endorsements.

“Retired” reserve officers who receive a CCW endorsed Reserve Retiree Identification Card must also comply with the protocols set forth in Title 18 USC 926C.

REQUIREMENTS UPON RESIGNATION OR TERMINATION

Reserve officers who resign or are terminated are required to:

(a) Return all department issued equipment.

(b) If the reserve officer has resigned the Reserve Coordinator will conduct a resignation interview.

(c) If the reserve officer has been terminated, a Notice of Termination will be completed by the Reserve Coordinator. The Notice of Termination will then be placed in the reserve officer’s personnel file and the reserve officer will be provided a copy

LEAVE OF ABSENCE

With the approval of the Reserve Coordinator, a leave of absence for a period of up to six months may be granted and any rank attained will be retained. An approved leave of absence for a period over six months, but less than one year will permit the reserve officer to be re-appointed, but with the loss of any rank obtained prior to the leave of absence. Reserve officers returning from any leave of absence must qualify with their service weapon prior to returning to normal duty. The Reserve Coordinator will determine if any additional or remedial field training is needed. <u>All department issued equipment must be turned in prior to starting any leave of absence.</u>

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TEMPORARY INABILITY TO ACCEPT ASSIGNMENTS

Reserve officers who will not be available for any assignments for a period of five days or longer must notify their reserve chain of command prior to the period of unavailability.

DISCHARGES

Any reserve officer who is deemed “not in good standing” is subject to discharge from the reserve program. Patterns of behavior could include, but are not limited to, failing to maintain an average of 20 hours worked per month.

See Policy Manual on Reserve Officers for further information.

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Chapter 4 - Patrol Operations

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Undocumented Juveniles

400.1 UNDOCUMENTED JUVENILES

(a) 300 W&I Dependent Children

1. Under 13 years of age- Children in this category will be transported to the Polinsky Center if a parent or guardian cannot be contacted. The Polinsky Center will determine the status and disposition of the child.
2. Thirteen years of age or older - If the juvenile's parent or guardian cannot be contacted, the juvenile will be transported to the Polinsky Center
3. A Juvenile Contact Report (ARJIS-8) will be completed detailing the circumstances of the detention and the disposition of the juvenile.

(b) 601 W&I Status Offenses (i.e., curfew, truants and runaways)

1. Under 13 years of age - If the parents reside in a foreign country, the juvenile will be transported to the Polinsky Center.
2. Thirteen years of age or older - It is incumbent upon the Police Department to return juveniles without parental supervision to their parents, guardians, or school officials. If the parents or guardians are in the United States and can be contacted, the juvenile will be released to them. If the juvenile's parent or guardian cannot be contacted, the juvenile will be released to the Polinsky Center
3. A Juvenile Court Report (ARJIS-8) will be completed detailing the circumstances of the detention.

(c) 602 W&I Minor Offenses

1. Under 13 years of age - If the parent or guardian cannot be contacted, a court order is required before the Polinsky Center will accept them. In these cases, personnel at the Polinsky Center will be responsible for obtaining the court order. Officers will stand by until a disposition is reached by Juvenile Hall. In cases where a court order is not issued, the arresting officer will, with the assistance of the Juvenile District Attorney if necessary, coordinate the placement of the juvenile in Juvenile Hall or Polinsky Center.
2. Thirteen years of age or older - If a juvenile is arrested and the parents or guardian cannot be contacted, the juvenile will be placed in Juvenile Hall.
3. A Juvenile Court Report (ARJIS-9) will be completed detailing the circumstances of the arrest.

(d) 602 W&I Serious Offenses

1. Juveniles arrested for serious and/or violent crimes shall be placed in Juvenile Hall.
2. Officers shall photograph the juvenile taken into custody. The photograph should be attached to the Juvenile Contact Report.

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3. All arrests of undocumented juveniles shall be documented on a Juvenile Contact Report (ARJIS-8).

See Policy Manual on Undocumented Persons for further information.

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Narcan Procedure

401.1 NARCAN PROCEDURE

PURPOSE AND SCOPE

This policy establishes guidelines and regulations governing utilization of the naloxone (narcan) administered by the National City Police Department. The objective is to treat opioid exposure to the community and to police department members. Fentanyl is a potent synthetic opioid that is 30-50 times stronger than heroin and poses a great medical risk to the public, as well as law enforcement and lab personnel who may come into contact with it during the course of their duties. Even a small amount of Fentanyl that is ingested or comes in contact with a person's skin can lead to death.Recently, illicit sales of Fentanyl have greatly increased in the United States and there is an increasing likelihood of the public and officers encountering the drug in San Diego. The exposure to Fentanyl is highly dangerous to the community and to police officers, and if they are exposed timely treatment is necessary. There are situations where officers need direct and individual access to narcan if exposure existed. These situations could arise when individual officers are conducting police related operations in areas outside City of National City or County of San Diego. Additionally, officers could administer the nasal narcan immediately upon suspected opiate overdoes rather than wait for paramedics to respond and administed

NASAL NALOXONE/NARCAN PROGRAM ADMINISTRATION

The Administrative Sergeant shall be the Program Administrator for administering the Departments naloxone program. The Program Administrator shall be responsible for the overall administration, evaluation, maintenance and equipment of the program.

Duties shall include, but not necessarily be limited to the following:

Ensuring an adequate supply of appropriate naloxone is available.
Coordinating and overseeing training.
Monitoring and revising policy as needed.
Arranging for replacement of equipment as needed.
Assuring the maintenance of training, inspection and other program records.
Conducting periodic evaluations to ensure that the provision of the program are being implemented. Evaluations should include consultation with members who use naloxone and their supervisors, site inspections, job task assessment and a review of program records. Review the overall program and written policies with the Risk Management Division on an annual basis.

NALOXONE SELECTION

Only naloxone approved and purchased by the City of National City shall be authorized for use.

USE OF INTRANASAL NALOXONE

If a citizen or department member is exposed to Fentanyl or other opioid, the following shall be done:
Maintain universal precautions.
Perform patient assessment.

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Update dispatch that the citizen ormember is in potential overdose state. Dispatch will then update the Fire Department and ambulance service if not already done to arrange transport to the hospital.
Determine unresponsiveness, absence of breathing and or pulse.
If no pulse is present, initiate CPR and AED if available; notify incoming EMS
If pulse is present and the member is unconscious, assess breathing status.
If breath is adequate and no signs of trauma, place in the recovery position.
If breathing is decreased or sign of low oxygen and overdose is suspected then proceed with intranasal naloxone administration.
Continue to monitor breathing and pulse.
A supervisor shall be notified of the incident and will respond to the scene.
Additional medical treatment and transportation to a hospital will be at the discretion of paramedics.

MAINTENANCE, STORAGE AND INSPECTION
Officers should thoroughly inspect naloxone prior to use. Supervisors shall ensure members perform inspections as required. If the member determines a naloxone is expired or damaged it shall be returned to the National City Police Department Property and Evidence Unit for proper disposal.

All naloxone should be stored in such a way to protect it against damage, contamination, dust, sunlight, extreme temperatures, moisture and damaging chemicals. Naloxone not issued to individual members for personal storage shall be stored with clearly visible labels and shall be readily accessible for immediate use. Stored naloxone shall be inspected at least monthly by the supervisor in charge of the storage area. Only Qualified Intranasal narcan/naloxone users as described in this policy may access emergency naloxone from storage.

DISPOSAL OF NALOXONE
Naloxone shall be disposed in biohazard containers and shall be disposed in accordance with the Departments Exposure Control Plan maintained by the National City Police Department Property and Evidence Unit.

MEDICAL EVALUATION OF INTRANASAL NALOXONE USE
All members, as a part of the successful completion of a pre-employment physical examination, are considered medically qualified to use intranasal narcan/naloxone. Additional mandatory medical evaluation may be required when testing indicates a need, when a member reports medical symptoms related to the use of intranasal narcan, when recommended by a physician, supervisor or the Program Administrator and with an increase in physiological burden on an officer. The Program Administrator shall coordinate medical evaluations with the Naloxone.

TRAINING
Each member authorized for intranasal narcan use shall be trained with the specified type of intranasal narcan that they will be required to use. The training shall be of sufficient content and duration to ensure that the user is competent in handling and using the specified intranasal narcan.. Each member trained will receive a certificate of completion which will be placed in his/her training file.

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DOCUMENTATION

Upon utilization of Intranasal narcan, the member shall document in a report detailing the nature of the incident, the care the citizen or department member received and the fact that the Intranasal narcan was deployed. In addition, if a department member is exposed, the member shall complete the City of National City's Employee's Report of Injury/Illness form. The Program Administrator shall review and approve all reports involving the utilization of Intranasal narcan for quality assurance.

PROGRAM RECORDS

The Program Administrator will maintain copies of all maintenance records. The Program Administrator shall not retainindividual member or citizen medical records.

See Policy Manual on Medical Aid and Response for further information.

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Chapter 5 - Traffic Operations

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Vehicle Impound Procedures

500.1 VEHICLE IMPOUND PROCEDURES

PURPOSE

To establish Department procedures for the impound and release of motor vehicles.

PROCEDURE

Generally, it is the policy of National City Police Department, that vehicles not be impounded unless it serves a specific police purpose, and then only in compliance with state and local law.

(a) Officers shall not, as a matter of routine, impound vehicles in arrest situations. The exception to this is a violation of California Vehicle Code Section 14602.6. If the owner/driver of a vehicle is arrested, and the vehicle is not of evidentiary value, the vehicle shall:

1. Be parked and locked if possible;
2. If it is not possible to secure the vehicle, the owner/driver may choose to have the vehicle impounded;
3. If the owner/driver is incapacitated or uncooperative, and the vehicle cannot be secured, it shall be impounded by the officer.

(b) All use of police contracted tow service should be done in such a fashion that stand-by time is held to a minimum.

(c) Generally, vehicles subject to either abatement or 72-hours enforcement should be tagged with the appropriate orange warning sticker and marked in a way that would indicate the vehicle had not been moved. This information will be documented in the vehicle impound report if a vehicle is abated or impounded for 72- hour violation.

(d) Vehicle impounds resulting from either abatement or 72-hour enforcement shall be restricted to between 0700-1600, Monday-Friday.

(e) Vehicle abatements and 72-hour impounds shall not routinely be made during periods of inclement weather.

(f) Officers requesting tow of a car shall advise radio of any special circumstances the tow company should be aware of prior to responding, such as the need for a dolly, etc.

(g) The tow company charges a fee for removing vehicles from private property on the request of the property owner. Persons requesting this service should be told to contact the tow company and arrange their own business deals.

(h) Any police generated complaints concerning the quality of tow car service, (response times, failure to respond, etc.), shall be forwarded to the Traffic Sergeant, who shall maintain a file of such complaints.

VEHICLES VALUED AT $300.00 OR LESS

(a) Vehicles valued at $300.00 or less, as determined by the PEO appraiser (CVC 22855), are separated into three categories:

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1. VIN and license removed and/or registered/legal owner not on file;
2. Registered/legal owner on file; and,
3. Vehicles which lack an engine, transmission, wheels, tires, doors, windshield or any part or equipment necessary to operate safely on the highways of California [CVC Section 22669.d].

(b) In compliance with CVC Section 22851.2, any vehicle found abandoned and valued at $300 or less that is in such condition that there is no means of determining ownership, shall be removed and immediately disposed of by a licensed dismantler.

1. In these cases the PEO shall impound the vehicle.
2. In addition to a PD-250 form, the PEO shall fill out a DMV Form REG.462.
3. The original (white) and pink copies of the REG. 462 shall be given to the contract tow truck driver instead of the Vehicle Impound Control Card, which is not required.
4. The yellow copy of the REG. 462 shall be attached to the PD250 form and turned in. (scanned into RMS)
5. In addition to checking the box marked "CVC 22851.2", the PEO shall complete Items 1-11 of the REG. 462.

(c) In compliance with CVC Section 22851.3, any vehicle found abandoned and valued at $300 or less, the registered or legal owner of which can be determined, shall be impounded.

1. In these cases the PEO shall complete a PD-250 form and a DMV Form REG.462 in addition to a Vehicle Impound Control Card.
2. PD-250 form, all copies of the REG. 462 and the remaining copies of the Vehicle Impound Control Card shall be turned in. Scanned into RMS
3. The PEO shall, within 48 hours of impound, send the original PD 515b to the registered or legal owner via certified mail, return receipt requested.
4. If no response is received with 15 days of the date the letter is mailed or the delivery receipt is received, the PEO shall pull the original (white) and pink copy of the REG. 462, ensure the box marked "CVC 22851.3" is checked and Items 1-11, particularly Item 9, are completed, and deliver it to the contract tow company.
5. The yellow copy of the REG. 462 and the certified mail delivery receipt, (or returned letter), shall be filed with the case.
6. PEOs shall maintain a file of all PD515b forms sent via certified mail.

(d) Vehicles found abandoned which are valued at $300 or less and which lack an engine, transmission, wheels, tires, doors, windshield or any part or equipment necessary to operate safely on the highways of California, may be immediately removed.

1. No 72-hour notice is required.

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2. If, however, the vehicle otherwise falls within either of the categories, all provisions of those subsections shall be complied with.

ABATEMENTS (CVC 2260 TO 22668)

Vehicles towed in compliance with applicable abatement statutes will be impounded pursuant to a lawful abatement order, furnished by the Department A.V. A. Officers.

STORAGE/IMPOUND PROCEDURES FOR CALIFORNIA DRIVER'S LICENSE VIOLATIONS

(a) Officers of the department shall take appropriate enforcement action utilizing the most effective vehicle storage/impound authority when they encounter a driver who is unlicensed, or has a suspended or revoked license.

(b) C.V.C. Section 14602.6 provides for a 30 day impoundment of a vehicle when driven by a driver who has a suspended or revoked driver’s license or by a driver who has never been issued a license.This California Vehicle Code Section does not apply to drivers who have an expired license.

1. C.V.C. Section 14602.6(a) provides for a 30 day impoundment of a vehicle under certain circumstances when an officer determines that a person was driving a vehicle, including having been involved in a traffic collision, while his or her driving privilege was suspended or revoked or without ever having been issued a driver’s license, a 30 day impoundment applies to the following:

(a) The driver’s license is suspended or revoked with good service listing an authority code of 13200 C.V.C. through 13376 C.V.C, inclusive.

(b) In the event there is no record of the driver having been served, a 30 day hold may still be applied if the officer is able to articulate that the driver has knowledge of the suspension/revocation or pending action, such as admission to have failed to appear in court, or failure to pay a fine imposed by the court or if the driver’s driving record indicates the notice was “mailed, not returned unclaimed. ”In this case, the officer shall serve the driver with notice of suspension by completing form DL-310.

(c) The driver has never been issued a license.

2. Officers should mark the “Agency Hold” box and indicate “hold for 30 days” in the remarks section of the Vehicle Impound Control Form PD250 (See Attachment “A”) for impoundments under C.V.C. section 14602.6.

(c) The legal owner or registered owner or agent of a vehicle that is impounded pursuant to C.V.C. Sections 22651(p) and 14602.6 shall be provided an opportunity to have a storage hearing to determine the validity of the storage in accordance with C.V.C. Section 22852 if a request is received or postmarked within 10 working days of the storage/impoundment. A hearing shall be conducted within two working days of the request. The hearing officer is designated as the Traffic Unit supervisor or a Patrol supervisor if the Traffic supervisor is not available.

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Pursuant to the Ninth Circuit's decision in Brewster v. Beck, 15-55479, a vehicle shall be released to a person who provides proof of legal ownership or possession, a valid driver's license, and upon payment of any accrued fees despite any 30 day impoundment of a vehicle under C.V.C. Section 14602.6. It would be a Fourth Amendment violation to continue impoundment of a vehicle seized pursuant to Section 14602.6(a)(1) after the time that a party who could lawfully possess the seized vehicle arrived to take custody of the vehicle, unless a warrant were obtained to continue the possession of the vehicle or officers are able to articulate facts that support another exception to the warrant requirement of the Fourth Amendment.

RELEASE

No impounded vehicle with a hold applied shall be released by the contract tow company unless the Department has released the hold.

RECORDS RESPONSIBILITY

Upon receipt of a Vehicle Impound Report and upon determination that the vehicle has not yet been released, Records personnel shall:

(a) Mail a Notice of Stored Vehicle (DOJ Form SS-8135) to the registered and legal owners within 48 hours of the impound, weekends and holidays excluded (CVC 22852). This shall not apply to vehicles impounded pursuant to a lawful abatement order, vehicles impounded for hit and run investigation (CVC 22655), or vehicles impounded with special holds placed on them.

(b) Send a copy of the Notice of Stored Vehicle to the involved storage agency.

(c) If the impounded vehicle is not registered and has not been released within five (5) days of impound, a Notice of Stored Vehicle, with Section D completed, shall be mailed to DOJ (CVC 22853).

See Policy Manual on Vehicle Towing for further information.

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Chapter 6 - Investigations Operations

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Evidence Collection and Property Impounding Procedures

600.1 PROCEDURES PURSUANT TO EVIDENCE COLLECTION

See Policy Manual on Investigation and Prosecution and Property and Evidence for further information.

600.1.1 PHOTOGRAPHING/VIDEOTAPING

(a) Only trained/qualified personnel will photograph/videotape a crime scene.

(b) Specific concerns

1. Circumstances when a scale should be used.
2. When the Court demands that nothing be introduced into the field of view, a separate photo can be taken using the same camera position, lighting and settings. The dimensions of a fixed object in the scene may also be taken to provide a scale of reference.

(c) Videotapes should be used to support, not replace still photography.

(d) Information to be recorded with Photos/Videos.

1. Date.
2. Time.
3. Location.
4. Case Number.

See Policy Manual on Investigation and Prosecution and Property and Evidence for further information.

600.1.2 SKETCH

The following elements should be included:

(a) Date and time of preparation;

(b) Name(s) of person(s) preparing the sketch;

(c) Direction of North;

(d) Address, floor or room number;

(e) Dimensions;

(f) Relation of the crime scene to other buildings, geographic features or roads;

(g) Location of significant features of the scene, including the victim; and

(h) Location of physical evidence recovered.

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See Policy Manual on Investigation and Prosecution and Property and Evidence for further information.

600.1.3 FIELD PROCESSING OF EVIDENCE

(a) Collection

1. Appropriate/current methods will be used to ensure:

(a) Preservation of condition;

(b) Prevention of the introduction of foreign materials into the evidence;

(c) Collection of the most complete samples possible and practical, and

(d) Materials and substances are collected from a known source, whenever available,for submission to and comparison by the laboratory with physical evidence collected.

(b) Storage

1. Evidence will be stored according to the most appropriate and current methods, including:

(a) Perishable evidence such as liquid and blood samples must be placed in proper containers and delivered promptly to the laboratory or the property/ evidence refrigerator;

(b) Clothing- Wet or bloody clothing should be air dried and packaged in paper bags;

(c) Physiological fluids - Should be frozen;

(d) Latent Prints - Objects possibly supporting latent fingerprints must be protected from any movement or action that might destroy or contaminate the prints.

(c) Evidentiary Records

1. In order for physical evidence to be accepted with full weight in court, it is essential that the chain of custody be maintained. The first element of the chain of custody is evidentiary records:

2. Mark or label the item, as soon after collection, seizure or receipt as possible-but no later than the end of the retrieving officer's/employee's shift, with the following information:

(a) Date;

(b) Case Number;

(c) Tag Number;

(d) Initials and Identification Number.

1. *Item itself should be marked with at least the officer's initials. If evidence may be altered/destroyed by the markings, the rest of the information may be marked on the storage bag(s).

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3. Package,seal evidence, and apply an evidence barcode label.
4. Complete the Property and Evidence forms to include the following information:
    (a) Item description, including (if applicable), make, model and serial number;
    (b) Source or location item(s) obtained from; and
    (c) Name of person collecting the item(s).

(d) NO EVIDENCE RETRIEVED FROM THE SCENE - If no evidence is collected from the scene of a serious crime against person or property, the assigned investigator will state the circumstances surrounding the reason(s) why in his/her initial report.

See Policy Manual on Investigation and Prosecution and Property and Evidence for further information.

600.1.4 CHAIN OF CUSTODY

The chain of custody begins with evidentiary records. Once the evidence has been collected and recorded, a record of any transfer of said evidence must also be made.The record of transfer of physical evidence will include the following information:

(a) Date and time of transfer;

(b) Receiving person's name and functional responsibility;

(c) Reason for the transfer;

(d) Name and location of the laboratory, (if applicable); and

(e) Synopsis of the event and examinations desired when transferred to an outside agency.

See Policy Manual on Investigation and Prosecution and Property and Evidence for further information.

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Investigations Call-Out Procedure

601.1 INVESTIGATION CALL-OUT PROCEDURE

PURPOSE

To establish a Procedure regarding the after hours call out of Investigations Division personnel, to set responsibility for the decision to call out investigators, and to provide a consistently applied procedure for call out.

POLICY

It shall be the Procedure of this Department to call out Investigations Division personnel when a major crime or unique circumstances has occurred and a significant need exists for investigative services.

All Detectives shall be available for call out, at all times, unless prior approval is authorized from the Unit Lieutenant or Sergeant.

The call out of Investigations Division personnel shall be governed by reason, judgment and significant need as outlined in the following procedures.

CALL OUT RESPONSIBILITIES BY POSITION

(a) The On-Duty Patrol Supervisor

1. The on-duty patrol supervisor shall be charged with the decision to call out Investigations Division personnel.

    (a) The on-duty patrol supervisor shall consult with the detective supervisor when practicable. However, the ultimate responsibility for the call out decision rests with the on-duty supervisor.

    (b) With the approval of the on-duty patrol supervisor, officers may call crime specific detectives after hours to discuss on-going cases.

        1. The decision to call crime specific detectives after hours to discuss ongoing cases or to seek advice should not be made as a matter of routine, but should only occur when unique circumstances exist.

(b) Patrol Supervisor

1. The on-duty patrol supervisor most familiar with the circumstances of the call out is charged with the responsibility to notify the on call detective supervisor.

    (a) The patrol supervisor is encouraged not to delegate the task of notification to subordinate police or civilian personnel.However, if this task is delegated, it should be delegated to an individual who is familiar with the circumstances of the call out and can provide the detective supervisor with information germane to the call out.

    (b) The patrol supervisor, or designee, shall provide as much information as possible regarding the circumstances of the call out.

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(c) For call out purposes, the patrol supervisor shall make every effort to notify the detective supervisor prior to any detective call out. EXCEPTION:Wanted flyer initiated by Investigations Division personnel that specifically asks for the detective to be called.

(d) If after attempting to notify the on call detective supervisor (consistent with Section VII) and contact cannot be made, notify the detective lieutenant.

(c) Detective Supervisor

1. The detective supervisor is charged with the responsibility to determine the number of detectives assigned to the call out and which detectives are to be assigned the call out.

(a) In the normal course of duty, the detective supervisor will make all further notification of Investigation Division personnel.However, due to unusual circumstances, the detective supervisor may request that the patrol supervisor cause the notification of additional Investigation Division personnel.

(b) After consultation with the patrol supervisor, the detective supervisor shall designate a location for responding detectives to meet for briefing on a major call out.

CALL OUT GUIDELINES

(a) The following guidelines are submitted to assist the on-duty supervisor in the decision to call out detectives.Generally, the following crime types will fall into mandatory or discretionary call out.

1. Crimes of Violence

(a) Mandatory call out

(b) Any homicide.

(c) Any Crime of Violence where there exists a reasonable likelihood that the death of any party may result.

(d) Any officer involved shooting.

(e) Any kidnapping where additional resources for investigative purposes are necessary.
The arrest of any person for a National City Police Department homicide case.

2. Discretionary Call Out

(a) Any serial robbery suspect in custody who indicates a willingness to talk to investigators.

(b) Any suspect in custody as a result of a probable cause flyer initiated by detectives.

3. Crimes of Property

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(a) Mandatory Call Out

1. Any unique or special circumstances.

(b) Discretionary Call Out

1. The arrest of any serial burglary or theft suspect who indicates a willingness to talk to investigators.
2. Any in custody theft suspect who indicates a desire to reveal a fence.
3. The arrest of any burglary suspect as a result of a probable cause flyer initiated by detectives.

(c) Sex Crimes

1. Mandatory Call Out
   (a) Any sexual assault case coupled with great bodily injury as defined in Penal Code 12022.7.
   (b) The rape or sodomy of a person under the age of 14 years when the crime occurred within 72 hours of reporting.
   (c) The arrest of a serial rape suspect.
2. Discretionary Call Out
   (a) The arrest of a rape suspect.
   (b) An arrest as a result of a probable cause flyer initiated by detectives.
3. Auto Theft
   (a) Mandatory Call Out
      (a) Any unique or special circumstances.
   (b) Discretionary Call Out
      (a) The arrest of any auto theft suspect as a result of a probable cause flyer initiated by detectives.
      (b) An auto theft suspect in custody who indicates a willingness to reveal significant information concerning an auto theft series or chop shop. NOTE: Contact the Task Force Detective Assigned to the Regional Auto Theft Task Force, if available.
4. Fraud
   (a) Mandatory Call Out
      (a) Any unique or special circumstances.
   (b) Discretionary Call Out
   (c) Any suspect in custody as a result of a probable cause flyer initiated by detectives.

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5. Miscellaneous
    (a) Mandatory Call Out
        (a) Any death involving a juvenile which is unexpected based on the juvenile's health history.
        (b) Any crime that tends to attract mass media attention and the need for investigative follow up is necessary. Examples:The abandonment of a newborn baby outside of California State Haven Law.
        (c) The arrest or involvement in a crime by a prominent public official and investigative follow up is necessary.
6. Discretionary Call Out
    (a) As dictated by judgment, reason, and common sense.

SUPERVISION - DETECTIVE CALL OUT

This section identifies the supervision/chain of command whenever detectives respond to after-hours call outs.

(a) Detective Supervisor
    1. Upon arrival at any crime scene or call out event, the detective supervisor shall assume overall responsibility for the event.
    2. Nothing in this section is intended to preclude the detective supervisor from requesting assistance from patrol supervisors to ensure crime scene security or to ensure completion of the mission.
    3. Nothing in this section is intended to preclude the detective supervisor from delegating case responsibility to the assigned detective.

(b) Senior Detective
    1. In any call out event when the detective supervisor does not respond, the assigned senior detective shall assume supervision responsibility for the call out event. The designation of the senior detective will be designated by the detective supervisor.
        (a) It is not necessary for the assigned detective to obtain approval or authority from the patrol supervisor for investigative techniques or decisions.
        (b) Any call out event that requires involvement with patrol personnel or patrol resources, the assigned detective shall inform and coordinate with the on duty patrol supervisor.
        (c) The assigned senior detective does not have the authority to direct patrol resources without the express approval of the on duty supervisor.
        (d) As a matter of courtesy, in events that do not involve patrol resources, the assigned detective is expected to keep the patrol supervisor informed as to the status of the event.

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DEPARTMENT ISSUED MOBILE PHONES FOR INVESTIGATIONS

(a) Investigators who are designated by the detective supervisor as "on call" are required to answer and respond to mobile phone notifications.

(b) All detectives are assigned Department mobile phones. The mobile phones are considered property of the National City Police Department and shall be treated accordingly.

(c) The individual detective is responsible to ensure his/her assigned mobile phone is operational and functioning properly. All investigators (regardless of on call status) are directed to maintain their individual mobile phones in operational status 7 days a week, 24 hours per day.

(d) Any loss or damage to the mobile phone shall be reported to the detective supervisor. A written miscellaneous report which describes the loss or damage is required.

(e) In order to maintain the efficiency of the Investigations Division for call out purposes, and to ensure enough Investigations Division personnel ae available for call outs during a major incident, detectives are required to notify the detective supervisor when they will be unavailable for call outs.

CALL OUT PROCEDURE

This section identifies a procedure for call out of Investigations Division personnel during or after normal business hours.

(a) Call the detective’s supervisors primary listed phone number. If applicable, leave a voicemail message.

(b) If no answer or no immediate response from the detective supervisor, call the detective supervisor’s secondary phone number.

(c) Wait 5 minutes and call again.

(d) If no response within 15 minutes, repeat steps a through c.

(e) If there is no response after a reasonable length of time, contact the on call detective lieutenant.

See Policy Manual on Investigation and Prosecution for further information.

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Chapter 7 - Equipment

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Vehicle Damage Report

700.1 VEHICLE DAMAGE REPORT

PROCEDURE – PRE /POST SHIFT VEHICLE INSPECTIONS

(a) All members who drive a marked or unmarked department vehicle for any portion of a shift or for travel shall complete pre and post shift vehicle inspections and document the inspections on a PD-253 Vehicle Inspection Report form. (Addendum “A”).

1. Members who temporarily check out a department vehicle for more than one day for training or travel purposes shall complete a pre-shift inspection upon receiving the vehicle and a post shift inspection upon returning the vehicle. The inspections may be documented on one Vehicle Inspection Report form.

2. Members who are assigned a department vehicle (i.e.: Detectives, Watch Commanders, Officers who live within National City) and are the sole driver of the vehicle for an extended period of time are not required to complete daily PD-253 Vehicle Inspection Reports. These members shall complete a PD-253 Vehicle Inspection Report upon receiving the vehicle. The member will complete a Vehicle Inspection Report upon returning the vehicle to the fleet.

   (a) Members assigned a department vehicle are responsible for notifying a supervisor of damage to the vehicle in accordance with section IV.

3. Completed PD-253 Vehicle Inspection Report forms shall be turned into the member’s supervisor for approval at the member’s end of shift.

4. The member’s supervisor will review and approve the completed PD-253 Vehicle Inspection Report form and forward it to the Records Division.

5. The Records Division will log and catalog completed PD-253 Vehicle Inspection Report forms.

PROCEDURE– VEHICLE DAMAGE REPORTING

(a) When a member is involved in a traffic collision or causes damage to a Department/ City vehicle, or discovers unreported damage to a Department/City vehicle; the involved member shall notify an on-duty supervisor.

1. The notification to an on-duty supervisor should be made immediately, or as soon as practical if unusual circumstances exist that would prevent the involved member from making such notification.

2. Regardless, the member who caused or discovered the damage shall notify an on-duty supervisor no later than the end of the member’s shift.

(b) Upon being notified of damage to a Department/City vehicle, the on-duty supervisor will ensure that:

1. A Vehicle Damage Report (VDR)(PD-600) and a Traffic Collision Report (if necessary) are completed prior to the end of shift.

2. The damage information is logged into the electronic “VDR” database located on the NCPD website and,

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3. The collision is noted on the Watch Commander's Log.
    (a) If the damage is very minor (e.g., 1/2" tear in the seat, superficial surface scratches in the paint), the supervisor may elect not to complete a PD-600 form and instead log the damage into the "VDR" database.
    (b) Send PD-600 form and all reports, including any evidence or photos, to the Internal Affairs Unit.

(c) The Internal Affairs Unit shall process as in the Personnel Complaint Policy:

See Policy Manual on Vehicle Use for further information.

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Respiratory Protection Plan

701.1 PURPOSE

To establish minimum standards for the use of air-purifying respirators (APRs) and powered air-purifying respirators (PAPRs) in CS, CN tear gas, OC and other law enforcement non-lethal chemical agent environments to comply with California Code of Regulations, Title 8, Section 5144.

This program covers equipment selection, medical screening, fit testing, training, use and maintenance of the respirators used in law enforcement activities.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.2 PROCEDURE

Whenever it becomes necessary to deploy non-lethal chemical agents by means other than hand held aerosol sprays or pepperball guns, it is mandated that the National City Police Department (NCPD) members in areas contaminated by these agents use respirators cartridges and canisters approved by the Respiratory Protection Program Administrator.

In the event it becomes necessary for members to work around an area suspected of containing Chemical, Biological, Radiological, and Nuclear (CBRN) agents, members will use respirators and canisters approved by the Respiratory Protection Program Administrator.

As a matter of practice and safety, members will not enter oxygen deficient or Immediately Dangerous to Life or Health (IDLH) atmospheres.

All sworn police officers shall be issued a National Institute for Occupational Safety and Health (NIOSH) certified air-purifying respirator (APR) and canisters for use in chemical agent contaminated atmospheres.

Non-sworn crime scene specialists and evidence technicians may be issued NIOSH certified APRs and canisters for use in non-lethal chemical agent contaminated atmospheres as well as use on a voluntary basis.

The use of these respirators is intended for protection against non-lethal chemical agents and is not considered protection against other Chemical, Biological, Radiological and Nuclear (CBRN) agents. NCPD members will not enter an oxygen deficient or Immediately Dangerous to Life or Health (IDLH) atmosphere using the Department issued NIOSH certified respirators.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

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701.3 RESPIRATORY PROTECTION PROGRAM ADMINISTRATION

The Administration Sergeant is designated the NCPD Respiratory Protection Program Administrator (RPPA).The RPPA is responsible for ensuring all NCPD members designated to use respirators are included in this program.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.4 RESPIRATOR SELECTION

Activation within crowd control area (CS or CN tear gas)

All respiratory protection equipment shall be certified by (NIOSH) and chosen and used according to the limitations that are listed on the NIOSH certification label.The respirator must be appropriate for the contaminant's physical form and chemical state and the conditions under which the respirator will be used.

The respiratory protection program administrator shall approve the selection of all respirators, cartridges and canisters based upon an assessment of the potential workplace hazards to which the member may be reasonably exposed and the user factors that may affect respirator performance and reliability.

The following equipment descriptions apply to the equipment to be issued to the members under 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 certified for use in specific types of contaminated atmospheres by NIOSH. APRs do not supply oxygen and therefore cannot be used to enter an atmosphere that is oxygen deficient.

Note: Cartridges, canisters and filters are certified for use against specific hazards where the concentration is known or can be reasonably estimated. Some combination organic vapor/ particulate cartridges and canisters are certified for use against CS and CN tear gas.

Respirator Use	Respirator Type	Manufacturer/model
Perimeter hazmat incidents with specific industrial chemicals.	NIOSH certified full facepiece with combination cartridge or **as specified by the hazmat incident commander**	**MSA Millennium Gas Mask** (NIOSH TC 14G) with CBRN canister **or as specified by the hazmat incident commander (SWAT – Avon)**
Perimeter chemical/biological/ radiological/nuclear incident	NIOSH certified full facepiece with combination cartridge or **as specified by the hazmat incident commander**	**MSA Millennium Gas Mask** (NIOSH TC 14G) with CBRN canister or **as specified by the hazmat incident commander (SWAT – Avon)**

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Perimeter crowd control (CS or CN tear gas)	NIOSH certified full facepiece with combination cartridge or canister (organic vapor/ particulate)	MSA, **Millennium Gas Mask** TC-14G with CBRNcanister (SWAT – Avon)
Activation within crowd control area (CS or CN tear gas)	NIOSH certified full facepiece with combination cartridge or canister (organic vapor/ particulate)	MSA, **Millennium Gas Mask** TC-14G with CBRN canister (SWAT – Avon)
Contaminated crime scene (CS or CN tear gas)	NIOSH certified full or half facepiece with combination cartridge or canister (organic vapor/particulate)	MSA, **Millennium Gas Mask** TC-14G with CBRN canister (SWAT – Avon)
Volunteer use at crime scene for odor	N-95 dust masks	**Drager** (1230)

Powered air-purifying respirator (PAPR) means air-purifying respirator that uses a blower to force ambient air through air-purifying elements to the respirator face piece or hood. NCPD members who are covered in this program will be issued PAPRs under the following conditions:

(a) The physician or other licensed health care professional (PLHCP) recommends the use of a PAPR for medical reasons.

(b) The NCPD member cannot be successfully fit-tested for a tight-fitting facepiece. These members shall be issued a PAPR with a loose fitting hood or helmet.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.5 MEDICAL EVALUATIONS

NCPD members subject to using a respirator, other than voluntary use of filtering facepieces (dust masks), shall be medically screened for respirator use by a physician or another licensed health care professional (PLHCP) prior to fit testing or use of a respirator.Medical evaluations are also required for any member when:

(a) A member reports medical signs or symptoms that are related to the ability to use a respirator;

(b) A PLHCP, a supervisor, or the RPPA informs the department that an member needs to be reevaluated;

(c) Observations made during fit testing and program evaluation indicate a need for re-evaluation; or

(d) A change occurs in workplace conditions (e.g., physical work effort, protective clothing and temperature) that may result in a substantial increase in the physiological burden placed on a member.

The National City Risk Manager will coordinate the selection and use of a PLHCP to confidentially conduct medical screening of all members using respirators (other than dust masks).It is mandatory that T8 CCR, Section 5144, See Forms Section of this policy, OSHA Respirator Medical

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Evaluation Questionnaire [Mandatory] (See Forms Section of this policy) is used as part of the PLHCP evaluation.

The PLHCP will provide the RPPA a written recommendation that includes the following information for each member evaluated:

(a) A determination of whether or not the member is medically able to use a respirator.

(b) Any limitations on respirator use related to the medical condition of the member or to the workplace conditions in which the respirator will be used.

(c) The need, if any, for follow-up medical evaluations.

(d) A statement that the PLHCP has provided the member with a copy of the PLHCP's written recommendation.

The RPPA will make a determination on the use of a respirator by each member and will retain the PLHCP's recommendations along with the RPPA's written approval/disapproval concerning each member's ability to use a respirator.

A copy of the written approval/disapproval for each member will be retained by the respiratory protection program administrator.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.6 FIT TESTING

To obtain adequate respiratory protection, a proper match must exist between the respirator and the wearer. All fit test procedures shall be in accordance with T8 CCR, Section 5144, See Forms Section of this policy, Fit Testing Procedures [Mandatory].

(a) Before a NCPD member is required to use any respirator with a tight-fitting facepiece (APR/PAPR), the member must be fit tested with the same make, model, style and size of respirator to be used.

(b) Fit tests shall be provided at the time of initial assignment and at least annually after the assignment date.

(c) Additional fit tests shall be provided whenever the member, PLHCP, supervisor, or RPPA makes visual observations of changes in the member's physical condition that could affect respirator fit. These conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight.

(d) The person who administers the fit test shall complete the fit test training. Fit testing may be done either by a qualified "in-house" member or a qualified contracted individual/company. Documentation of all fit testing will be maintained in the department program records.

(e) Prior to the fit test, the member shall be shown the proper procedures for donning a respirator. The member shall demonstrate donning the respirator, adjust the straps, and perform positive and negative pressure fit checks.

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(f) Respirators with tight-fitting facepieces do not seal properly when facial hair comes between the sealing surface of the facepiece and the face, or when it interferes with valve function. Therefore, any member who has facial hair that interferes with sealing surfaces, shall not be fit tested.

(g) Any member who cannot be successfully fit tested with a tight-fitting facepiece respirator shall be issued a PAPR with a hood or helmet.

(h) Members who wear corrective glasses or other personal protective equipment must be sure that such equipment is worn in a manner that does not interfere with the facepiece seal. The glasses or personal protective equipment that must be worn with the respirator shall be taken to the fit-test assessment and worn during the test.

(i) Members who are issued tight-fitting facepiece (APR's) shall be fit tested using the quantitative (numerical measurement of leakage) fit test (QNFT) the Cal/OSHA accepted protocol as contained in T8 CCR, Section 5144, See Forms Section of the policy, Fit Testing Procedures [Mandatory].

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.7 RESPIRATOR USE

Escape: Member will be provided with combination cartridge/canister APRs for escape from the release of hazardous materials.

Entry: Respirators issued under this program shall not be used to enter any area that is designated as the exclusion ("hot" or "red") zone, or the contaminant reduction ("warm" or "yellow") zone of a hazardous materials incident. They also should not be used to enter any areas that are known or suspected to be oxygen deficient, or that contain concentrations of hazardous substances that are unknown or are immediately dangerous to life or health (IDLH).

Continuous duty: For continuous duty in maintaining the perimeter of hazardous materials or crowd control incidents, APRs approved by the RPPA shall be used. Respirators shall be selected that are certified for the contaminants that are believed to be present, and wearers shall not be located in atmospheres in which concentrations exceed
the protection factor of the respirator.The RPPA or incident commander shall determine a cartridge change schedule.

Breakthrough: The "Time to Breakthrough," means the point at which a hazardous chemical begins to break through the cartridge's protective filter.If an member detects breakthrough, the member shall exit the area immediately, or as soon as safety conditions permit, remove the respirator and perform decontamination procedures. Breakthrough shall be reported to the incident commander or officer in charge. The incident commander or officer in charge shall re-evaluate potential exposures and determine whether it is necessary to redefine the incident perimeter.

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Note: Some contaminants are detectable at levels that are below Cal/OSHA permissible exposure limits. Therefore, detection of contaminants by a respirator user does not necessarily mean that NCPD members are being exposed above the concentrations permitted under this program.

TB and other infectious airborne diseases: Particulate respirators shall be used when an NCPD member 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.

Facepiece Seal Protection

Supervisors shall not permit respirators with tight-fitting facepieces to be worn by NCPD members who have facial hair or any condition that interferes with face-to-facepiece seal or valve function.

NCPD members who wear corrective glasses or goggles or other personal protective equipment, must ensure that such equipment is worn in a manner that does not interfere with the face-to-facepiece seal.

Members must perform a positive-pressure and/or negative pressure seal check each time they put on a tight-fitting respirators.Members must ensure they perform a user seal check each time they put on the respirator using the procedures in the Forms Section of this policy, User Seal Check Procedures.

Voluntary Use of Respirator

Voluntary use occurs when an member requests a respirator even though the use of the respirator is not required by a standard or this policy and the RPPA has determined that its use is not necessary to protect the health of the member.

Filtering Facepiece (Dust Mask)

(a) The RPPA has determined that the respirator itself does not create a hazard.

(b) The member has read, understood, signed and returned the (Mandatory)Information for Members Using Respirators When Not Required Under the Standard form to the RPPA. (See Forms Section of this policy)

Tight Fitting Facepieces (APR/PAPR)

(a) The RPPA has determined that the respirator itself does not create a hazard.

(b) The member has read, understood, signed and returned the (Mandatory)Information for Members Using Respirators When Not Required Under the Standard form to the RPPA. (See Forms Section of this policy)

(c) The member is determined medically able to use the respirator by complying with the medical evaluation procedures established in this policy.

(d) The member complies with all of the procedures established in this policy for cleaning, maintaining and storing respirator.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

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701.8 TRAINING

All personnel designated to use respirators shall be trained.

(a) The training shall include at least the following:

1. The specific circumstances under which respirators are to be used, including illustrative scenarios that identify the proper use by NCPD members.
2. Why the respirator is necessary and how proper fit, usage, or maintenance can ensure the protective effect of the respirator.
3. How to recognize respiratory hazards members may be potentially exposed to during routine and emergency situations.
4. What the respirator's limitations and capabilities are in terms of protecting against chemical agents and other respiratory hazards.
5. How to effectively use the respirators in emergency situations, including situations when the respirator malfunctions.
6. How to inspect, put on, remove, use, and check the seals of the respirator.
7. How to maintain and store the respirator. NCPD members who are issued PAPRs shall be instructed in procedures for charging and maintaining the batteries, and for checking the flow rate.
8. How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators.
9. How to decontaminate (or safely dispose of) a respirator that has been contaminated with chemicals or hazardous biological materials.

(b) Training shall be provided at the time of initial assignment to respirator use, and at least annually thereafter.

(c) Additional training shall be provided when there is a change in the workplace conditions, the type of respiratory protection used, or when inadequacies in the member's knowledge or use of the respirator indicate that he/she has not retained the requisite understanding or skill.

(d) This training can be accomplished by in-house instruction, or by viewing the POST video on respiratory protective equipment in combination with instruction. The training should be conducted prior to the fit-test procedures.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.9 MAINTENANCE

Cleaning and Disinfecting

Each NCPD member subject to using a respirator shall be provided with a respirator that is clean, sanitary, and in good working condition. Respirators shall be cleaned and disinfected at the following intervals:

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(a) Respirators are issued for exclusive use of each member and shall be cleaned and disinfected as often as necessary to maintain a sanitary condition. Respirators maintained for emergency use shall be cleaned and disinfected after each use.

(b) Respirators used in fit testing and training shall be cleaned and disinfected after each use (before being used by another person).

(c) Respirators that have been contaminated with hazardous material require special decontamination procedures to reduce the likelihood of secondary exposures to the user or assisting personnel. The HAZMAT incident commander or officer in charge will inform users of any special decontamination procedures that are required.

The procedures for cleaning and disinfecting respirators are described in T8 CCR, Section 5144, Forms Section of this policy, Respirator Cleaning Procedures [Mandatory], (See Forms Section of this policy), or the manufacturer's procedures may be used.

Storage

All NCPD members subject to using respirators shall store the respirators to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals. They shall be packed or stored to prevent deformation of the facepiece and exhalation valve.

The manufacturer's recommendations for storage must be followed in order to protect the integrity of the equipment.

Type of Respirator	**Storage**
1. Tight fitting Respirators	In "Gear Bag" or respirator carrying case / personal locker
2. Particulate Respirators	
3. PAPRs Note: Batteries should be kept charged with the facepiece unit, or if batteries and facepiece are kept in patrol vehicle, a spare battery should be kept charged and available.	In Armory or Property and Evidence None issued to NCPD personnel

Inspection

Single-use particulate respirators shall be inspected prior to use. All other respirators shall be inspected at least monthly and prior to each use.

Inspections should include a check of:

(a) Respirator function, tightness of connections, condition of the various parts including, but not limited to, the facepiece, head straps, valves, and cartridges, canisters or filters.

(b) All rubber or plastic parts for pliability and signs of deterioration.

(c) PAPR connecting tubes or hoses and batteries.

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Each inspection shall include donning the respirator and performing positive and negative pressure fit-checks.

An inspection of the respirator (except single use particulate respirators) shall be part of the officer's daily equipment check.

Repairs

Any defective respirators shall be removed from service, and turned in to the RPPA.

Only persons who have been trained to perform such operations shall make repairs or adjustments to respirators.All repairs shall be made according to the manufacturer's recommendations and specifications for the type and extent of repairs to be performed, using only the manufacturer's NIOSH-certified parts.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.10 PROGRAM EVALUATIONS

The program administrator will annually review the respiratory protection program to ensure the written respirator program is being properly implemented and administered. This review will minimally include:

(a) Appropriate respirator selection.

(b) Proper use of respirators.

(c) Proper inspection and maintenance procedures.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.11 RECORDKEEPING

The RPPA will establish a procedure for the retention of written information regarding medical evaluations, fit testing, and the respirator program.The Training Division may be assigned as the appropriate location for maintaining all applicable records and information.

(a) Personnel medical records shall be retained and made available in, accordance with the California Code of Regulations, Section 3204, Title 8, for a minimum of thirty (30) years after an member's separation or termination.

(b) Medical records are maintained and stored at U.S. HealthWorks, 102 Mile of Cars Way, National City, CA 91950, (619) 474-9211.The RPPA is responsible for access to all NCPD respiratory medical records.Members, their representatives, or Cal/OSHA personnel can contact the RPPA to obtain access to the records.

(c) Fit Testing Records

1. The employer shall establish a record of the qualitative and quantitative fit tests administered to an member including:

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(a) The name or identification of the member tested;

(b) Type of fit test performed;

(c) Specific make, model, style, and size of respirator tested;

(d) Date of test; and

(e) The pass/fail results for the QLFTs or the fit factor and strip chart recording or other recording of the test results for QNFTs.

Fit test records shall be retained for respirator users until the next fit test is administered. The records will be retained electronically on a laptop assigned to the department Portacount machine; records can be printed as needed.

A written copy of the current respirator program shall be retained by the employer.

Written materials required to be retained under this subsection shall be made available upon request to affected members and to the Chief of designee for examination and copying.

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.12 ADDITIONAL INFORMATION AND REFERENCES

Additional information can be found on these websites:

Cal/OSHA respirator standard

Cal/OSHA respirator publication

NIOSH respirator page

Police Officer Standards and Training (POST) Model Respiratory Protection Program for Law Enforcement

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

701.13 FORMS

See attachment: User Seal Check Procedures.pdf

See attachment: Mandatory Information - respirators when not required under the standard.pdf

See attachment: Respirator Cleaning Procedures.pdf

See Personal Protective Equipment and Illness and Injury Prevention policies for further information.

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Petty Cash

702.1 PETTY CASH OPERATING PROCEDURE

The Police Department petty cash funds will consist of $300.00, controlled by the Senior Office Assistant in Investigations and by the Records Manager. Upon proper documentation or receipt, petty cash will be paid out.

AUTHORIZED BUDGETED ITEMS

(a) Court mileage;

(b) Parking fee reimbursement;

(c) Items purchased from vendors not on the MOP (Monthly Open Purchase Order} list, which costs less than $50.00 per receipt.

See Policy Manual on Cash Handling, Security and Management for further information.

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MCV/BATT: Use Request

703.1 MCV/BATT: USE REQUEST
REQUEST TO USE THE MOBILE COMMAND VEHICLE & BALLISTIC ARMORED TACTICAL TRANSPORT

OVERVIEW

The Mobile Command Vehicle (MCV) and the Ballistic Armored Tactical Transport (B.A.T.T.) is intended to be used as an operational asset for scheduled events and unplanned critical incidents. It is important that individuals utilizing the MCV or B.A.T.T. know how to operate the vehicle safely and properly. The policy will assist personnel in the proper operation, usage, and storage of the MCV and B.A.T.T. The procedure will also address the process for requesting the vehicle for a critical event or incident.

The MCV and B.A.T.T. shall be a resource and shall not be a substitute to obtain the most qualified personnel who have the proper training and equipment to work as a coordinated team to respond to emergency situations.

PROCEDURE

(a) Pre -Planned Event(s)

1. Planned events will require a formal written request routed to the Support Operations Lieutenant, via the chain of command. The request will be made on the appropriate PD form (MCV Form #612) (B.A.T.T. Form #255). As much advance notice should be given to allow for the routing, approval and scheduling. Request should be made no less than 14 business days. The Operations Support Lieutenant will evaluate the request to ensure the request is appropriate for the vehicle's intended purpose. If the request is approved, the Operations Support Lieutenant will assign and schedule one trained operator to transport and set-up the requested vehicle at the desired location.

(b) Unplanned Incident(s)

1. Request for an unplanned critical incident can be approved by the on-duty Watch Commander. The on-duty Watch Commander will assign one trained operator to transport and set-up the requested vehicle at the designated location. In the absence of the Watch Commander, the on-duty sergeant has the authority to deploy the MCV and/or B.A.T.T.

(c) Operator Assignment

1. Operators will be selected from a pre-established operator list. Other selection factors that should be considered, but are not limited to: staffing of the unit that the operator is working and in the case of a SWAT or CNT incident. It is recommended that if the situation involves SWAT or CNT, that an operator not assigned to these units be used.

READINESS AND MAINTENANCE

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(a) The Operations Support Lieutenant or designee will have the primary responsibility for ensuring the MCV and B.A.T.T. is maintained in a state of readiness. This includes:

1. Maintaining adequate trained staff on hand to ensure delivery and set-up of the MCV to a pre-designated location.
2. Maintaining an inventory of equipment on the vehicle.
3. Ensuring supplies used are replaced.
4. Inspecting the vehicle after each deployment.
5. Ensuring all vehicle maintenance is completed in accordance with the Mobile Command Vehicle maintenance checklist.
6. Washing the vehicle at least quarterly and full exterior wax yearly.

(b) Modifications to vehicle

1. No modifications will be made to the MCV or B.A.T.T. unless prior authorization is obtained from the Operations Support Lieutenant. “Modifications” includes the installation or storage of any new equipment that is not part of the initial equipment inventory.
2. All recommended modifications should be submitted in the form of a proposal to the Support Operations Lieutenant. The proposal should include the scope of the work to be done, to include estimated cost, and if possible, the identified vendor.

VEHICLE OPERATOR(S)

Vehicle Operators will first be selected from an active list of trained volunteers. Additional Vehicle Operators may be selected at the discretion of the Operations Support Lieutenant. Each Vehicle Operator must attend an approved vehicle/driving orientation course before operating the MCV or B.A.T.T. The training will be conducted in-house.

The approved vehicle / driving orientation course for the MCV is 8 hours.

The approved vehicle / driving orientation course for the B.A.T.T. is 4 hours.

(a) Only trained operators will be allowed to drive, set-up and break down the MCV or B.A.T.T.

1. A minimum of one trained operator is required to use and set-up the MCV and B.A.T.T. It is highly recommended that a second person (scout) accompany the trained operator to assist with transporting and setup of the vehicle.
2. At least one trained operator will remain with the vehicle at all times during an operation. The vehicle is not to be left unattended unless it is secured at its housed location.
3. Operators shall complete and follow the check-out/check in procedures at all times. The appropriate vehicle form will be completed after each use. The forms will remain with the vehicle in a designated log book. The Operations Support Lieutenant will inspect the log book quarterly.

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4. Operators shall report any damage or faulty equipment to the Operations Support Lieutenant.
5. In an effort to maintain operator familiarization, operators are required to set-up and operate the MCV at least quarterly. If this requirement is not satisfied with normal operational use, the operator will fulfill this requirement by coordinating with another trained operator to accomplish this task.

OPERATIONAL PROTOCOL

(a) When able, the assigned operators will conduct a pre-site inspection of the area designated for vehicle use. This inspection should include, but is not limited to: accessibility of parking, possible obstructions, suitable terrain, and overall suitability of the location in relation to incident or event.

(b) The MCV is designed strictly for use as a Command Post. Prisoners will not be brought into the vehicle.

1. Personnel not assigned to work at the Command Post should not enter or loiter in or around the Mobile Command Vehicle unless required for operational purposes or directed to do so by a supervisor.
2. Certain locations and incident types will require that exterior security be posted and maintained. Operators will ensure that such security is in place and stays in place, once the Command Post is operational. Although the MCV is equipped with emergency lighting and siren, operators will not conduct traffic stops or pursue other vehicles while driving the MCV.

(c) The B.A.T.T. is designed to transport a group of officers for rapid deployment or rescue operations. The vehicle will not be used to house or transport prisoners. Although the B.A.T.T. is equipped with emergency lighting and siren, the operator will generally not pursue other vehicles while driving.

(d) Equipment shall not be removed from the MCV except for prescribed maintenance, proper storage or inspection, unless directed by the Operations Support Lieutenant or their designee.

See Policy Manual on Vehicle Use for further information.

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Credit Card Use

704.1 CREDIT CARD USE

PURPOSE

To clarify Department policy and procedure regarding the use of Department credit cards.

POLICY

Department credit cards shall be administered and used according to the guidelines herein.

AUTHORIZED EXPENSES

(a) Critical Incidents

(b) Emergencies (e.g. purchase of gas for patrol vehicles, etc.)

PROCEDURE

(a) Access to Safe in Administrative Secretary area

1. 2 Credit cards (1 – general use, 2- Smart & Final)
2. Cash
3. List of authorized vendors
4. To access safe, you must receive verbal approval and the combination from the Chief, Asst. Chief, or Captain.

(b) Credit Card and Receipt Submission

1. The credit card shall be returned to the authorized card holder from whom it was received upon return to the City.
2. All card slips shall be turned in to the Administrative Secretary upon return to the City.
3. The Police Operations Assistant shall be responsible for forwarding the receipts to the Public Works Department for reconciliation.

See Policy Manual on Cash Handling, Security and Management for further information.

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Department Keys - Duplication and Control

705.1 DEPARTMENT KEYES - DUPLICATION AND CONTROL POLICY

All keys which fit city or police department facilities or vehicles are considered to be police department property. Such keys must be surrendered upon demand. The loss of the keys shall be reported to the member's supervisor immediately and documented in a memorandum to their Chain of Command.

AUTHORIZATION OF DUPLICATION

City and police department keys shall not be duplicated by any member without authorization. Only the Operations Support Lieutenant and Sergeant are authorized to grant such approval.

PROCEDURE

When requests are received for the duplication of replacement of replacement keys, the following procedure shall be followed:

(a) The duplication or replacement will be approved by the Operations Support Lieutenant or Sergeant.

(b) The duplication or replacement will be made through an authorized vendor, and

(c) The Operations Support Lieutenant or Sergeant will distribute the keys to the appropriate employee.

See Policy Manual on Department-Owned and Personal Equipment for further information.

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Chapter 9 - Custody

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Medical Treatment Facilities For Prisoners

900.1 MEDICAL TREATMENT FACILITIES FOR PRISONERS

POLICY

The following guidelines shall be adhered to when determining where a prisoner should be transported for treatment.

(a) Adult Prisoners

1. Adult prisoners who, because of the severity of injury, become part of the trauma system should be taken to UCSD Medical Center for treatment.
2. Adult prisoners who are in labor should be taken to UCSD Medical Center for treatment.
3. Adult prisoners who are in need of mental health care should be taken to Paradise Valley Hospital for treatment.
4. All other categories of adult prisoners should be taken to Paradise Valley Hospital or UCSD Medical Center for treatment.

(b) Juvenile Prisoners

1. All juvenile prisoners should be taken to UCSD Medical Center for treatment.

(c) This Operating Procedure shall be reviewed annually by the Temporary Holding Facility Coordinator.

See Temporary Custody of Juveniles and Temporary Custody of Adult policies for further information.

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Probable Cause Declarations

901.1 PURPOSE

On May 13, 1991, the United States Supreme Court, in County of Riverside et al v. McLaughlin (case no. 89-1817), ruled that all prisoners arrested without a warrant are entitled to a judicial determination of probable cause within 48 hours of arrest.The 48 hour clock is to begin at the time of arrest, and will not be interrupted by weekends or holidays.

The procedures contained herein were developed by a coalition of representatives from the courts, law enforcement agencies, District Attorney's Office and the Sheriff's Department, and were designed to comply with the law yet have the least impact on law enforcement resources.

901.2 POLICY

Effective immediately all prisoners shall be presented at San Diego County jails for booking with a signed DECLARATION AND DETERMINATION Form (See attachment: DECLARATION AND DETERMINATION FORM.pdf) in order to show support of probable cause.

901.3 PROCEDURE FOR COMPLETION OF DECLARATION FORM

All prisoners shall be presented at San Diego County jails for booking with a signed DECLARATION AND DETERMINATION Form (See attachment: DECLARATION AND DETERMINATION FORM.pdf) in order to show support of probable cause.

(a) Top Portion

1. Prior to booking, the arresting officer must complete the upper portion of the Declaration form, EXCEPT for the boxes labeled:
   - (a) "BOOKING #";
   - (b) "FACILITY/FAX #"; and,
   - (c) "RELEASE STATUS:"
     1. *These sections will be completed by jail personnel;
2. Multiple Offenses
   - (a) If a subject is booked for multiple offenses, the arresting officer need only provide probable cause for the most serious offense.If the probable cause for the most serious offense is relatively weak, the offense with the strongest probable cause should be used.In any case, one crime will suffice.

(b) Facts Establishing Elements of Crime and Identification

1. In all probable cause arrests, including felonies, misdemeanors, probation and parole violations, the arresting officer must provide a brief narrative which:
   - (a) Establishes the elements of the offense;
   - (b) Identifies the arrestee as the perpetrator;

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(c) Articulates all necessary foundational support to determine probable cause.

(c) Declaration Under Penalty of Perjury Portion

1. The officer must then sign and date the form in the blanks provided, declaring under penalty of perjury the information provided is true "to the best of my information and belief."

901.4 PROCEDURE FOR SUBMISSION OF DECLARATION FORM

(a) The officer transporting the subject to County jail must submit the original only of the completed Declaration form to the intake deputy, along with the traditional booking slip (fish slip).

(b) The Sheriff's Department will initiate transfer of the forms to the reviewing Magistrate.

Weekdays	**Magistrate**	**Booking Location**
	El Cajon	Las Colinas
	Vista	Vista
	San Diego	San Diego
Weekends/Holidays	**Magistrate**	**Booking Location**
	San Diego	All locations - via FAX

901.5 PROBABLE CAUSE FINDINGS

Findings shall be recorded by the Magistrate at the bottom of the form. The form shall then be signed and the date and time noted.

(a) Probable Cause Found

1. When probable cause is found by the Magistrate, the Determination form shall be delivered back to the Sheriff's Department, where it will be filed in the inmate's booking jacket.The prisoner shall then be held pending standard judicial proceedings.

(b) Probable Cause NOT Found

1. When probable cause is NOT found by the Magistrate, Sheriff's staff shall immediately be notified to initiate release procedures. The Sheriff's Department will then FAX a notice to the arresting agency that no probable cause was found by the Magistrate.Notice may be in the form of a copy of the Determination form, or merely a summary of the identifying information at the top of the form.If the arresting agency cannot resubmit a corrected declaration before completion of the release process, the arrestee will be released from custody.The Sheriff's Department will not delay the prisoner's release in any manner to accommodate the arresting agency's desire to keep the prisoner in custody.

(c) Options Upon Finding of No Probable Cause

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1. Once no PC has been found by the Magistrate, the agency must determine whether it is desirable to pursue keeping the arrestee in custody.Guidance from the arresting officer's sergeant should be sought at this point.Two options exist under these circumstances:
    (a) Submit Case to Prosecutor - Request Arrest/Notify Warrant
        1. If the evidence is not strong and is not expected to get stronger, and the arrestee is not a threat to public safety, it may be desirable to simply submit the case to the DA's Office and request an arrest/ notify warrant:
    (b) Attempt to Keep in Custody
        1. Re-Submit Declaration
            (a) Since the Sheriff's release procedure takes between 3 and 6 hours to complete, there may be time to draft another declaration for resubmission to the Magistrate.
            (b) Once NCPD is notified of a NO Probable Cause finding, access to a Magistrate on weekends and holidays may be difficult.Fax and telephone access to a Magistrate is not available at this time.Phone access may be available in the future, however, currently Declarations must be delivered in hardcopy form.
        2. Re-Arrest of Prisoner Upon Release
            (a) The agency also has the option of re-arresting the prisoner upon release.The agency would then be required to re-book the prisoner and draft another Declaration.The problems with this method are that the Sheriff's Department will not assist agencies in finding out when a prisoner will be released, and this option may create possible liability exposure.

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Temporary Holding Facility Procedure

902.1 TEMPORARY HOLDING FACILITY PROCEDURE

This is a revised operating procedure and supersedes all previous procedures pertaining to this subject.

PURPOSE

To establish uniform guidelines and procedures which ensure that prisoners brought into this agency's Temporary Holding Facility (hereafter referred to as THF) are treated in accordance with the law. California Penal Code Section 6030 requires the Corrections Standards Authority, formally known as the Board of Corrections, to establish minimum standards for local detention facilities.Title 15 contains those guidelines. This Procedure will be guided by the requirements of Title 15, California Code of Regulations.

GENERAL INTENT

Generally, prisoners will be immediately transported from the field to a San Diego County Sheriff's Department facility (such as the Central Detention Facility or Las Colinas) or to other destinations as required. Should there be a need to transport prisoners to the National City Police Department's THF, it shall be for the purpose of arranging transportation to an eventual destination, to continue an investigation, or to arrange for release of the prisoner(s).

DEFINITIONS (Per Title 15)

(a) "Corrections Standards Authority" acts by and through its executive officer, deputy directors, and field representatives.

(b) "Developmentally disabled" means those persons who are disabled due to mental retardation, cerebral palsy, epilepsy, autism or combination of these handicaps.

(c) "Emergency" means any significant disruption of normal facility procedure, policies, or activities caused by a riot, fire, earthquake, attack, strike, or other emergent condition.

(d) "Facility/system administrator" means the sheriff, chief of police, chief probation officer, or other official charged by law with the administration of a local detention facility/system.

(e) "Facility manager" means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.

(f) "Health authority" means that individual responsible for health care services pursuant to a written agreement or job description. A health authority could include a county/city health officer, physician, or medical administrator. When this authority is other than a physician, final medical decisions rest with a single designated responsible physician.

(g) "Licensed health personnel" includes but is not limited to the following classifications of personnel: Physician/Psychiatrist, Dentist, Pharmacist, Physician's Assistant,

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Registered Nurse/Nurse Practitioner/Public Health Nurse, Licensed Vocational Nurse, and Psychiatric Technician.

(h) Living areas" means those areas of a facility utilized for the day-to-day housing and activities of inmates. These areas do not include special use cells such as detoxification, safety, and holding or staging cells normally located in receiving areas.

(i) "Local detention facility" means any city, county, city and county, or regional jail, camp, court holding facility, or other correctional facility, whether publicly or privately operated, used for confinement of adults or of both adults and minors, but does not include that portion of a facility for confinement of both adults and minors which is devoted only to the confinement of minors.

(j) "Local detention system" means all of the local detention facilities that are under the jurisdiction of a city, county or combination thereof whether publicly or privately operated.

(k) "Managerial custodial personnel" means the jail commander, camp superintendent, or other comparable employee who has been delegated the responsibility for operating a local detention facility by a facility administrator.

(l) "Routine safety checks" means regular, intermittent and prescribed direct, visual observation to provide for the health and welfare of inmates.

(m) "Shall" is mandatory;

(n) "May" is permissive.

(o) "Supervisory custodial personnel" means those staff members whose duties include direct supervision of custodial personnel.

(p) "Temporary Holding Facility" means a local detention facility constructed after January 1, 1978, used for the confinement of persons for 24 hours or less pending release, transfer to another facility, or appearance in court.

PROCEDURE

(a) Emergency Suspensions of Standards or Requirements. (Title 15, Section 1012)

1. Nothing contained herein shall be construed to deny the power of the facility administrator to temporarily suspend any standard or requirement herein prescribed in the event of any emergency which threatens the safety of the THF, its inmates or staff, or the public. Only such regulations directly affected by the emergency may be suspended.The facility administrator shall notify the Corrections Standards Authority in writing in the event that such a suspension lasts longer than three days. In no event shall such a suspension continue more than 15 days without the approval of the chairperson of the Board of Corrections for a time specified by him/her.

(b) Temporary Holding Facility Training.(Title 15, Section 1024)

1. All lieutenants, sergeants, corporals and officers of this Department shall complete 8 hours of specialized training.Such training shall include, but not be limited to:

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(a) Applicable minimum jail standards;

(b) Jail operations liability;

(c) Inmate segregation;

(d) Emergency procedures and planning; and

(e) Suicide prevention.

2. Such training shall be completed as soon as practical, but in any event not more than six months after the date of assigned responsibility. All personnel shall receive refresher training every two years after completing the initial special training

(c) Number of Personnel. (Title 15, Section 1027)

1. A sufficient number of personnel shall be available to permit intermittent, direct visual supervision of all inmates and to ensure the implementation and operation of the programs and activities required by these regulations. There shall be a written plan that includes the documentation of hourly safety checks.

2. Whenever there is an inmate in custody, there shall be a least one officer on duty at all times in the THF or in the building who shall be immediately available and accessible to inmates in the event of an emergency.Such officer shall not have any other duties which would conflict with the supervision and care of inmates in the event of an emergency. Whenever one or more female inmates are in custody, there shall be at least one female officer who shall in like manner be immediately available and accessible to such females.

(d) Fire and Life Safety Staff. (Title 15, Section 1028)

1. Pursuant to California Penal Code Section 6030 (c), whenever there is an inmate in custody, there shall be at least one person on duty at all times who meets the training standards established by the State Fire Marshal for general fire and life safety which relate specifically to this facility.

(e) Incident Reporting - Injury and Threat of Injury. (Title 15, Section 1044)

1. Whenever an incident occurs in the THF which results in either physical injury or serious threat of physical injury to any person (prisoner, officer, etc.) the incident will be fully documented in an appropriate report (crime report, arrest report, miscellaneous report, etc.). A copy of the report will be submitted to the Administrative Captain within 24 hours of the incident.

(f) Medical Screening for Persons Presenting Specific Potential Problems. (Title 15, Section 1207)

1. Liabilities attach whenever we bring people into our THF. The people at risk, and the people who represent the greatest liabilities for us, and shall, whenever possible, be taken directly to their final destination facility, are listed below.Whenever it is necessary to bring such a prisoner to the THF, or whenever it is discovered that a prisoner fits one of the categories listed below after he/she is in the THF, a supervisor shall be notified. That supervisor shall evaluate

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the situation and determine whether or not the prisoner should be brought to or remain in the THF.

(a) Unconscious persons.

1. These persons shall be evaluated by emergency medical personnel as soon as possible and transported as appropriate for their condition. Article 10, Section 1200 (b)

2. Pregnant or lactating females.

3. Combative persons, escape risks and/or persons likely to need protection from other prisoners. (Title 15, Section 1053)

   (a) Any officer bringing a combative or violent prisoner to the THF and/or taking such a prisoner out of a cell or vehicle shall notify a supervisor immediately. Whenever practical, a supervisor shall be present during the movement of the prisoner, and shall ensure every effort is taken to utilize safe and effective procedures for controlling the prisoner and minimizing the potential for injury to officers, the prisoner and other persons.

   (b) These persons shall not be placed with any other prisoners in any holding cell.

   (c) Combative or violent prisoners should not have handcuffs removed while in the THF, and immediate steps shall be taken for the earliest possible transportation of these prisoners to their eventual destination.

   (d) Officers who are required to use physical force to control violent, combative or uncooperative prisoners shall, in all cases, include a full account of the incident in the appropriate report (crime report, arrest report, etc.).The circumstances involving the use of force shall immediately be brought to the attention of a supervisor.If any injuries result, either to an officer or a prisoner, the Watch Commander shall be immediately notified.

4. Suicidal or otherwise mentally disordered persons. (Title 15, Section 1052)

   (a) Those persons who appear to be a danger to themselves or others or who are gravely disabled.

   (b) These persons shall be kept under constant observation by an officer while in the THF.

   (c) All objects, articles or clothing, etc. which could be used by such a prisoner to harm himself/herself shall be removed from such persons on their arrival at the THF.

   (d) These persons shall not be placed with any other prisoners in any holding cell.

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(e) These persons shall be transferred to a County Mental Health facility as soon as is possible.(Title 15, Section 1209)

5. Persons with known communicable diseases. (Title 15, Section 1051)

(a) Persons who have, at the time of their THF screening, or have had, diseases which include but are not limited to tuberculosis, hepatitis, venereal disease, or AIDS.

(b) These persons shall not be placed with any other prisoners in any holding cell.

(c) Officers handling such prisoners shall use available personal protective equipment as appropriate and shall thoroughly wash exposed skin following contact.

(d) Officers handling such prisoners shall report their contact to a supervisor and an Employer's Report of Occupational Injury or Illness shall be completed.Exposed officers shall be evaluated by a physician before returning to duty.

(e) Areas and/or stationary objects which were touched by such a prisoner shall be cleaned and disinfected by Public Works personnel prior to use by another prisoner.

6. Persons requiring medical treatment, claiming they need medical treatment, or who are taking medication. (Article 10, Section 1200 (b))

(a) When a felony arrest has been made and the prisoner has been transported to the THF and has been discovered to be injured, or is ill and may require medical treatment, a supervisor shall be notified.

(a) The supervisor will immediately arrange for an evaluation by emergency medical personnel to determine the proper course of action (i.e. transfer to a medical facility).

(b) If the injury (not caused by police or while in custody) or illness is one that will require comprehensive treatment or admission to a medical facility prior to acceptance of the prisoner by another custodial facility, a supervisor may evaluate the option of contacting the duty or on call judge to obtain an "own recognizance" release for the prisoner to eliminate the necessity for a major expenditure of time by our officer(s).

(a) After an "O.R." release has been obtained, responsibility for obtaining medical treatment rests with the injured or ill prisoner.Responsible officer(s) will advise such released persons to

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seek medical treatment and will assist in arranging transportation if necessary.

(c) Whenever a felony prisoner is to be transported to a medical facility for treatment, and that prisoner is going to be admitted for care and treatment for an extended period of time, the Watch Commander, or shift supervisor in the absence of the Watch Commander, shall be advised of the situation and shall be responsible for scheduling officers to provide custodial security until such time as the prisoner can be arraigned by the court or a contractual guard service can be arranged.

(d) Whenever an injured or ill prisoner has been treated at City expense by any emergency medical personnel or at any medical facility, the appropriate supervisor shall, within 24 hours of the incident, complete a detailed report of all the circumstances necessitating that treatment.The original of that report shall be made part of the appropriate case file.A copy of that report shall be routed to the Administrative Captain.

(b) Whenever probable cause exists for the arrest of any person who is injured (not by the police), or is ill, a supervisor will immediately be notified and, if practical, will respond to the location of the injured or ill person prior to the actual arrest.The supervisor will evaluate the situation and in the case of misdemeanor offenses will, if at all possible, arrange for citation, notify warrant, or other such measures as may be appropriate in lieu of taking the injured or ill person into physical custody.The injured or ill person in those cases shall be referred to a medical facility for treatment and will be assisted in terms of transportation if necessary.

(c) Whenever probable cause exists for the arrest of any person for the commission of a felony, who is injured (not by the police), or is ill, a supervisor will be notified and will respond to the location of the injured or ill person prior to actual arrest, if possible.If arrest has not taken place and the felony committed is not one of an atrocious, violent or extreme nature, and if there is not a likelihood that the person will flee prosecution, or that the person's continued freedom will likely not compromise the safety or property of any person, then the supervisor may opt not to take that person into physical custody at that time.Complete information regarding the person will be obtained and the facts pertinent to the contact and reasons for release will be included in a report of the incident. The injured or ill person in those cases shall be referred to a medical facility

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for treatment and will be assisted in terms of transportation if necessary.

7. Persons who are developmentally disabled, handicapped and/or dependent upon prosthetic devices. (Title 15, Section 1057)
    (a) These persons shall be kept under constant observation by an officer while in the THF.
    (b) Persons with prosthetic devices or orthopedic devices shall be allowed to keep such appliances unless an immediate risk to safety or security has been determined. If such appliance is removed, it shall be returned once the risk to safety or security no longer exists.(Title 15, Section 1207 and California Penal Code Section 2656)
8. Diabetics and epileptics.
9. Persons infested with vermin. (Title 15, Section 1212)
    (a) These persons shall not be placed with any other prisoner in any holding cell.
    (b) Such prisoners shall be cited and released when appropriate or transported to whichever other custodial facility is appropriate.
        (a) If the prisoner is transported to another facility, the transporting officer shall advise the intake personnel of that facility of the prisoner's infestation.
    (c) Areas and stationary objects which were touched by the vermin infested prisoner shall be sprayed with a pediculicide spray (a supply of which shall be kept in the Jailer's Suite) according to the directions on the label.Following such treatment, building maintenance personnel shall be notified and those areas and objects shall be washed thoroughly.
10. Intoxicated persons. (Title 15, Section 1056)
    (a) These persons shall be intermittently directly and visually checked no less often than every half hour.
    (b) Whenever a person in the detoxification cell (cell #5) becomes sober enough that it is no longer necessary that he/she stays in that cell, he/she shall be moved to the appropriate standard holding cell.
    (c) Any person so intoxicated that he is held in the detoxification cell (cell #5) for longer than six hours must be reevaluated by emergency medical personnel to determine whether he/she has an urgent medical problem.(Title 15, Section 1213)

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(d) Extremely intoxicated prisoners shall not be confined in this facility and shall not, under any circumstances, be placed in a holding cell and left alone

(a) Extreme intoxication, for the purposes of this instruction, is defined as a degree of intoxication which creates the likelihood that the person will injure him/herself by falling, will become comatose, or is comatose.

(b) Intoxicated prisoners whose level of intoxication becomes extreme while in custody will be transported to a medical facility by appropriate emergency medical personnel.

(g) Classification Plan. (Title 15, Section 1050) Prisoners being placed into a holding cell in the THF shall be screened to determine whether any special conditions exist which require that they be segregated to avoid situations which might generate unsafe conditions for prisoners and/or officers.

1. An Inmate Classification Form will be completed for each prisoner who is placed into a holding cell.

(a) When the form is completed, the prisoner will be placed into the appropriate holding cell based on the information on the form.

(b) The classification (plain language description such as "Violent" or "Female" or "Intoxicated") of the prisoner will be entered into the THF log in the "Classification Level" column.

(c) The completed form will be attached to the prisoner's Arrest Report.

2. Holding cell assignments by classification.

(a) Cell #1 - Females. This cell can also be used for non-violent prisoners when not in use for female prisoner(s).

(b) Cell #2 - Nonviolent.

(c) Cell #3 - All others except intoxicated or non violent or females.

(d) Cell #4 - Non-violent.

(e) Cell #5 - Intoxicated.

3. Officers bringing prisoners into the THF for processing only (Arrest Report, mug photos, prints, phone calls,) are not required to complete an Inmate Classification Form.

(a) If a prisoner is placed into a holding cell, however, a Classification Form must be completed.

(h) Use of Restraint Devices. (Title 15, Section 1058)

1. There is a distinction between the use of restraints and the use of force.

(a) Force is a law enforcement function.

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(b) The application of restraints for more prolonged periods of time is a medical function.

(c) Use of force is an immediate means of overcoming resistance to control a threat of imminent harm to self or others.

(d) The use of restraints is a sustained, prolonged intervention.

2. Restraint devices shall not be used in the THF except as applied by emergency medical personnel pursuant to their evaluation, treatment or transportation of prisoners.

(i) Access to Telephone. (Title 15, Section 1067)

1. Because prisoners will not normally be kept in the THF for periods longer than three hours, procedures allowing access to telephones beyond those required by California Penal Code Section 851.5 are not necessary.

2. All prisoners brought to the THF will be afforded the opportunity to make and complete their legally mandated telephone calls pursuant to California Penal Code Section 851.5.

(a) Immediately upon being initially processed and except where physically impossible, no later than three hours after arrest, a prisoner has the right to make at least three completed telephone calls at city expense, as long as they are completed within the local calling area or as described below in 2. b. 1).

1. These telephone calls shall be given immediately upon request or as soon as practical.

(b) A sign containing the following information in bold block type shall be posted in a conspicuous place visible to prisoners being brought into the THF.

1. Prisoners have the right to free telephone calls within the local dialing area, or at their own expense if outside the local area, to three of the following:

(a) An attorney of their choice, or if they have no funds, the Public Defender or other attorney assigned by the court to assist indigents.This phone call shall not be monitored, eavesdropped upon, or recorded;

(b) A bail bondsman; and/or

(c) A relative or other person.

(j) Access to the Courts and Counsel. (Title 15, Section 1068). In the rare instances when it becomes necessary for prisoners to meet with an attorney, the Watch Commander, or shift supervisor in the absence of the Watch Commander,shall be advised of the situation and shall be responsible for:

1. Determining if such a visit is necessary and legal;

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2. Determining where and under what conditions such a visitation is to take place; and

3. In the event such visits take place, they shall be held in a private setting and shall not be eavesdropped upon in any way.

(k) Inmate Deaths. (Title 15, Section 1218) See County OIS Protocol for further information. See attachment: 5.4 Investigation Review of OIS Other Use of Force Where Death Occurs.pdf . See Policy Manual on Death Investigation for additional information.

(l) Suicide Prevention. (Title 15, Section 1219)

1. Twenty seven percent of custodial suicides are committed within the first three hours of incarceration. Officers bringing prisoners into the THF shall carefully screen arrestees for suicidal tendencies and shall be especially aware of potential warning signs.

(a) Any indication of mental illness prior to incarceration or while in jail.

(b) A history of previous suicide attempts.

(c) Joking about "ending it all" or any mention of finality such as, "They'd be better off without me."

(d) Belligerent or combative behavior, especially combined with alcohol or drug consumption.

(e) Obvious symptoms of depression or withdrawal such as lethargy, downcast eyes, rhythmic rocking back and forth, reports of weight loss or sleeplessness.

(f) Scars on wrists or neck.

(g) Recent divorce or death of a loved one.

(h) History of suicide in the family.

(i) Crying, expressions of hopelessness about the future, radical mood swings.

(j) Substance abuse.

1. The majority of custodial suicide victims were under the influence of alcohol, drugs or a combination of the two.

2. Prisoners identified as suicidal will be handled according to the provisions of Title 15 Section 1052.

(m) First Aid Kits. (Title 15, Section 1220)

1. First aid supplies for exclusive use in the THF shall be maintained in the jailer's suite.

(a) As part of the shift supervisors' daily inspection responsibilities, the THF first aid supplies shall be replenished as needed from supplies maintained in the First Aid Room.

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(b) First aid kits shall be maintained to include an inventory of supplies and dates of expiration.

(n) Temporary Holding Facility Access. At no time when a prisoner is within the THF shall unauthorized or non-essential personnel be allowed entry to the THF.

1. Non-essential/unauthorized personnel include, but are not limited to, records clerks, janitors, repair personnel, Explorers and ride-alongs.

2. Contact between juveniles and adults confined within the THF is restricted in accordance with W&I Section 208. Juveniles must be separated from adult prisoners by sight and sound. Juveniles must not be able to see, hear, speak or otherwise be in contact with adult prisoners.

(a) The only exceptions have to do with booking or prisoner movement. It is, therefore, authorized to take juveniles into the THF in order to photograph them with the mug shot camera. Movement of juveniles in and out of the THF for such purpose shall be via the north door and their stay shall be as brief as possible.At no time shall a female juvenile enter the THF if male prisoners are present.

3. Female prisoners and male prisoners shall not be in the THF at the same time.

4. Outside Agencies.

(a) Whenever an outside agency wishes to use our THF to process or hold a prisoner, the on duty shift supervisor shall be notified prior to entry into the THF by the prisoner.

1. The supervisor shall determine whether or not to allow the prisoner to be brought into the THF.

2. In the event the prisoner is allowed into the THF, the supervisor shall be responsible for ensuring that all guidelines contained in this Procedure are followed.

(o) Table of Organization. (Title 15, Section 1029) The THF table of organization, and resultant lines of communication, is as follows:

1. The THF Administrator is the Chief of Police; and

2. The THF Manager is the Administrative Captain.

(a) Functional command/management of the THF may be delegated to the sergeant assigned to the Temporary Holding Facility Coordinator.

(p) Temporary Holding Facility Security.

1. Prisoners shall enter the THF from the intake garage.

2. Doors to unoccupied holding cells shall remain open at all times.

3. Officers, while alone, shall not enter holding cells containing prisoners.

4. In the event an officer is alone in the THF with a prisoner who becomes uncooperative, combative or violent, the officer shall immediately summon assistance.

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5. In the event a violent or potentially violent prisoner is brought to the THF, or whenever such a prisoner must be removed from a holding cell, a supervisor shall be notified. The supervisor shall ensure that safe and effective procedures for movement and control of the prisoner are utilized.

6. Articles which have the potential for being used as weapons (such as bottles, pencils, scissors.) shall not be kept or allowed to remain in the THF. Officers shall not take their duty weapons, tasers, knives, batons, or OC canisters into the THF. Officers will store these items in the trunk of a police vehicle or in the gun lockers provided.

7. Doors to the various storage areas within the THF shall be kept locked except when actually in use.

8. Officers on light duty status shall not place themselves in a position in which a possibility exists that they will have to physically control a prisoner in the THF.This does not preclude officers on light duty from conducting periodic prisoner checks or THF inspections, but does require that, should direct contact with a prisoner be required, the light duty officer shall summon assistance prior to allowing the direct contact.

(q) Duration of Detention. Detention in the THF shall only be for the purpose of arranging transportation, arranging release, or to facilitate continued investigation.

1. Every effort shall be made so that no prisoner occupies a holding cell in the THF for longer than three hours. In the event a prisoner does remain longer than three hours, and depending upon the assignment (Patrol or Investigations) of the personnel responsible for the prisoner's presence in the THF, the Watch Commander, or shift supervisor in the absence of the Watch Commander, or Investigations lieutenant or Investigations sergeant in his/her absence, shall complete a written report explaining the circumstances necessitating the prolonged detention and shall forward that report to the Operations Division Commander within 72 hours.

(r) Facility Inspections and Related Logs. (Title 15, Section 1029)The importance of adherence to prescribed THF inspection procedures and the accurate completion of the related logs cannot be overemphasized. The information in these logs may assist both the Department and its employees as individuals in terms of citizen complaints, claims for damages and lawsuits. In many cases, these logs will be the only documentation that officers and supervisors performed appropriately and within legal and procedural parameters.

1. Prisoner Safety Checks and Facility Inspection Log.

(a) Prisoner Safety Checks.

1. Officers with prisoners in any of the THF's holding cells shall make intermittent, periodic, personal, visual checks of those prisoners no less often than every sixty minutes.

(a) Prisoners who are unconscious, suicidal, mentally disordered, seriously injured or ill, developmentally disabled,

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handicapped, dependent upon prosthetic devices or extremely intoxicated shall never be left alone while in the THF.

(b) Facility Inspections.

(a) At the beginning and end of each shift, a supervisor shall conduct an inspection of the THF for the purposes of:

(a) Ensuring compliance with the law and with the guidelines of this Procedure regarding the THF and its operation;

(b) Determining the habitability and safety of the THF and causing correction of any condition which requires attention;

(c) Ensuring that necessary supplies (such as first aid supplies, THF log forms, report forms) are available; and

(d) Ensuring that no weapons, contraband or other property is in the THF.

(b) The inspection shall include an entry into each unoccupied holding cell.

(c) The inspection shall include a determination of the status of every prisoner in the THF.

(c) Completing the Facility Inspection Log.

(a) "Date" column:Enter the date of the facility inspection.

(b) "Time" column: Enter the time of the facility inspection. Use actual time rather than rounding off to even or thirty minute or other increments.

(c) "Name" column: Print the name of the person making the facility inspection.

(d) "I.D." column: Enter the identification number of the person making the facility inspection.

(e) "Comments" column: Enter any pertinent information in this column. Such information may include that first aid supplies were replenished, the discovery of illness or injury which required calling emergency medical personnel, the discovery of damage to the THF, the discovery of some condition which required the notification of Public Works or some other City department for correction, or that no problems or negative conditions were observed.

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(f) It shall be the responsibility of the THF Manager to maintain these completed logs for a minimum of two years.

2. Temporary Holding Facility Prisoner Log.

(a) There shall be a new log sheet for each date.

(b) Each prisoner brought to the THF will be entered into this log.

(c) Completing the Prisoner Log.

(a) "Name" box: Print the prisoner's last, first, and middle name.

(b) “DOB” box:Enter the prisoner’s date of birth.

(c) "Probable Destination" box:Enter the probable disposition or destination of the prisoner. Examples may include such notations as "Citation," "CJ" or "Las Colinas."

(d) "Cell No." box: If the prisoner is placed into a holding cell, enter the number of that cell.If the prisoner is not placed into a holding cell, leave this column blank.

(a) Cell assignments:

(a) Cell #1 - Females. This cell can also be used for non-violent prisoners when not in use for female prisoner(s).

(b) Cell #2 - Non violent.

(c) Cell #3 - All others except intoxicated or non violent or females

(d) Cell #4 - Non violent.

(e) Cell #5 - Intoxicated.

(e) "Classification" box: Enter a plain language description of the prisoner's classification. Some examples may include "Developmentally Disabled," "Violent," "Non Violent,""Suicidal," "Vermin infested," "Intoxicated" or "Communicable Disease."

(f) "Property Being Held" box:If the prisoner's property (not evidence) has been or will be impounded at NCPD rather than going with the prisoner to the prisoner's eventual destination, enter a "Y" for yes.If not, enter an "N" for no.

(g) "Arresting Officer" box: Print the name of the arresting officer.

(h) "I.D." box: Enter the identification number of the arresting officer.

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(i) "Disposition" box: Enter the final disposition or destination of the prisoner. Examples may include such notations as "CJ" or "Las Colinas", “Cite & Release”.

(j) “Transporting Officer” box:Enter the name of the officer transporting the prisoner to the final destination or causing the final disposition, such as a “cite & release”.

(k) "Time" box: Enter the times the prisoner entered and was removed the THF.

(l) “60 Minute Observation Times” box: Enter the actual times that the prisoner safety checks are conducted when the prisoner is placed in a cell.

(m) “Employee ID No” box: Enter the employee ID number of the person conducting the prisoner safety check.

(n) “Comments” box: Enter information regarding any special problems or other information of importance (such as the prisoner having been brought to the THF by an outside agency or the fact that the prisoner made phone calls, etc.), and the transporting or releasing officer's name.

(d) It shall be the responsibility of the THF Manager to maintain these completed logs for a minimum of two years.

(a) The completed logs may be used for population accounting and/or average daily population purposes.

3. Fire Safety Inspections.

(s) Intake. (Title 15, Section 1029)

1. Immediately upon their arrival, all prisoners entering the THF shall be thoroughly searched by the transporting officer(s), preferably prior to having their handcuffs removed.Mug photos and/or fingerprints may be obtained if desired.

(a) Body cavity searches (visual or physical) shall not be conducted by employees of this Department.

(b) Strip searches are searches which require a person to remove or arrange some of all of his/her clothing so as to permit a visual inspection of the underclothing, breasts, buttocks, or genitalia of such person.

1. Prior to any strip search being conducted by any officer, the on duty Watch Commander, or shift supervisor in the absence of the Watch Commander, or Investigations Division Commander when the search is to be carried out by personnel from the Investigations Division, shall be notified of the intended search.No search will be conducted until written authorization in the form of a completed PD-510 is received from the Watch Commander or Investigations Division Commander, as appropriate.

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2. Strip searches will be subject to the following criteria:

   (a) There must be a reasonable suspicion, based on specific and articulable facts, to believe the prisoner subject to such a search is concealing a weapon or contraband, and a strip search will result in discovery of the weapon or contraband.

   (b) The authorization (PD-510) shall include the specific and articulable facts and circumstances upon which the reasonable suspicion determination was made by the officer.

3. After a strip search takes place, the following shall be maintained in the appropriate case file (arrest report, crime report, etc.) pertaining to the person searched:

   (a) The original PD-510; and

   (b) A written report detailing the time, date and place of the search, the name and sex of the person(s) conducting the search, and a list of any items removed from the person searched.This report shall be made available, upon request, to the person searched or to his/her authorized representative.

4. Persons conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched.

5. All persons conducting or otherwise present during a strip search shall be of the same sex as the person being searched.

6. All strip searches shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the search.Persons are considered to be participating in the search if their official duties, relative to the search procedure, require them to be present at the time the search is conducted.

(c) Officers will fill out an inmate classification form for any prisoner who is to be placed into a holding cell.

(d) All property will be removed from prisoners.

1. Prisoners who are released from the THF pursuant to California Penal Code Sections 849(b)(1), or (2) or (3), or 853.5 or 853.6 shall have their property returned to them on their departure.

2. The property of prisoners who are transferred to another detention facility shall be, unless by virtue of its substance or size it will not be accepted by the receiving facility, sent to that facility with the prisoner.

   (a) Any prisoner's property which, because of its size or other consideration, will not be accepted by the detention facility to which the prisoner is transferred shall be impounded at NCPD so that the prisoner can retrieve it on his release from custody. The prisoner shall be provided a Field Property

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Receipt (PD-360) for such property and shall be advised regarding how and where to retrieve the property.

(b) Weapons (or objects which could be used as weapons) and medications taken from prisoners will be placed in a "Weapon/ Medication" envelope to alert transporting personnel and personnel at the receiving detention facility of the presence of such items.

(e) Female Prisoners.

1. The same intake procedures apply to female prisoners as to male prisoners with the following exceptions:

(a) Female prisoners shall not be taken into or held in the THF when male prisoners are present in the THF.

(b) Whenever a female prisoner is placed into a holding cell in the THF, there must be a female officer in the building throughout the time the female prisoner is in the holding cell.

(c) Though it is not required by law, it is recommended that a male officer have another officer (preferably a female) present when conducting prisoner checks of female prisoners or when removing a female prisoner from a holding cell.

(d) Female prisoners, at their request, shall be allowed to continue use of their own materials for personal hygiene regarding their menstrual cycles.

(t) Transportation.

1. One officer will not transport two or more prisoners if any of them are intoxicated, combative, violent, mentally disordered or aggressively uncooperative.

2. Prisoners shall be securely fastened by seat belts while being transported.

3. Female prisoners shall not be transported in the same vehicle with male prisoners.

4. Juveniles shall not be transported in the same vehicle with adult prisoners.

5. Officers shall not engage in any police action, or other activity, when transporting prisoners, unless an emergency occurs which requires immediate intervention.Transporting officers are prohibited, under any circumstances, from engaging in a vehicular pursuit.

6. Transporting officers shall not leave prisoners unattended inside a police vehicle.

7. Officers shall be responsible for searching prisoners they transport.

8. Transporting officers shall be responsible for transporting the property of their prisoners to their eventual destinations.

9. It is preferable for a female officer or two male officers (if no female officer is available) to transport female prisoners. Whenever it is necessary for a lone male officer to transport a female prisoner, he shall radio his mileage upon

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leaving the THF (or other starting point) and arriving at his destination. Lone male officers shall not transport combative, violent, aggressively uncooperative, injured, ill, or mentally disordered females. Nor shall a lone male officer transport any female who has alleged officer misconduct or who may be prone to making such allegations.

(u) Emergency Procedures. (Title 15, Section 1029)

1. Fire Prevention Plan. (Title 15, Section 1032)

(a) Fire Inspections.

1. The National City Fire Department will conduct biannual fire inspections for the THF in accordance with guidelines established by the California State Fire Marshal's Office.This inspection shall be conducted in the first quarter of each inspection calendar year. The Fire Department will be responsible for routing the completed inspection forms to the appropriate agencies including the National City Police Department, Corrections Standards Authority and the State Fire Marshal.

2. The National City Police Department shall conduct monthly fire inspections pursuant to Title 15, Section 1032(b). It shall be the responsibility of the THF coordinator who will handle the monthly THF fire inspections at or near the 1st of each month. The fire inspection shall include, but not be limited to, the following:

(a) Fire Extinguishers. They are accessible and the pressure gauge is charged. They have been serviced within the last year. If they are in need of service, the inspecting shift supervisor shall contact the fire equipment company noted on the tag.There are three fire extinguishers to be inspected.One is wall mounted in the jailer's suite.One is wall mounted outside the westernmost north exit door.One is wall mounted outside the south exit door.

(b) Sprinkler System. The system is in proper operating condition. Post Indicator Valve (located on the south side of W. 12th Street just east of the entrance to the upper parking lot of the Police Facility) is in the "open" position and the wrench is locked in place.The caps for the Fire Department Connection (located next to the PIV) are in place.

(c) Sprinkler heads are not blocked by storage and nothing is hanging from them.The sprinkler gauge (located in the garage on the north wall next to the kennel room) shows pressure. If the sprinkler system is in need of repair or service, contact Public Works (Communications Center personnel can make after hours contact with Public Works using the emergency call out system).

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(d) Fire Alarm System. This system is in proper operating condition. No "trouble" or "alarm" signal appears on the Fire Alarm Control Panel (located on the west wall in the jailer's suite).If the system is in need of repair or service, contact CEI at 258-0189 (24 hour emergency number).Instructions for operation of the fire alarm system are mounted on the wall next to the Fire Alarm Control Panel and in the three ring binder for the Fire Inspection Log.

(e) Manual Pull Stations (Fire Alarms). They are accessible and in proper operating condition. There are three. One is inside the THF on the north wall near the easternmost exit door. One is outside the westernmost north exit door. One is outside the south exit door.If any of them are in need of repair or service, contact CEI at 258-0189 (24 hour emergency number).

(a) Exits and Corridors. They are clear and unobstructed. Exit signs are illuminated. Exit doors are not propped open.

(b) Completing the Fire Inspection Check List/Log.

1. The check list is self-explanatory. It shall be completed by the inspecting supervisor and kept in the three ring binder in the jailer's suite.

2. If any "no" entries are made, the inspecting supervisor shall make every effort to have any problem corrected that requires immediate attention. If an existing problem does not require immediate correction, the inspecting supervisor shall forward a detailed e-mail to THF Manager explaining the problem and / or condition that needs corrections.The THF Manager will then be responsible for contacting the appropriate city department or a contract company for the completion of the noted discrepancy. A memorandum and / or e-mail detailing any noted discrepancies and the corrective measures taken shall be forwarded to the Administrative Captain within twenty four hours.

3. It shall be the responsibility of the THF Manager to maintain these completed inspection check lists for a minimum of two years.

(c) Training. Fire prevention/suppression training shall be included in the required training pursuant to Title 15, Section 1024. The fire training shall include, but not be limited to:

1. Sprinkler system operation;

2. Fire alarm system operation;

3. Fire extinguishers;

4. Escape planning; and

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5. Procedures in the event of fire in the THF.

(d) In the Event of Fire.

1. Communications Center personnel will be notified that there is a fire in the THF. They will notify NCFD.

2. Prisoners shall be evacuated to safety pursuant to guidelines for evacuation contained in of this Procedure.

3. Manual Pull Stations (Fire Alarms) shall be activated on exiting the THF.

(e) After a Fire.

1. NCFD will replace any sprinkler heads that have activated and restore the sprinkler system.

2. The on duty shift supervisor shall be responsible for resetting any Manual Pull Stations (Fire Alarms) which were activated and for resetting the Fire Alarm System using the instructions mounted on the wall next to that panel.If smoke is still present, smoke detectors and the Fire Alarm System may continue to activate until the air has cleared.

3. Once the Fire Alarm System has been reset, the on duty shift supervisor shall contact CEI at 258-0189 (24 hour emergency number) to verify that the fire alarm system has reset.

4. The on-duty shift supervisor shall be responsible for ensuring that any fire extinguishers which were used are serviced immediately. Used fire extinguishers shall not be remounted on the wall.

2. Escape Situations. Whenever a prisoner escapes from this Department's custody (wherever that occurs), the following steps shall be taken.

(a) Communications Center personnel will, upon notification of the escape, alert the on duty Watch Commander, or shift supervisor in the absence of the Watch Commander, all field units and / or outside agencies as appropriate.

(b) The Watch Commander, or shift supervisor in the absence of the Watch Commander, shall have the following responsibilities.

(c) Ensure that Communications Center personnel are aware of the situation and have notified appropriate persons and agencies.

1. Notify the Chief of Police.

2. Complete a crime report of the incident (if the escape occurred in this jurisdiction).

3. Arrange for a copy of the crime report to be routed to this Department (if the escape occurred outside this jurisdiction).

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3. Hostage Situations and Disturbances.

   (a) When it has been determined that a hostage situation or major disturbance (such as a riot) has occurred in the THF, the on duty Watch Commander, or shift supervisor in the absence of the Watch Commander, shall be immediately notified.

   (b) The Watch Commander, or shift supervisor in the absence of the Watch Commander, shall assess the severity of the occurrence and take necessary steps to assure the safety of officers, prisoners and other persons.

   (c) The Watch Commander, or shift supervisor in the absence of the Watch Commander, shall summon the personnel necessary to isolate and contain the occurrence.If relatively minor in nature, the occurrence shall be brought to a close as quickly as possible with available personnel.

   (d) If the occurrence involves the potential for serious injury or death to any officer, prisoner or other person, the Chief of Police shall be notified.The Chief of Police shall determine what is necessary to control the situation and shall take whatever actions are appropriate to the situation.

(v) Facility Sanitation, Safety and Maintenance.(Title 15, Section 1280)

1. It shall be the responsibility of facility maintenance personnel (provided by the City's Department of Public Works) to provide THF maintenance according to the following schedule.

   (a) DAILY

      1. Pick up trash and sweep floors.

      2. Empty trash cans and provide new plastic bags.

      3. Clean drinking fountains.

      4. Clean and disinfect all sinks and toilets.

      5. Replace toilet tissue as needed.

   (b) WEEKLY

      1. Clean and mop holding cells, phone rooms and the restroom in the Jailer's Suite with hot water, soap and disinfectant.

      2. Pour hot water into each floor drain and disinfect.

      3. Spot clean doors, jambs, trim, walls and counter tops as needed.

   (c) AS REQUIRED

      1. Wash (with soap and water) areas and stationary objects touched by vermin infested prisoners (after those areas have been sprayed with a pediculicide by police personnel) or by prisoners with communicable diseases as described in Section IV. F. 5.

(w) Discipline (Title 15, Section 1081)

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1. Discipline is not administered in this facility.

PRISONER EVACUATION PLAN

(a) Evacuation Routes. All sworn personnel shall be familiar with the following evacuation routes:

1. From the THF to Roosevelt Avenue:

(a) Exit via any of the doors which either lead to or provide direct access to the garage (the door on the south side of the THF, the westernmost door on the north side of the THF, or the door on the west side of the THF).Exit the garage via either of the vehicle access doors along the west side of the garage.

2. From the THF to West Twelfth Street:

(a) Same procedure as in 1. a. above to enter the garage.From the garage, use the stairway at the northwest corner of the garage up to the street.

3. From the THF to the secure parking lot on the west side of the building:

(a) Same procedure as in 2. a. above to enter the garage and access the stairway.Continue up the stairs (past the exit to W. 12th St.) to the parking lot

(b) Limited Evacuation.

1. Limited evacuation may occur when a fire or natural disaster has made an area or areas of the Police Department unsafe, or when security has been substantially jeopardized.

(a) Prisoners will be moved to another location within the Department until it is safe to return them to a secure location.

(b) Prisoners will not be moved outside the building unless that action is ordered by the on-duty Watch Commander (or shift supervisor in his absence).

(c) Total Evacuation.

1. Total evacuation will be employed whenever continued detention of prisoners inside the Police Department would unreasonably jeopardize their safety.Prisoners shall be moved outside the building in that case.

(d) Evacuation Procedures.

1. Whenever conditions exist which may generate an evacuation, the Watch Commander, or shift supervisor in the absence of the Watch Commander, shall consider the option of immediately transporting the prisoners to another facility and/or citing and releasing misdemeanants once the safety of all prisoners is ensured.

2. The primary evacuation location is the secure garage adjacent to and west of the THF.

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3. A secondary evacuation location is the parking lot adjacent to and west of the main floor of the Police Department.The Watch Commander, or shift supervisor in the absence of the Watch Commander, shall be responsible for directing the evacuation in a manner which ensures the safety of prisoners and officers alike and which prevents escapes by prisoners.

4. The Watch Commander, or shift supervisor in the absence of the Watch Commander, shall be responsible for directing that prisoners are moved back into the THF as soon as it is safe to do so.

(e) Limited Release.

1. Limited release of prisoners may occur when total evacuation has taken place and when no other detention facility will accept the prisoners. Any limited release shall be at the direction of the on duty Watch Commander, or shift supervisor in the absence of the Watch Commander.

2. Limited releases of prisoners will occur in the following order:

(a) Non violent misdemeanants (cited whenever possible);

(b) Non violent felons;

(c) Violent misdemeanants (cited whenever possible); and

(d) Violent felons.

3. Notification shall be made to all San Diego County law enforcement agencies whenever this Department releases prisoners.

(f) Total Release. (Government Code Section 8658)

1. Total release shall occur only if no other facility is available and the emergency is such that continued detention would endanger the lives of prisoners.Such action shall only be taken with the authorization of the on duty Watch Commander, or shift supervisor in the absence of the Watch Commander.

2. Prisoners shall not be released at the same time and shall be released in the same order as in Section V. D. 2.

3. Notification shall be made to all San Diego County law enforcement agencies whenever this Department releases prisoners.

RESPONSIBILITIES OF OTHER CITY DEPARTMENTS

(a) Fire Department.

1. The National City Fire Department shall be responsible for inspections and for restoration of specific fire prevention and suppression systems following fires as detailed in Section u.1.

(b) Public Works

1. Public Works personnel shall be responsible for maintenance services as described in Section IV. V

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This Operating Procedure shall be reviewed and updated (if necessary) no less often than biennially.

See Policy Manual on Temporary Custody Adults for further information.

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Chapter 10 - Personnel

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Uniform Specifications Procedure

1000.1 UNIFORM SPECIFICATIONS PROCEDURE

Complete uniform specifications for all sworn and civilian personnel are included in this instruction. Approval of the Chief of Police is required for any uniform modifications or additions after it has been approved by the National City Police Department Uniform Committee.

(a) All personnel in a uniformed assignment shall wear the prescribed uniform and applicable equipment at all times while on duty unless specifically directed otherwise by proper authority.

(b) Officers shall keep their uniforms clean and pressed and their badges clean and bright. Leather accessories shall be clean and black. Shoes and metal work shall be well polished.

(c) Uniforms shall be made of the material, type and style as approved by the Chief of Police and described later in this instruction. Such style shall not be altered in any manner without authorization of the Chief of Police.

(d) Officers, when in uniform, shall wear the regulation badge over the left breast, plainly visible, on the outermost garment.

(e) The regulation name tag shall be worn above the right breast pocket on the uniform shirt or outermost garment, (excluding rain gear), and bear the officer's proper first name or initials and full last name. Nicknames are not appropriate and are not allowed. The regulation name tag shall display service stars (one star for each complete five (5) year period of police service) below the officer's name. These stars or star groups shall be centered in the middle of the name tag. Name tags will be furnished to all uniformed personnel by the Department.

(f) The shoulder patch will be furnished by the Department and shall be worn on each sleeve of the following items of clothing:

1. Duty jacket (cold weather jacket);
2. Dress jacket;
3. Color Guard dress jacket (Color Guard personnel only);
4. Uniform shirts (short and long sleeve);
5. Coveralls;
6. Leather uniform jacket;
7. Optional Blauer 8710 short sleeve navy blue shirt; and
8. Optional black knit uniform sweater.

(g) The shoulder patch shall be placed 1/2 inch below the sleeve head seam and in line with the shoulder seam. The stitching of the shoulder patches and sleeve chevrons on all items of uniform shall be in-line stitching, no cross stitching, and the color of the thread used shall match the material being stitched.

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(h) All uniforms shall be maintained in presentable condition and shall have a military crease befitting the department's professional standards.

MIXTURE OF UNIFORM AND CIVILIAN CLOTHING

Personnel shall not wear combinations of uniform and civilian attire except a cover shirt or jacket to and from work or as directed in accomplishing work assignments. Discretion is required to avoid an unkempt out-of-uniform appearance in view of the public.

Additionally, uniform styles (i.e. Class "B" and Class "C" uniforms) and uniform material (cotton, polyester) shall not be "mixed" or worn in combination unless authorized under department unit specifications.

UNIFORM REQUIREMENTS

The following items of uniform and equipment shall comprise the basic uniform of the regular sworn officer:

(a) 2 Trousers - "LAPD Blue";

(b) 3 Shirts - short sleeve - "LAPD Blue"; (Flying Cross brand/style or similar).

(c) 1 Shirt - long sleeve -"LAPD Blue"; (Flying Cross brand/style or similar).

(d) 1 Duty jacket - "Tuffy" jacket or "Chill Chaser" jacket - black;

(e) 1 Dress jacket (optional);

(f) Body armor.

TROUSERS

(a) Uniform trousers shall be wool, wool/polyester or an all polyester combination, navy blue in color and to "LAPD Blue" specifications (Flying Cross brand/style or similar).

(b) The boot cut (slight flare leg) trouser is approved for wear.

SHIRT AND TIES

(a) Short sleeve and long sleeve shirts shall be "LAPD Blue" in color and are optional wear year round, (Flying Cross brand/style or similar).

(b) Those officers wearing the long sleeve uniform may wear it open collar or with the uniform tie. The uniform tie shall be worn with the long sleeve shirt when appearing in court.

(c) Optional wear with long-sleeve shirt

1. Officers may choose to wear a turtleneck sweater under the long sleeve shirt. Turtleneck sweaters must be close knit, plain design, black in color and must display the initials "NCPD" in gold stitching on the left side of the collar (1/2 inch in height, Times new Roman Font). The turtleneck option will not be worn for dress functions unless specifically authorized by the Chief of Police.

(d) Dress shirts

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1. Dress shirts shall be the uniform long sleeve "LAPD Blue" shirt (Flying Cross brand/style or similar).

(e) Necktie: Male officer

1. Uniform ties shall be plain "LAPD Blue" color, non-shiny material with a clip-on or other breakaway feature. The bottom of the tie must not extend below the top of the trouser belt or gun belt and cannot be more than 3 inches above the top of uniform trouser. The tie shall not be more than 3 inches wide.

(f) Necktie: Female officer

1. Female officers shall wear the same tie described for male officers with the exception that they may wear the continental style tie as an option.

(g) Tie clasps/tie pins

1. The tie clasp shall be a plain bar, gold in color. The only exception is the gold bar with the City seal or a miniature gold badge. All others, including miniature handcuffs, POA badges, diamond stick pins, gold stick pins, etc. are not authorized.

(h) Undershirts

1. Undershirts must be worn with open collared shirts. The undershirt shall be of round crew neck style and white or black in color. The sleeves of the undershirt are not to extend beyond the sleeve of the uniform shirt so the undershirt can be seen. Undershirts shall be in good serviceable condition.

AUTHORIZED SLEEVE PATCHES

(a) Only motorcycle officers currently assigned to the Traffic Division may wear the “winged wheel” patch on the sleeves of the uniform shirt or jacket.

(b) Officers currently assigned to the Traffic Division may wear the “accident investigation” patch on the sleeves of the uniform shirt or jacket. Other uniformed offers may wear the patch upon completion of Basic Traffic Collision Investigation (40 hours), Intermediate Traffic Collision Investigation (40 hours), and Advanced Traffic Collision Investigation (80 hours.)

(c) Sergeants/Corporal rank insignia (optional)

1. Sergeants with five years of continuous service in rank with the National City Police Department, have the option to wear the sergeant chevron with rocker on their uniform in place of the traditional sergeant chevron.

2. Corporals with five years of continuous service in rank with the National City Police Department, have the option to wear the corporal chevron with star on their uniform in place of the traditional corporal chevron.

HEAD GEAR

(a) Helmet

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1. The helmet and face shield will be furnished by the Department. The helmet shall be a black Kevlar safety type. The helmet will be placed in the police vehicle where it is readily accessible to the officer.

(b) Officer hat

1. The campaign hat (both felt and straw) is authorized for wear with the Class C and Class D working uniforms. The campaign hat shall be LAPD Blue and shall be worn with NCPD hat badge and gold braid.

(c) Soft cap

1. The soft cap shall be the Lancaster Persian (with the exception of the Chief of Police who will choose his own soft cap). The soft cap will be worn with the NCPD hat badge. The soft cap is authorized for wear with the Ceremonial Uniform, the Class "A" Uniform, the Class "B" Uniform and the Class "C" Uniform.

   (a) Soft caps for corporals and officers shall have the black band which comes with the soft cap.

   (b) Soft caps for sergeants shall have the gold colored metal link band.

   (c) Soft caps for lieutenants and captain shall have the gold colored etched metal band.

   (d) Uniform soft cap will be worn with the two tone (gold/silver) hat badge.

2. Caps are not to be worn while operating a department motor vehicle or while inside a police facility. The baseball cap is not to be worn as casual wear off-duty. Supervisors shall insure that the caps are maintained in presentable condition and that they are not altered in any way.

(d) Baseball cap

1. The cap must be "LAPD Blue", one piece front. The cap will have "National City Police" embroidered on the front. The baseball cap is purchased only through the National City Police Officers Association (NCPOA) and the specifications for the cap can only be changed with the approval of the Chief of Police.

2. The Department approved baseball cap may be worn for sun and rain protection as follows:

   (a) Traffic posts (extended duration);

   (b) Special outdoor events at the discretion of the officer in charge;

   (c) Other special details over one-half hour when officers may be subject to extended sun or rain exposure.

3. Baseball caps, as a rule, are for the limited use described above and are not a routine part of the uniform. Caps are not to be worn while operating a department motor vehicle or while inside a police facility.

4. The baseball cap is not to be worn as casual wear off-duty. Supervisors shall insure that the caps are maintained in presentable condition and that they are

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not altered in any way (e.g., blocked peak, visor bent down). No letters, pins, badges, or other insignia of any type may be worn on the caps.

LEATHER GEAR

All uniformed officers, without exception, will comply to the following leather gear requirements.

(a) Leather gear shall be basket weave design, black in color. "Velcro" equipped belts are acceptable. The wearing of “mixed” non-basket weave leather gear is not permitted with basket weave.

1. Optional leather gear: Sam Browne Belt, basket weave with either gold or black buckle, Bianchi brand; AccuMold Elite style or similar.

(b) Belt buckle and fasteners shall be gold color, colonial style. All equipment shall be equipped with gold or black color fasteners. Velcro types are acceptable.

(c) Handcuff holder must be leather construction, closed-face type with snap or velcro fastener.

1. Optional handcuff holder: Basket weave with gold or hidden fasteners. Bianchi brand; AccuMold Elite style or similar.

(d) Belt keepers will be 1/2 to 3/4 inches in width, basket weave with snap fasteners. Velcro types are acceptable.

1. Optional belt keepers: Basket weave with gold or hidden fasteners Bianchi brand; AccuMold Elite style or similar.

(e) Trouser belt shall have a minimum width of 1 inch with a maximum of 1 3/4 inch and be equipped with a side loop and a square brass buckle. "Velcro" belts are acceptable.

(f) Holsters must be approved by the Department range master. They will be constructed of basket weave leather. A fixed position holster is recommended over swivel types. The "clam-shell" type mechanically operated holster is acceptable for uniform wear.

1. Optional holsters: Basket weave Bianchi brand; AccuMold Elite style or similar.

(g) Baton ring: The authorized baton ring is the snap-fastened leather ring that is issued with the straight baton. Bianchi brand; AccuMold Elite style or similar.

1. Optional baton ring: Basket weave with gold or black ring, gold or hidden fasteners, Bianchi brand; AccuMold Elite style side-handle, straight or expandable batons or similar, Bianchi brand; AccuMold Elite style or similar.

(h) Optional magazine pouch: Basket weave with gold or hidden fasteners, Optional Magazine Pouch: Basket weave, open-top style Bianchi brand; AccuMold Elite style or similar.

(i) Optional chemical agent pouch: Basket weave with gold or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

(j) Optional flashlight holder: Basket weave with gold or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

(k) Optional radio holder: Basket weave, Bianchi brand; AccuMold Elite style or similar

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(l) Optional key holder: Basket weave, Bianchi brand; AccuMold Elite style or similar.

(m) Optional compact light holder: Basket weave, Bianchi brand; AccuMold Elite style or similar.

NYLON DUTY GEAR

All uniformed officers, without exception, will comply to the following nylon gear requirements. Nylon gear shall only be worn with Class C BDU type uniforms.

(a) Nylon gear shall be black in color. "Velcro" equipped belts are acceptable. The wearing of “mixed” nylon and basket weave is not permitted.

1. Optional leather gear: Sam Browne Belt, rigid nylon with a black buckle or black snap. Bianchi brand; AccuMold Elite style or similar.

(b) Belt buckle and fasteners shall be black in color. Velcro types are acceptable.

(c) Handcuff holder must be rigid nylon construction, closed-face type with snap or velcro fastener. Bianchi brand; AccuMold Elite style or similar.

(d) Belt keepers will be 1/2 to 3/4 inches in width with snap fasteners. Velcro types are acceptable.

1. Optional belt keepers: Nylon with black or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

(e) Trouser belt shall have a minimum width of 1 inch with a maximum of 1 3/4 inches and be equipped with a side loop and a square brass buckle. "Velcro" belts are acceptable.

(f) Holsters must be approved by the Department range master. A fixed position holster is recommended over swivel types. The "clam-shell" type mechanically operated holster is acceptable for uniform wear.

1. Optional holsters: Holsters that are approved by the Range Staff and is constructed of molded plastic or polycarbon.

(g) Baton ring: The authorized baton ring is the snap-fastened nylon ring that is issued with the straight baton. Bianchi brand; AccuMold Elite style or similar.

(h) Optional baton ring: Nylon, molded plastic or polycarbon with a black ring, black or hidden fasteners for side-handle, straight or expandable batons, Bianchi brand; AccuMold Elite style or similar.

(i) Optional magazine pouch: Rigid nylon construction, black in color hidden or black fasteners, or black plastic construction, Bianchi brand; AccuMold Elite style or similar.

(j) Optional magazine pouch: Black nylon rigid construction, open-top style, Bianchi brand; AccuMold Elite style or similar.

(k) Optional chemical agent pouch: Rigid nylon with black or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

(l) Optional flashlight holder: Nylon with black or hidden fasteners, Bianchi bran; AccuMold Elite style or similar.

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(m) Optional radio holder: Rigid nylon, with black or hidden fasteners Bianchi brand; AccuMold Elite style or similar.

(n) Optional “H” or “Y” harness/belt support bracers: Nylon with black or hidden fasteners, Bala Gear brand/style or similar.

(o) Optional key holder: Nylon with black or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

(p) Optional compact light holder: Nylon with black or hidden fasteners, Bianchi brand; AccuMold Elite style or similar.

FOOTWEAR

(a) Either shoes or boots may be worn. They shall be of smooth black leather, to include a plain toe and must be capable of taking a high gloss shine. Authorized footwear includes all leather "Wellington" types, all leather "jump boots," all leather "SWAT" boot (combination boot and court shoe), leather and mesh "SWAT" boot. The "jump boots" and "SWAT" boots are the only authorized wear for Class "D" uniform. Boots shall be worn in such a manner that the trousers hang freely over the boot tops and do not catch on the boots unless bloused. Authorized for wear are the black leather "Referee" or court shoes which lace up in front. If the shoe is incapable of a high gloss shine, they shall be maintained un-scuffed, clean and shined to at least a buffed shine.

(b) Rain boots shall be knee length, black in color, rubber or paroline. Trousers may be tucked into the tops of the boots but not rolled up.

(c) Socks shall be navy blue or black in color when worn with regulation shoes. When worn with boots, so socks are not visible, the socks may be of any color. Weight and material are optional. If a health problem exists with black socks, upon approval of the Chief of Police or his designee and proper notification from a medical physician, white socks may be substituted.

JACKETS

(a) Uniform Dress Jacket shall be the "Eisenhower" style and "LAPD Blue" in color. A long sleeve "LAPD Blue" dress shirt and uniform tie shall be worn when wearing the dress jacket. The dress jacket will be worn complete with Departmental shoulder patches, service stripes, appropriate rank insignia and appropriate Departmental sleeve striping.

1. The sleeve striping for officers and corporals is single black, bordered with gold (1/2 inch width).
2. The sleeve striping for sergeants is a single solid gold stripe (1/2 inch width).
3. The sleeve striping for lieutenants is two solid gold stripes (1/2 inch width each).
4. The sleeve striping for captain is three solid gold stripes (1/2 inch width each).
5. The sleeve striping for the chief of police is four solid gold stripes (1/2 inch width each). The sleeve stripes shall be placed 3 inches from the bottom edge of the sleeve and run parallel from seam to seam on the outside of the sleeve.

(b) Optional jackets

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1. Shall be black in color and of the "Tuffy" jacket type.
2. A lightweight type "Chill Chaser" or Spiewak brand, weatherflow style (SH 3465) duty jacket.
3. The approved leather jacket is authorized wear.
4. "Protector" jacket authorized for motorcycle officers only.
5. All optional jackets will be worn with Departmental shoulder patches and sleeve rank insignias, but will not bear the service stripes.

(c) Jackets consisting of the “Tuffy,” the light weight “Chill Chaser” or the Spiewak brand, weatherflow style (SH 3465) duty jacket may be worn with the option of embroidered NCPD badge bearing the officer’s badge number on the center left chest and embroidered name tag in gold color (1/2 inch in height, Times New Roman Font) on the center right chest.

FOUL WEATHER GEAR

(a) Uniform rain jackets shall be Spiewak high visibility yellow in color, either the two-piece model or one-piece “duster” model furnished by the Department. They shall be equipped with a badge holder on the center of the left chest.

(b) Rain boots shall be knee length, black in color and rubber or paroline.

(c) Baseball caps may be worn in inclement weather.

INSIGNIA OF RANK

(a) Shirts

1. Officers of the rank of Corporal shall wear a (two) stripe chevron on each sleeve. Officers of the rank of Sergeant will wear chevrons on both sleeves. The chevrons will be antique gold in color upon a navy blue background and can be obtained from the Department. There is no collar chevron for the rank of corporal or sergeant, except for the Reserve Unit where chevrons shall not be attached to sleeves. The sleeve chevron will be sewn 1/4 inch below the Departmental shoulder patch.
2. Officers of the rank of Lieutenant and higher will wear, on each side of the shirt collar, the appropriate insignia which will be metallic gold in color, attached with clutch fasteners:

(a) Chief of Police: Four gold stars

(b) Assistant Chief: Two gold stars

(c) Captain: Two gold bars

(d) Lieutenant: Single gold bar

(e) Specifications:

1. Lieutenant:

(a) Bar - Collar 1/4 inch in width, 3/4 inch in length

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(b) Bar - Shoulder 3/8 inch in width, 1 inch in length

2. Captain:

(a) Bar - Collar 2 1/4 inches in width, 3/4 inch in length

(b) Bar - Shoulder 2 3/8 inches in width, 1 inch in length

3. Chief of Police:

(a) Stars - Collar 4 - 5/8 inches, five pointed gold colored stars, 3/4 inches apart when measured center to center

(b) Stars - Shoulder 4 - 1 inch, five pointed stars to be 1/2 inches apart when measured point to point.

3. Insignia placement

(a) Collar insignia, appropriate to the rank held, shall be placed 1 inch back from, and parallel to, the front edge of the collar, and spaced vertically midway between the top and bottom of the collar.

(b) Jackets

1. Dress Jacket: Corporals and Sergeants will wear the standard size chevrons on both sleeves of their jacket 1/4 inch below the Departmental shoulder patch. Ranks from Lieutenant through Chief of Police shall wear the appropriate insignia on top of the jacket shoulder, 1/4" from/and parallel to the seam of the jacket sleeve.

(a) Service stripes: For each five years of service completed as a peace officer, as defined by the Penal Code, there will be one gold, 1/2 inch by 2 inch service stripe placed diagonally on the left sleeve of the dress jacket and of the long sleeve uniform shirt. The stripe will have an "LAPD blue" felt background and will be placed 3 inches above the cuff of the jacket or shirt.

(b) The high point of the stripe will be to the outside of the sleeve with the low point to the inside of the sleeve.

2. Optional jackets: Optional jackets will be equipped as the dress jacket with the exception of service stripes and sleeve striping denoting rank.

JEWELRY AND ORNAMENTATION

All jewelry and ornamentation worn with the uniform is limited to Department or City awarded devices, special assignment authorized devices, and service-meritorious-heroism awards. The following are authorized jewelry and ornamentation; all others are not authorized:

(a) Insignias of fraternal organizations and associations are authorized with the uniform or outer garments at the discretion of the Chief of Police.

(b) The United States flag or banner pin may be worn on the uniform. The authorized location of the flag is 1 inch above the shirt name plate on the right military crease.

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(c) Name plate to be worn above the right breast pocket flap, centered in pre-fab name plate holes. Name plate furnished by Department and will contain officer's proper first name or initial and full last name. Nicknames are not authorized. Service stars, (one for each five year period of police service), shall be included under officer's name.

(d) Officer's rank or assignment (FTO, ARO, K-9) will not be indicated on the name plate.

(e) Choker type necklaces shall not be worn with the uniform. Gold chains, religious medallions on chains or similar necklaces may be worn, as long as they are not visible when worn with the open collar shirt. While on-duty, female members may wear one small stud-style earring per earlobe. Male members shall not wear earrings without authorization of the Chief of Police or authorized designee. Bracelets, other than medical identification types, are not to be worn. Rings should be kept to a minimum.

(f) Shirt bars, signifying service award medals, may be worn with the duty uniform shirt. These "ribbons" will be worn centered just above the name plate. A total of three shirt bars in any class may be worn. Service award medals will be worn only on formal occasions with the dress uniform and worn on the left breast jacket pocket, centered just below the flap.

(g) Gold Field Training Officer (FTO) pins shall be worn on the upper right breast pocket flap centered under the name plate between the seam and the button (1/2 inch below the top of pocket seam). FTO pins will be worn only by Corporals or personnel currently assigned FTO duties.

(h) 10851" pins may be worn by personnel who have been awarded the pin by completing the established requirements. The pin, which is a miniature replica of a California license plate with "10851" imprinted on its face, will be worn on the right pocket flap of the uniform shirt only. It will be positioned to the far left, 1/4 inch from the left edge and 1/2 inch below the top flap seam.

(i) A marksman device indicating a level of proficiency in all Department weapons is authorized to be worn with the uniform. This device, awarded cumulatively during two qualifying shoots throughout the year, will be worn on the right pocket flap of the uniform. It will be positioned to the far right of the right pocket flap, 1/4 inch from the right edge and 1/2 inch below the top flap seam.

(j) City pins are authorized to be worn with the uniform. The pin will be worn on the right pocket flap of the uniform shirt. It will be positioned 1/4 inch from the left flap edge and 1 inch below the top flap seam. If an officer has earned more than one City pin, the officer will only wear the most current pin, not all of them together (the stars on the nameplate will indicate the cumulative years).

(k) The gold colored SWAT pin is authorized for uniform wear by fulltime officers presently assigned to the SWAT Team that have completed a 40 hour (or greater) POST Certified Basic SWAT Academy. The pin will be worn on the right pocket flap of the uniform shirt. It will be positioned 1 inch from the left flap edge and 1/4 inch below the top flap seam. When worn with the City pin, the City pin will be worn 1/4 inches directly below the SWAT pin.

(l) Crisis Negotiation Team (CNT) team member pin is authorized for uniform wear by fulltime officers presently assigned to the CNT and have completed the required

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training. The pin will be worn on the right pocket flap of the uniform shirt. It will be positioned 1 inch from the left flap edge and 1/4 inch below the top flap seam.

(m) Peer Support Team (PST) team member pin is authorized for uniform wear by fulltime officers presently assigned to the PST and have completed the required training. The pin will be worn on the right pocket flap of the uniform shirt. It will be positioned 1 inch from the left flap edge and 1/4 inch below the top flap seam.

(n) Mobile Field Force (MFF) team member pin is authorized for uniform wear by fulltime officers presently assigned to the MFF. The pin will be worn on the right pocket flap of the uniform shirt. It will be positioned 1 inch from the left flap edge and 1/4 inch below the top flap seam.

OPTIONAL CLOTHING

(a) Gloves shall be white cotton for dress occasion (ceremonial and Class A uniforms). Black gloves are authorized for regular duty but will only be worn when a long sleeve shirt or jacket is worn. Gloves will not be worn with short sleeve shirts. When worn, gloves will be worn on both hands and shall be full-finger type. Specifically prohibited are fingerless gloves.

(b) Turtleneck sweaters will be black in color, with "NCPD" in gold letters on the left side of the collar. They shall be of close knit material, such as cotton. Turtleneck sweaters may be worn under the long sleeve uniform shirt only.

(c) Dickies shall be black in color, with "NCPD" in gold letters on the left side of the collar. They may be either close or loose knit and may be worn under the long sleeve uniform shirt only.

(d) Black knit uniform sweater is a long sleeve pullover type with a V-neck. It is constructed with elbow patches and shoulder loops, similar to those currently worn by the military. The sweaters for police use will have name plate and badge tabs and will be worn with the metal name plate and metal badge. NCPD shoulder patches are required. Sweater will be worn as an outer garment over the uniform shirt (either short or long sleeve), with either white t-shirt or tie visible.

(e) Turtlenecks and/or dickies are also authorized wear with this sweater. Rank insignia will be displayed on the sweater, consistent with the display of rank insignia on uniform jackets. The sweater is permanently lined with a soft nylon knit wind stopper. It is manufactured by "Fehlheimer" and is available at most uniform stores.

PERSONAL APPEARANCE OF SWORN PERSONNEL

Members of the Department, while on duty, shall at all times be neat and clean. Clothes shall be clean and pressed and uniforms shall be in conformity with specifications contained in this instruction. As often as necessary, members shall examine and clean their equipment and keep it in good, serviceable condition. Unserviceable or excessively worn uniform equipment shall be replaced immediately.

All personnel shall comply with the following grooming standards unless excluded by the Chief of Police due to special assignment.

(a) Male personnel assigned uniform duties

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1. Hair - Male members who are sworn officers may wear their hair any length on the front and sides of the head so long as it is styled in such a manner as not to extend into the eyes or otherwise interfere with the officer's vision. Hair may cover the upper portion of the ear lobe. Hair will not be allowed to extend below the top of the uniform shirt collar when the head is erect. "Natural" hair styles and hairpieces shall be no longer than two inches from any part of the head, and in no event shall length or style preclude the proper wearing of a helmet or gas mask. Extreme hair styles or hair treatment/color are inappropriate. Regardless of style, hair must appear neat and well groomed.
2. Sideburns - Sideburns will not be allowed below the ear lobe, or flared in a "mutton-chop" style. There must be a distinct separation between the mustache and sideburns.
3. Mustaches/Beards - Mustaches shall be kept neatly trimmed and well groomed. Mustaches shall not extend more than 1/2 inch beyond the corner of the mouth, nor more than 1/4 inch below the corner of the mouth. Mustaches shall not cover the upper lip and will not be waxed.

(b) Female personnel assigned uniform duties

1. Hair - The hair shall be worn in a neat and professional style. Extreme hair styles or hair treatment/color are inappropriate. The length of the hair shall not be worn below the top of the collar of the short sleeve shirt. If the hair is longer than described, it must be worn up in a neat fashion and securely fastened. Barrettes may be worn to keep the hair in place, but shall be plain gold or silver in color. "Natural" hair styles shall be no longer than four inches from any part of the head. Wigs must conform to the same code. In no event should the length of the hair or the style preclude the proper wearing of a helmet or gas mask.
2. Makeup - The use of facial makeup shall be conservative. Excessive use of lipstick, rouge, foundation, mascara, eyebrow pencil and eye shadow shall not be acceptable. Fingernails shall be inconspicuous (i.e., neither too long nor too darkly or flashily colored).

INVESTIGATIONS DIVISION ASSIGNED PERSONNEL

(a) Plain clothes assignments - Officers who are regularly assigned to a plain clothes assignment shall be required to dress in clothing appropriate to their assignment and in keeping with the professional standards of the Department. Officers in specialized assignments shall not be required to conform to the normal standards of plain clothes dress as outlined above, but they shall be required to dress in good taste unless assignment dictates otherwise.

1. Male officers - Proper civilian attire for normal plain clothes assignment shall be a business suit of conservative cut and color, dress shirt and tie. Footwear shall be appropriate to the clothing worn. Conservative sports jackets and slacks may be worn.
2. Female officers - Proper civilian attire for normal plain clothes assignments shall be a business suit. Either a pantsuit or skirt/dress. If skirts/dresses are worn, they shall be no more than four inches above or below the knee. Stockings of a

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neutral color shall be worn. Necklines will be conservative. Heels on appropriate footwear will not be higher than three inches.

3. Clothing during summer months - Instead of a suit and tie, detectives/officers are allowed to wear dress slacks in combination with a long sleeve button down shirt without a tie. This would be allowed between the dates of May 1st and October 1st (with extensions at the discretion of the Chief of Police). All investigations personnel are required to have a suit and tie or similar on hand in the event of a call out, unplanned court appearance, or media event.

UNIFORM CLASSIFICATIONS

(a) The following classifications shall be used to designate specific uniform combinations. These classifications may be used to designate specific uniform requirements for special events or assignments where a standard appearance for all involved officers is desired.

1. Ceremonial uniform - For formal occasions and any event designated by the Chief of Police:

(a) Dress jacket, with awards;

(b) Long sleeve uniform shirt (Flying Cross brand/style or similar);

(c) Regulation tie;

(d) Uniform trousers (Flying Cross brand /style or similar);

(e) Black shoes/dress boots, highly shined;

(f) Gun belt with only a gun and holster;

(g) Gloves, dress white (optional at discretion of the Chief of Police).

2. Class "A" Uniform (Formal Dress) - This specific uniform may be required for some formal occasions, special events or details not designated for ceremonial uniform:

(a) Long sleeve shirt (Flying Cross brand/style or similar), with awards;

(b) Regulation tie;

(c) Uniform trousers (Flying Cross brand/ style or similar);

(d) Black shoes/boots, highly shined;

(e) Gun belt with only gun and holster; Bianchi brand/style belt optional.

(f) Gloves, dress white (optional at discretion of the chief of police).

3. Class "B" Uniform (Working Dress) - This specific uniform may be worn during normal duty and to appear in court, or to formal occasions at the discretion of the Chief of Police:

(a) Long sleeve shirt (Flying Cross brand/style or similar), with awards;

(b) Regulation tie;

(c) Uniform trousers (Flying Cross brand/style);

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(d) Black shoes/boots, highly shined;

(e) Gun belt, with normal accessories, Bianchi brand, Accumold Elite style gun belt with required accessories optional.

4. Class "C" Uniform (Working Uniform) - Normal duty uniform with some optional equipment used:

(a) Short sleeve or long sleeve shirt (with option to wear regulation tie with long sleeve Flying Cross/style or similar); “Blauer” brand, BDU style shirts optional.

(b) Uniform trousers (Flying Cross brand/style or similar); “Blauer” brand, BDU style trousers optional.

(c) Black shoes/boots, highly shined;

(d) Leather gun belt with required accessories; Bianchi brand/ style gun belt with required accessories optional.

(e) Bianchi brand/style nylon gun belt with required accessories optional and shall only be worn with Blauer brand (BDU) style short sleeve/long sleeve and trousers.

(f) Department approved Load Bearing “H” harness is optional but shall only be worn with the Blauer brand, BDU style uniform.

(g) Tuffy" jacket or "Chill Chaser" jacket, or Spiewak brand weatherflow style (SH 3465) duty jacket.

(h) Black gloves (optional);

(i) Black scarf (optional);

(j) Black turtleneck sweater or dickie (optional with long sleeve).

(k) Rip-stop style TDU/BDU uniforms are not authorized with any class of uniform.

5. Class "D" Uniform (Optional Working Uniform) - Optional duty uniform shall consist of (Crime Scene Specialists):

(a) LAPD Blue" jumpsuit or two piece uniform of similar material and appearance (with shoulder patches, metal badge, metal name plate, gun belt with equipment).

(b) Trousers to be straight hem and worn non bloused.

(c) Combat or police style boots, highly shined.

6. Class “E” Uniform (Working Utility Uniform for Background Unit, K9 Unit, MFF, or Gang Enforcement Team) - Optional utility uniform shall consist of:

(a) Background Unit - “LAPD Blue” short sleeve polo shirt with department approved embroidery/logo based on current unit assignment (5.11 brand, Tactical Polo style or 5.11 brand, Professional Polo style).

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(b) Range staff only - Red short sleeve polo shirt with department approved embroidery/logo (5.11 brand, Tactical Series style or Professional Polo style) with 5.11 brand black tactical trousers.

(c) K9 Unit and Gang Enforcement Team only - Black short sleeve polo shirt with department approved embroidery (5.11 brand, Tactical style or 5.11 brand Professional Polo style) and 5.11 brand black tactical trousers.

(d) Mobile Field Force - Black 5.11 brand, Tactical Series style long sleeve shirt and pants, with badge patch and embroidered name.

(e) The utility uniform shall be an option for all specialty units within the police department and shall not be used in place of a Class “C” uniform. The unit supervisor shall approve the use of Class “E” uniforms. (Examples: Investigations – warrant service, Backgrounds- Agility testing, Range Staff – qualifications training, etc.).

(f) When “polo” style shirts are approved to be worn, they will be 5.11 Tactical Series, dark blue or black in color unless authorized another color is authorized by the Chief of Police.

7. Shorts Uniform - Authorized for use by day and swing watch personnel between the dates of May 1st and October 1st (with extensions at the discretion of the Chief of Police).

(a) Blauer" brand style shorts, color "P Blue. "The minimum inseam length will be four inches with a maximum inseam length of six inches.

(b) Blauer" brand style short sleeve shirt, color "P Blue."

1. Footwear will be black "Hi Tech" brand style- quarter or half cut shoes, with white or black socks, mid-calf athletic socks (with no designs, stripes or logos).

8. NCPD Color Guard Dress Uniform - Authorized by the Chief of Police for special events.

(a) Dress jacket - Eisenhower style, LAPD Blue, wool blend, 1/2 inch gold sleeve piping, epaulets and gold buttons.

(b) Dress pants - LAPD Blue, wool blend, 3/4 inch gold stripe which matches dress jacket stripe.

(c) Gloves - White in color, long dress gloves with elastic band at wrist.

(d) Shoulder chords - White with gold tip.

(e) Shirt - White long sleeve.

(f) Tie - Break-away style that encompasses the entire neck.

(g) Shoes - Black, corofram shoes, rubber soles, Patten leather.

(h) Dress cap - LAPD Blue, gold braid.

(i) Ascot - White nylon type.

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COURT UNIFORM AND DRESS

(a) All officers appearing in any court to present testimony shall present themselves in keeping with the highest standards of professionalism of the Department. Officers who choose to appear in civilian attire, shall conform to standards set forth in Section VIII.A. 1 and 2. Unacceptable attire for court includes sweater and sport shirt combination, sweater over shirt and tie, turtleneck with sports coat, open collar leisure suit combinations, Levi suits or any denim type outfits, casual or any party clothes. Officers in specialized assignments shall conform to the proper attire set forth above for court appearance although they would not normally conform to normal standards of plain clothes dress.

(b) Officers choosing to appear in court in uniform shall wear the class "B" uniform as prescribed in Section IX.A.3, with the exception of officers who are on-duty at the time of their court appearance. These officers may wear their duty uniform. However, if attired in a long sleeve shirt, a tie will be worn. In either case, officers shall present themselves in a clean, sharp, well pressed uniform.

UNIFORM SPECIFICATIONS FOR MOTORCYCLE OFFICERS

(a) Trousers and jacket

(b) Black Motoport Kevlar riding suit with a reflective strip down the outside pant leg and a reflective horizontal stripe on the back of the jacket. One matching set is provided by the Police Department.

(c) Shirt

1. Short sleeve shirts shall be black in color 511 brand, Tactical Series style and are optional year round.

2. Long sleeve shirts shall be black in color, 511 brand, Tactical Series style. Those officers wearing the long sleeve uniform may wear it open collar, with the regulation with optional turtleneck sweater or dickie. Undershirts will be worn by motorcycle officers and will be white or black in color, crew neck type when short sleeve shirts are worn. The sleeves of the undershirt are not to extend beyond the sleeve of the uniform shirt so the undershirt can be seen.

(d) Footwear

1. Black leather duty boots or black motorcycle riding boots that are capable of a high polish.

(e) Helmet

1. The motorcycle helmet shall be of the Department of Transportation approved type and will be provided by the Department.

2. The helmet will be white on the crown, trimmed and billed in black. The gold helmet pin may be affixed above the bill. It will have a gold band across the bill, affixed with gold “P” buttons.

(f) Jackets, dickies and turtleneck sweaters

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1. Black Motoport Kevlar riding suit (jacket and pants) with a reflective strip horizontal across the back.
2. The dickie will be black, with "NCPD" in gold letters (1/2 inch in height, Times New Roman Font) on the left side of the collar, and of close knit material. Bulky knits are expressly prohibited. The dickie may be worn over the uniform shirt and under the jacket. When worn that way, the jacket will remain zipped no lower than to the lowest level of the dickie when in public view. The dickie may also be worn under the open collar of the long sleeve uniform shirt.
3. The turtleneck will be black in color, with NCPD in gold letters (1/2 inch in height, Times New Roman Font) on the left side of the collar. They shall be of close knit material, such as cotton. Bulky knits are expressly prohibited.
4. The turtleneck sweater may be worn under the jacket in place of the long sleeve shirt. In this mode, it will not be worn as an outer garment. During the wearing of the turtleneck sweater, the jacket shall be zipped to midway in public view.
5. The turtleneck or a dickie may also be worn as optional wear under the open collar long sleeve shirt. In this mode, a jacket is optional, not mandatory. Dickies or turtleneck sweaters are only comfort option equipment and are not to be worn with a ceremonial or Class "A" uniform.

UNIFORM SPECIFICATIONS FOR K-9 OFFICERS

(a) Uniform

1. Except when wearing the Class D uniform, normal uniform requirements for uniformed personnel apply to K-9 handlers.

(b) Leather

1. K-9 handlers shall have on their gun belt an additional belt clip for suspending certain dog handling equipment, such as a choke chain or working collar. Other bulkier gear may be kept in storage areas of the K-9 units.
2. Nylon duty gear is approved as optional equipment in lieu of leather duty gear. Leather gear must be all leather, nylon gear must be all nylon and not a combination of both.
3. Department approved leather holsters, approved Bianchi brand, Accumold style nylon holsters, or approved synthetic holster platforms with wrap around leg strap are optional. Synthetic made holsters may be worn with the Bianchi brand, Accumold style duty belt.

(c) Optional uniform

1. K-9 officers may wear black utility style uniforms with officers’ name and “K-9” embroidered in gold (1/2 inch in height, Times New Roman Font).
2. K-9 officers may wear round crew neck style black undershirt.
3. K-9 officers may wear 5.11 brand polyester polo style shirt with officers’ name and “K-9” embroidered in gold (1/2 inch in height, Times New Roman Font).

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(d) Jackets

1. Only the "Tuffy" jacket, the "Chill Chaser"/Spiewak brand weatherflow style (SH 3465) duty jacket or the leather jacket may be worn with the Class D uniform.

2. Jackets consisting of the “Tuffy,” the light weight “Chill Chaser” or the Spiewak brand, weatherflow style (SH 3465) duty jacket may be worn with the option of embroidered/cloth NCPD badge bearing the officer’s badge number on the center left chest and embroidered name tag in gold color (1/2 inch in height, Times New Roman Font) on the center of the right chest.

UNIFORM SPECIFICATIONS FOR SWAT OFFICERS

(a) Uniform - Tactical

1. During SWAT training or Operations, SWAT officers are authorized to wear black, green or camouflage military style uniforms as deemed necessary to meet the mission needs by the SWAT Commander and/or SWAT Team Leader. Uniforms will minimally include subdued NCPD arm patches, embroidered officer name and subdued rank insignias for Sergeant and above.

(b) Leather

1. SWAT Officers will wear tactical style nylon, web or leather gear as deemed necessary to meet the mission needs by the SWAT Commander and/or SWAT Team Leader.

(c) Body armor

1. SWAT Officers assigned to an entry team will wear heavy tactical body armor with minimal level III protection rating.

(d) Optional uniform

1. SWAT officers assigned as snipers are authorized to wear any clothing necessary to fulfill the mission needs. This may include wearing civilian clothing when authorized by the SWAT Commander and/or SWAT Team Leader. Officers must be able to be identified by other officers for safety reasons.

2. SWAT officers assigned to VIP Protection Details will wear appropriate civilian clothing or Patrol/SWAT uniform as deemed necessary for the mission needs by the SWAT Commander and/or SWAT Team Leader.

(e) Exceptions

1. SWAT officers engaged in training or SWAT Operations will adhere to Operating Procedure grooming standards, but need not comply with other uniform specifications required by other sections of this Operating Procedure. Appropriate wear for training or SWAT Operations will be determined by the SWAT Commander and/or SWAT Team Leader.

REQUIRED EQUIPMENT AND WEAPONS

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This portion of the uniform instruction establishes authorized equipment to be carried by the officers of the National City Police Department, and where applicable, how it will be worn with the uniform.

(a) A. On-duty uniformed officers, except when assigned to office duties, shall at all times wear a gun belt and holster, carry their duty weapon and ammunition, mace or O.C., baton, badge, identification card, whistle, handcuffs and when necessary, a flashlight. Officers assigned office duty shall carry a Department approved handgun.

1. Regulation baton - All officers are furnished a straight baton by the Department. An approved baton shall be carried by each officer in a uniformed assignment so as to be readily accessible.

2. Handcuffs and key - Handcuffs are of Department issue and will be carried in the handcuff case. Officers may elect to carry additional handcuffs as long as they are carried in handcuff cases. Handcuffs will not be suspended from the gun belt.

3. Timepiece - A watch capable of keeping correct time shall be carried by all on-duty officers.

4. Pen - All on-duty officers shall possess and carry a black ink ball point pen. When worn with a uniform, the pen should blend with the uniform. Pens should be of a black, gold, chrome or a combination of those colors. White, orange, yellow, etc. pens are prohibited. The pens officers' displays on his/her uniform will match and will only be carried on the designated uniform pocket located on the left breast of the uniform shirt. Pens shall not be displayed on any other part of the uniform.

5. Flashlight - All officers in a uniformed assignment shall possess a flashlight which shall be carried during duty hours. The flashlight shall be of sturdy construction, preferably with a head diameter of not less than 2 1/2 inches and preferably of non-reflective material. It will be of not less than 3-cell capacity and use standard "D" size batteries or the rechargeable type.

6. Notebook - All on-duty officers will have in their possession a notebook of a size that will enable them to carry it on their person. It may be of Departmental issue or privately furnished.

7. Badge - A badge will be furnished by the Department for all sworn personnel to be carried while on- and off-duty. When on-duty, it will be worn on the outermost item of apparel if the officer is in uniform. When wearing civilian clothes or off-duty, it will be carried in a badge case. Cloth badges are not authorized for any uniforms except (BDU) type uniforms.

   (a) Officers will also be issued flat badges. Flat badges shall be turned in with other Department property at the time of termination.

   (b) Officers engaged in special activities may, during the period of said special activity and when authorized by their commanding officer, be excused from carrying their badge.

   (c) During the month of August, officers have the option to wear the 125th Anniversary badge as an alternative to the Department issued badge.

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(d) During the month of September, officers have the option to wear the 9/11 Commemorative badge as an alternative to the Department issued badge.

(e) Refer to San Diego County Bereavement Protocol #1.10

8. Identification card - All sworn personnel will be furnished with an identification card which will be carried at all times whether on- or off-duty. However, officers in special activities may, for the duration of the special activity and when authorized by their commanding officer, be excused from carrying their identification card.

9. Driver's License - All sworn officers will possess and carry a valid California Driver's License.

10. Ammunition - All duty ammunition shall be of Departmental issue or approved. All ammunition used by members of the Department when on-duty or off-duty must be approved by the Department Range Master. See Operating Procedure No. 051.1 for authorized ammunition.

11. Teargas - Mace or OC canisters carried by uniformed officers will be in leather holders attached to the gun belt.

12. Soft body armor - The Department issues all members soft body armor. While on-duty and assigned to the field, uniform personnel shall wear soft body armor beneath the uniform shirt or in the external Blauer armor skin (outer vest carrier). Personal body armor may be worn in lieu of the Department-issued armor provided that:

    (a) The personal vest is designed with side panel coverage;

    (b) The vest meets or exceeds National Institute of Justice Threat Level III standards; and,

    (c) The vest is approved by the Chief of Police. Armor submitted for approval must bear a manufacturer's label listing the brand name, serial number and Threat Level. See Policy Manual on Body Armor for further information.

13. Cord-cuff leg restraint - The cord-cuff leg restrainer is a 1/4 to 1/2 inch braided nylon rope or nylon strap, 24 to 40 inches. It is designed with a loop on one end and a snap hook on the other. Accepted color shall be black. The snap hook shall have a round eye bolt and swivel base with a 2 to 2 1/2 inch shank, and be constructed of solid brass. The National City Police Department has authorized officers to use the cord-cuff leg restrainers. The cord-cuff is optional equipment which may be carried neatly on the officer's gun belt or in the officer's equipment bag. The Department shall train officers on the use of cord-cuff leg restraints. See Policy Manual on Handcuffing and Restraints for further information.

14. Department-issued equipment - All serialized Department issued equipment (e.g., guns, flashlights, vests) shall be maintained by the officer to whom it is issued. If the item is unserviceable, or for any other reason is replaced, or needs to be replaced, it shall be turned in to the assigned equipment coordinator or designated alternate, or in the case of issued firearms, the designated range staff officer. Absent exigent circumstances, the item will only be in possession of

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or used by the person to whom it was issued. See Policy Manual on Department-Owned and Personal Property for further information.

(b) Uniform officer and plain clothes officer weapons:

1. Weapons shall be in conformance with the Firearms Policy.

(c) Carrying of weapons:

1. Weapons shall be carried in conformance with the Firearms Policy.

NON-SWORN OPERATIONS & SUPPORT PERSONNEL

(a) A. Crime Scene Specialists (CSS) (currently not a budgeted position)

1. Uniform - CSS personnel will be determined by the supervisor of the unit depending on their duties and assignment
2. Jackets - Jackets shall be black leather, “Chill Chaser,” “Tuffy” style, Spiewak brand, weatherflow style (SH 3465) duty jacket type with no identifying patches.
3. Badge/nameplate - Shall be worn on outermost garment.
   (a) Badge - shall be worn above left breast.
   (b) Nameplate - shall be above right breast pocket flap.
4. Belt - The belt shall be black or navy in color.
5. Footwear - Either shoes or boots may be worn. They shall be smooth, black leather, plain cap and capable of receiving a presentable shine. They shall have no buckles or open toes. Soft, all leather court shoes, black in color, are authorized. Soft, all leather court shoes must be kept clean with a presentable shine.
6. Foul weather gear - Rain gear shall be of a vinyl or plastic, light-weight material, high visibility yellow in color.
7. Hair - Shall be styled conservatively.
8. Required equipment:
   (a) Radio - Department issued radios shall be worn at all times when in the field.
   (b) Other - Other equipment, as necessary to perform assigned tasks, shall be carried on the belt of, or with the CSS at all times.
9. Optional equipment:
   (a) Gloves - Shall be plain black, wrist length, leather or cloth. Fingerless gloves are prohibited.
   (b) Makeup - Shall be worn conservatively.
   (c) Jewelry - Shall be worn conservatively.

(b) Animal Regulation Officer (ARO)

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1. Uniform shirt - The shirt shall be long or short sleeve, light blue in color “Tactical Squad” brand/style or similar. They will have epaulets and flap pockets. Composing material may be wool, polyester or a blend of the two. If a long sleeve shirt is worn, a regulation tie shall also be worn. Minimum required: 2 shirts.
2. Trousers - Trousers shall be navy blue, polyester or gabardine. Minimum required: 2 sets. Rip-stop material is not permitted.
3. Jackets - Jackets can be either the "Chill Chaser" with or without liner, or Spiewak brand weatherflow style (SH 3465) duty jacket or the "Tuffy" jacket.
4. Patches - National City Police Department shoulder patches.
5. Badge/nameplate - The badge and nameplate are to be worn on left breast and over right shirt pocket flap respectively.
6. Belt - The belt shall be black leather, plain, 1 1/2 inches to 1 3/4 inches wide, with a polished brass harness type buckle;
7. Footwear - Either shoes or boots may be worn. They shall be smooth, black leather, plain toe and capable of receiving a presentable shine.
8. Shoes - Soft, all leather court shoes, black, are authorized as long as they are kept clean with a presentable shine. Socks are to be black.
9. Hair - Shall be styled in conformance with NCPD style of male and female officers.
10. Gun belt and required accessories - The ARO shall wear a gun belt, holster and handgun when authorized, all meeting Department specifications. The ARO will carry with him/her necessary equipment to enable him/her to perform his/her tasks.
11. Foul weather gear - Rain gear shall be of a vinyl or plastic, light weight material, high visibility yellow in color.

(c) Police Service Officer (PSO)/Student Worker/Community Services Officer (CSO)

1. PSOs and Police Student Workers, when required by assignment, will be provided a minimum of two complete sets of uniforms. PSO, CSO and Student Workers shall wear a uniform that conforms to the following guidelines:

   (a) Uniform shirt - The shirt shall be short or long sleeve with epaulets and flap pockets. Material may be wool, gabardine, polyester or any combination of those materials. Shirt color is sky blue, “Tactical Squad” brand/style or similar. No tie is required with long sleeve shirt except when a Class A, or higher uniform, is required of sworn officers.

   (b) Trousers - Trousers shall be navy blue with belt loops, uncuffed or “bloused”, men or women's cut. Material may be wool, gabardine, polyester, dacron or any combination. Rip-stop BDU, TDU style material is not authorized.

   (c) Necktie:

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1. Male PSO/ Student Worker/CSO - Uniform ties shall be plain "LAPD Blue" color, non-shiny material with a clip-on or other breakaway feature. The bottom of the tie must not extend below the top of the trouser belt or gun belt or cannot be more than 3 inches above the top of uniform trouser. The tie shall not be more than 3 inches wide.
2. Female PSO/Student Worker - Shall wear the same tie described for male PSO/Cadets. Female PSO/Cadets are authorized to wear the continental style tie as an option.

(d) Tie clasps/tie pins - Shall be of the plain bar type, gold in color. The only exception is the gold bar with the City seal.

(e) Jackets - Shall be black in color. The jacket may be a light weight "Chill Chaser," Spiewak brand weatherflow style (SH 3465) duty jacket, or "Tuffy" type.

(f) Shoulder patches - Shall be placed on both sleeves of all shirts and jackets. In addition, the "Student Worker" band shall be placed above the department patch on all Student Worker uniforms.

(g) Badge/nameplate - Badge and nameplate shall be worn on left breast and over right pocket flap on the uniform shirt respectively.

(h) Leather gear - Shall be consistent with Section VI.E. No holster, ammunition carrier, baton ring, or handcuff case shall be worn on the duty belt.

(i) Footwear - Shall be consistent with Section III, G. PSO/CSO Officers shall wear safety shoes while engaged in field activities.

(j) Personal appearance standards shall be consistent with uniform personnel described in Section IV.

(k) PSO and CSO personnel are authorized the wearing of jumpsuits (described for CSS wear in XII, A, 1 of this Operating Procedure) as optional uniforms whenever their assignment is such that the jumpsuit would be more practical (such as during vehicle inspections).

(d) Civilian employees

1. All other civilian employees assigned to the Police Department will wear civilian clothing appropriate to their particular assignment and will carry identification cards issued by the Department. Civilian employees, however, may opt to wear a uniform although they are not specifically required. If civilian employees opt to wear a uniform, they will conform to the following guidelines:

(a) Shirts - Sky blue in color, plain in design, “Tactical Squad” brand/style or similar, long or short sleeve with small NCPD sleeve patches.

(b) Trousers - Shall be navy blue with belt loops, uncuffed or “bloused”, men or women's cut. Material may be wool, gabardine, polyester, dacron or any combination. Rip-stop style TDU/BDU uniforms are not authorized with any class of uniform.

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(c) Skirts - Females may wear uniform skirts, straight or A-lined. Skirts shall be no more than four inches above or below the knees. The color shall be navy blue and material may be the same as the trousers.

(d) Name plate - Employees will wear a name plate over their left breast pocket.

RESERVE OFFICERS - UNIFORM SPECIFICATIONS

Reserve officers' uniform specifications shall be the same as for regular officers as detailed in this Operating Procedure with the following exceptions:

(a) Service stripes shall be gold.

(b) Dress jackets worn by sergeants or above shall have a one half inch gold sleeve stripe.

(c) Chevrons for sergeants will be gold and shall only worn on the collar.

(d) Collar and jacket rank devices for lieutenant and commander shall be gold.

(e) Rank insignia shall only be worn at reserve events (i.e., ARPOC, Mother Goose Parade) Insignia of rank shall not to be worn while on duty within the City or during County events.

(f) Uniform soft cap will be worn with the two tone (gold/silver) hat badge.

(g) The band for officers will be black. The gold colored link metal band will be worn by lieutenants and above.

INSPECTION AND CONTROL

To maintain high standards of personal appearance, the proper wearing of the police uniform and to ensure proper use of prescribed equipment, field supervisors have the responsibility of conducting weekly squad inspections. The field supervisor has the option of meeting squad members individually, conducting an open ranks guard mount inspection or inspecting as part of the normal line-up process. Unserviceable equipment or excessively worn out uniforms will be replaced immediately and unauthorized wear will be corrected.

See Policy Manual on Uniform Regulations for further information.

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Department Badges

1001.1 DEPARTMENT BADGES

BACKGROUND

The purpose of this procedure is to establish guidelines for sworn members requesting to purchase National City Police badges upon honorable retirement or separation.

GUIDELINES

Service Retirements:

Police Officers having reached their minimum required age and served a minimum of 5 years of service with the National City Police Department are entitled to receive:

(a) Retired police flat badge

(b) Retired police identification card

(c) Current uniform and flat badge

(d) Current uniform hat badge

The employee also has the option to:

(a) Purchase, at their own expense, additional flat badge(s) for use in shadow box

Medical Retirements:

(a) Police Officers retiring from the National City Police Department as a result of a work-related injury / illness are entitled to receive:

(b) Retired police flat badge

(c) Retired police identification card

(d) Current uniform and flat badge

(e) Current uniform hat badge

The employee also has the option to:

(a) Purchase, at their own expense, additional flat police badge(s) for use in shadow box

Vested Employees:

Police Officers, with a minimum of 5 years of service and in good standing with the National City Police Department and not eligible for a service or medical retirement, can request to purchase at their own expense and upon separation:

(a) Current flat badge encased in Lucite, years of service etching optional

(b) The Chief of Police will have final approval

National City Police Officer's Association (NCPOA):

The NCPOA can request to purchase flat badge(s) in order to place on a member's ceremonial plaque. All Police Officers receiving a badge from the NCPOA must meet the above criteria for

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Service Retirements and Medical Retirements. Vested Employees are not included as part of this procedure. Badges purchased by the NCPOA must be for the sole purpose of placing them on plaques or shadow boxes.

REQUESTS

All requests for retaining or purchasing badges are to be submitted in writing to the Chief of Police 60 days prior to retirement or separation.

Any exception to the listed guidelines are the prerogative of the Chief of Police.

See Policy Manual on Department Badges for further information.

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Member Recruitment Incentive Program

1002.1 MEMBER RECRUITMENT INCENTIVE PROGRAM PURPOSE

This program has been developed in an effort to recruit the best qualified applicants to become members of the National City Police Department.The police department recognizes our current members are our best recruiters.The intent of this program is to boost the number of qualified applicants who apply for positions within the National City Police Department by rewarding members who successfully recruit the new hire of members with two (2) days of discretionary leave.

POLICY

(a) The Recruitment Incentive Program is open to all members of the Police Department with the exception of sworn members assigned to the Backgrounds/Recruiting Unit.

(b) For a member to be awarded the two (2) days of discretionary leave, the referred applicant must be hired for a position within the police department and:

1. Referred applicants hired as a Police Officer Recruit must successfully complete the training academy, Field Training Program and their probationary period as a member with the City of National City.
2. Referred applicants hired as a Lateral/Academy Graduate Police Officer must successfully complete the Field Training Program and their probationary period as a member with the City of National City.
3. Referred applicants hired as a Reserve Police Officer must successfully complete the Field Training Program and attain Level I status as a Reserve Police Officer
4. Referred applicants hired as a “lateral” Reserve Police Officer of Level I status must successfully complete the Field Training Program.
5. Referred applicants hired as a Police Dispatcher must successfully complete the Communication Training Program and their probationary period as a member with the City of National City.
6. Referred applicants for all other employment classifications within the police department must complete their probationary period as a member with the City of National City.

(c) When a member recruits an applicant, he/she will receive credit for the recruitment by sending a memorandum to the Internal Affairs Sergeant, who is in charge of the Backgrounds/Recruiting Unit, prior to the hire date of the new member. The memorandum shall contain the following information:

1. The name of the recruiting member.
2. The name of the prospective applicant.
3. The position the prospective applicant applied for.

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4. The approximate date the member recruited and referred the applicant to City of National City for employment within the National City Police Department.

TRACKING

(a) The Internal Affairs Sergeant will maintain a tracking system for the Recruitment Incentive Program, ensure that periodic inspections are conducted, and appropriate reports are forwarded to the Operations Support Lieutenant.

(b) When a member submits a memorandum to the Internal Affairs Sergeant declaring eligibility for the Recruitment Incentive Program, the Internal Affairs Sergeant will track the recruited member's status.

1. When the recruited member meets the tenure qualifications set forth under Section B of this policy, the Internal Affairs Sergeant will prepare and forward a memorandum recommending the two (2) day discretionary leave be granted to the recruiting member through the Chain of Command to the Chief of Police for approval.

2. Upon approval of the two (2) day discretionary leave by the Chief of Police, the Executive Assistant to the Chief of Police will notify the recruiting member's supervisor of the discretionary leave earned by the recruiting member.

3. The recruiting member's command will have the discretion and the final authority for the scheduling of the discretionary leave in order to comply with minimum deployment and/or the staffing needs of the department.

DISPUTES

(a) The Operations Support Lieutenant will hear disputes and make a final resolution if a dispute arises in which two or more members of the police department claim to be the "recruiting member" of a prospective applicant.

See Policy Manual on Recruitment and Selection for further information.

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Payroll Record/

1003.1 PAYROLL RECORD/

The following protocol is to be followed by all employees:

End User (Employee):

(a) All work codes should be entered into on a daily basis or as soon as reasonably possible. Employees should not wait to enter work codes at the end of the pay period.

(b) Employees shall include notes in the appropriate section (Sick leave and vacation codes do not require the employee to include a note). Overtime should be documented as to grant, court case, special detail or arrest.

(c) Employees shall ensure their schedules are accurately reflected in the system. If an employee's schedule changes, the employee is responsible to ensure that his supervisor is aware of the change so the Lieutenant may assign the employee to the correct schedule in

(d) The pay period will automatically finalize at noon (1200) the Tuesday following the end of the pay period. All entries into should be entered and approved no later than 0800 hours on the day the schedule is finalized.

(e) It is the responsibility of the employee to ensure all entries are entered into the system accurately and have been approved by their supervisor.

(f) If an employee notices a request has not been approved, he/she will notify their supervisor. If their supervisor is not available to approve the request before the system finalization, the employee will make the request from another supervisor.

(g) Employees should maintain a separate hardcopy record of their request, to ensure accuracy of the system. The employee is also encouraged to run reports to verify their entries.

(h) If an employee does not enter a request into before the system has been finalized, the employee will notify their supervisor as soon as reasonably possible. The supervisor will verify and enter the request into on the actual date the request occurred and forward an email to City Finance. (Note: Request entered after the schedule has been finalized should be limited to those situations when the employee was unable to enter the request due to some unforeseen circumstance).

(i) Prior to the schedule finalizing, all employees should review their calendar for the pay period and ensure all of the requests entered for that pay period are accurate and have been approved by their supervisor.

(j) Employees calling in sick should do so via (https://ncpdts.nationalcityca.gov/login) unless the notification is within two hours before the start of the normal scheduled shift. In this case the employee should call the Department's Communication Center (619-474-4576) who will notify the appropriate supervisor.The employee will later enter the appropriate code into

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(k) Flex on/off codes must be done within the same pay period.

(l) Training Day codes must be for the exact dates and times of your normal shift. Otherwise, use flex on /off codes or put the correct times in the notes section.

(m) Employees using 4850 leave are required to submit a hardcopy payroll slip. The slip will be reviewed and approved by their supervisor and forward to the Administrative Secretary. The Administrative Secretary will forward a copy to City Finance. Employees will enter the appropriate work code, “4850” for the days the employee is on leave.

(n) Employees required to attend Jury Duty will need to submit the court issued time card to their supervisor. The supervisor will review, approve and forward to the Administrative Secretary. The Administrative Secretary will forward to City Finance. Employees will enter the appropriate work code, “Jury Duty” for the days the employee is on leave.

(o) Employees on approved and authorized Military Leave will submit the necessary supporting documents to their supervisor. The supervisor will forward the documents to the Administrative Secretary. The Administrative Secretary will forward a copy to City Finance. The employee will use the appropriate work code, “Military Leave” for the days the employee will be absent from the Department.

Supervisors:

(a) At the end of each pay period, supervisors are responsible for reviewing the calendars for each of his/her employees and ensuring all entries made for the pending pay period are accurate and have been approved.

(b) Supervisors should review the roster at the start of their shift and throughout their shift as time permits. If entries are made timely, will alert the supervisors of pending staffing issues.

(c) Supervisors are expected to handle potential staffing issues for their shift as well as up-coming shifts, whenever possible and as time permits. Supervisors should consult with their Command regarding any unusual or long-term issues.

(d) Supervisors must ensure employees are entering work codes in a timely fashion, and entries are accurate.

(e) Supervisors should review, approve or deny requests on a daily basis or as soon as reasonably possible.

(f) If the supervisor is going to deny the request, the supervisor will notify the employee the request was denied and remove the request from the system.

(g) If a supervisor is notified by an employee of a late work code entry and intends on approving the request, the supervisor will enter the code into and email City Finance regarding the late entry. Entering the code into updates the roster for that day, and emailing City Finance will credit or deduct from the employee’s payroll account. A red “X’ will appear on the roster on all entries made into after the schedule has been finalized.

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Dispatchers:

Dispatchers who receive calls from employees calling in sick shall complete a Notice of Absence form and forward it to the employee's supervisor. If the call from the employee is prior to two hours before the start of the employee's shift, the Dispatcher should tell the employee to log on to and enter the appropriate code.

All pending staffing issues will be reported to the on-duty supervisor immediately and a voicemail message left with the employee's supervisor.

FTO Supervisor:

(a) While in training, the FTO supervisor will be responsible for updating each trainee's profile and schedule in

(b) The FTO supervisor will ensure all FTOs provide instruction to new employees on procedures and log on procedures. The User ID is Zero plus their badge number and the initial password is NtclyPD2.

Administrative Secretary:

(a) On the day the system is scheduled to finalize the pay period, the Administrative Secretary will review and notify the Operations Support Lieutenant of any issues.

(b) If a request has not been approved for the pay period, the Administrative Secretary will screen shot the unapproved request and notify the Operation Support Lieutenant. The Operation's Lieutenant will have the discretion to approve or not approve the remaining request(s).

(c) After the system has been finalized the Administrative Secretary will complete the payroll export process and a payroll audit for pay period.

(d) The two computer generated documents will be saved in a designated payroll folder and both copies will be emailed to City Finance.

(e) In the absence of Administrative Secretary, the Operations Assistant or the Executive Assistant will be responsible for the bi-weekly payroll process.

Days Executive Assistant:

(a) The Executive Assistant will be responsible for the initial entry and access of all newly hired employees.

(b) In the absence of the Executive Assistant, a Administrator will assist with this task.

Lieutenants:

Every Lieutenant is responsible to correct any entry errors of personnel in their command after the pay period has been finalized.

The Operations Support Lieutenant will be responsible to oversee the protocol and assignment of work to administrators.

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Payroll Record

See Policy Manual on Payroll Record Procedures for further information.

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Transfer and Rotation Procedure

1004.1 TRANSFER AND ROTATION PROCEDURE

PURPOSE

To provide members of the NationalCity Police Department an opportunity to enhance their expertise and experience levels in order to better the community we serve.

POLICY

Members of the National City Police Department will be eligible for transfer and rotation according to the following guidelines.

PROCEDURE

There are two categories of assignments covered by this Procedure:

(a) Uniform Specialty Assignment - involves non-traditional uniformed assignments. Examples may include:

1. Motorcycle Traffic Officer
2. K-9 Officer
3. School Resource Officer
4. Gang Enforcement Team

(b) Non-Uniform Specialty Assignment - generally involves a plainclothes assignment. Assignments may involve temporary or long term undercover work. Examples may include:

1. Core Investigations(Corporals Only)
2. Internal Affairs/Backgrounds/Training
3. Task Force Assignments (Narcotics Task Force, Regional Auto Theft Task Force, et al)

ELIGIBILITY

An officer considered for a uniform or non-uniform specialty assignment must possess the desire, maturity, knowledge, experience, ability, and suitability to succeed at the designated assignment.

(a) Uniform Specialty Assignment - Minimum Requirements:

1. Currently off probation.
2. Currently performing at minimum "Standard" performance level.
3. Minimum overall "Standard" rating on last annual evaluation.
4. Three years of field experience is preferred, but officers with a minimum of two years of field patrol experience may be considered.
5. Completion of all mandated AOT/ROT training

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6. F.T.O. positions are normally restricted to corporals. Qualified officers may temporarily perform F.T.O. duties if the trainee's assigned corporal F.T.O. is absent or unavailable for duty, or if there is no corporal available for assignment as an F.T.O. To be qualified to perform in the capacity of an F.T.O., a police officer must have been selected to be an F.T.O. by the F.T.O Coordinator and have completed a current FTO P.O.S.T.certification course or a P.O.S.T F.T.O. recertification course

(b) Non-Uniform Specialty Assignment - Minimum Requirements:

1. Currently off probation.
2. Currently performing at a minimum "Standard" performance level.
3. Minimum overall "Standard" rating on last two annual evaluations. Overall "Above Standard" rating is preferred.
4. Minimum of three years of field patrol experience, and/or uniformed specialty assignment experience combined, with the National City Police Department.
5. Completion of all mandated AOT/ROT training.
6. After returning to patrol from a non-uniform specialty assignment, an officer or corporal must spend at least one year in a patrol or uniform specialty assignment prior to applying for another non-uniform specialty assignment.
7. Core Investigations is restricted to Corporals.
8. Any officer promoted to Corporal will, on appropriate notice, be transferred to a patrol squad for the entirety of his or her probationary period.

LONGEVITY

(a) Uniformed Specialty Assignment - Longevity in a uniformed specialty assignment shall be based upon desire, ability, and individual job performance.The paramount issue concerning longevity shall be the needs of the department subject to the restrictions listed below:

1. An individual desiring this position must be willing to commit to a minimum two year assignment.
2. With the exception of the School Resource Officer, normal longevity is four years from date of appointment. Normal longevity for the School Resource Officer will be three years. A maximum one year extension may be permitted upon a showing of departmental need and with specific approval of the Chief of Police. (An example of departmental need could be that normal rotation would deplete a unit of most or all of its experienced officers.)

(b) Non-Uniformed Specialty Assignment - Longevity in a non-uniformed specialty assignment shall be based upon desire, ability, knowledge, skills, and individual job performance. The paramount issue concerning longevity shall be the needs of the department.

1. Longevity for Core Investigations is normally five years from date of appointment.

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2. Longevity for other assignments is four years from date of appointment.
3. A maximum one-year extension may be permitted upon a showing of departmental need and with specific approval of the Chief of Police.

(c) Supervisor Longevity

1. Sergeants shall normally serve in a uniform or non-uniform specialty assignment for a maximum period of four years. A maximum one-year extension may be permitted, and will be based on the needs of the department.
2. The Internal Affairs/Training Sergeant shall serve in the assignment for a period of two years. A maximum one-year extension may be permitted, based on the needs of the department.
3. Lieutenants will serve in their respective assignments at the discretion of the Chief of Police.

SENIORITY

(a) National City Civil Service Rules Defines Seniority as the following:

1. Seniority – shall mean the length of continuous paid full-time service since initial probationary appointment to a career position funded solely by the City where service time in the current classification, then service time in the current department, and then service time with the City in that order of priority determines seniority for the purpose of layoff, longevity and benefits.
2. Unauthorized breaks in service, such as resignation without re-employment within thirty (30) calendar days, shall negate all previously earned seniority. Authorized leaves of absence without pay in excess of thirty (30) calendar days and layoffs shall not accrue additional seniority, however, previously earned seniority will be restored upon return to work.

NOTICE - ANNOUNCEMENT

(a) When openings occur and no current eligibility list is established for a uniform or non-uniform specialty assignment, the Chief of Police or his designee shall notify all personnel by departmental memo.

(b) When establishing an eligibility list for non-uniformed specialty assignments, the Notice - Announcement will normally be disseminated during the month of October, however, the eligibility requirements regarding minimum qualifications shall extend to the last day of the calendar year.

TRANSFER APPLICATION PROCEDURE

(a) Uniform Specialty Assignment - Interested personnel shall:

1. Submit a memo through the Chain of Command to the Chief of Police or his designee requesting consideration for transfer. The memo shall include the following:

   (a) An explanation of the candidate's qualifications for the position;

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(b) An explanation of the candidate's knowledge, and experience relating to the position;

(c) A written endorsement by the supervisors in the chain of command, including a written certification that the candidate meets the minimum qualifications for the position.

2. The Chief of Police or his designee shall verify candidates' qualifications and make copies of the candidates' memos available to command level personnel prior to the next scheduled command level staff meeting.

3. Discussion of the candidates may occur at the next scheduled command level staff meeting.

4. The Chief of Police or his designee shall provide notices to the successful and unsuccessful candidates.

(b) Non-Uniform Specialty Assignment - Interested personnel shall:

1. Submit a memo through the chain of command to the Chief of Police or his designee requesting consideration for transfer. The memo shall include:

(a) An explanation of the candidate's qualifications for the position;

(b) An explanation of the candidate's knowledge and experience relating to the position;

(c) A written endorsement by the supervisors in the chain of command, including a certification that the candidate meets the minimum qualifications for the position.

2. The Chief of Police or his designee shall verify candidate qualifications and forward candidate memos to the Investigations Lieutenant.

3. The Investigations Lieutenant and two additional supervisors (Sergeant or Lieutenant), shall convene a board for the purpose of holding structured interviews with each qualified candidate. Emphasis will be placed on candidate preparation, knowledge, ability, and suitability. Candidates may be required to submit examples of prior written reports which demonstrate the candidates' report writing and investigative abilities. The candidates may be required to take a written test designed to test their knowledge of law and investigative procedures.

4. The results of the board shall be forwarded to the Chief of Police, along with the board's recommendations.The Chief of Police or his designee will announce the candidate(s) selected to fill open position(s).

5. Successful candidates will be placed on an eligibility list. Candidates who fail to meet minimum standards will not be placed on the eligibility list. Candidates not selected may elect to receive feedback for improvement. The eligibility list will remain in effect for one year from the date of the oral board. Openings in a non-uniform specialty assignment which occur in the following year will be filled from the eligibility list.

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6. Any officer who does not attain the minimum qualification for a non-uniform specialty assignment during the term of an established eligibility list will NOT be eligible for consideration until the next scheduled interview board.

(c) Supervisor selection

1. Lieutenants are selected for assignment at the discretion of the Chief of Police.
2. Sergeants are selected for a uniform or non-uniform specialty assignment by submitting a request for consideration. The Chief of Police has the discretion to interview the candidates for the positions of Internal Affairs/Training Sergeant before making a selection.

See Policy Manual on Promotional and Transfer for further information.

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Personnel Complaints Procedure

1005.1 PERSONNEL COMPLAINTS PROCEDURE

PERSONNEL COMPLAINTS PROCEDURE

(a) The Internal Affairs Unit shall consist of the Internal Affairs Sergeant and Administration Support Lieutenant.

(b) Reporting Relationship

1. Unless otherwise directed by the Chief of Police, the Internal Affairs Sergeant shall report to the Administration Support Lieutenant, who shall report to the Chief of Police.

(c) General Responsibilities for Activities in Internal Affairs

1. Recording, registering and controlling the investigation of complaints regarding either policy or personnel (both sworn and non-sworn).
2. Posting and submission of complaint statistics to the DOJ, Bureau of Criminal Statistics, (pursuant to CPC 13012(d)), annually in January.
3. Supervising, controlling and/or conducting the investigation of alleged or suspected misconduct within the agency.
4. Maintaining the confidentiality of all Internal Affairs and background investigations records.
5. Function as a liaison to the Community and Police Relations Commission's (CPRC) Complaint Review Subcommittee (CRS).

REPORT INTEGRITY AND TRACKING

(a) All reports resulting from an Internal Affairs investigation are confidential and should only be disseminated on a "need to know" basis, through the proper chain of command.

(b) Internal Affairs will maintain the original reports and documents of all completed cases. Review of completed reports will be authorized only for supervisors and others that fall into the "need to know" category.

1. Internal Affairs will maintain a tracking form, Attachment 1 that tracks the dispositive dates of the investigation.
2. During the course of an Internal Affairs investigation, all original reports and documents will be in the custody and control of the supervisor assigned to that stage of the investigation. The Internal Affairs Sergeant will electronically track the custody of the original documents.
   (a) Copies of Internal Affairs reports and documents will not be made without the expressed permission of the Internal Affairs Sergeant.

(c) Photographs and computer disk recordings will remain with the original Internal Affairs investigation. All other evidence will remain in Internal Affairs files.

1. Supervisors needing to examine such evidence will contact the Internal Affairs Sergeant for access.

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REPORTS

(a) The Internal Affairs Sergeant will submit a monthly report of the tracking form to the Chief of Police on the status of ALL open files, as well as the dispositions of investigations which have closed during the reporting period and the date of completion.

(b) The Internal Affairs Sergeant will submit a monthly report to the Chief of Police on the status of cases for the review by the Community and Police Relations Commission (CPRC). This report will include all citizen complaints ("C" case designator) and all department initiated complaint ("D"case designator). Miscellaneous cases ("M" case designator) will not be included in this report.

1. The Internal Affairs Sergeant will provide a report to the CPRC at each CPRC meeting. The CPRC report will only include the following information;

   (a) Internal Affair tracking number (or other means of numerical tracking).

   (b) The statute date.

   (c) The allegation (conduct, performance of duty, use of force, officer involved shooting, death in custody).

   (d) The stage of the investigation. Stages may include investigation, Findings, adjudication, chief's review.

   (e) The Findings, if applicable, and the date there of

   (f) Findings may include sustained, not sustained, unfounded or exonerated.

   (g) The category of the investigation (I, II).

RECEIVING CITIZEN COMPLAINTS

A citizen complainant shall be referred to the on-duty supervisor or an employee designated as responsible for receipt of the preliminary complaint. A citizen must not be told to call back at another time or to contact another supervisor before a complaint is taken.

Complaints are received in two basic forms:

(a) Written complaints delivered in person or by mail.

1. When a complaint is received in person, the on-duty supervisor or employee representative receiving the complaint must complete a Complaint and Tracking Form PD 600.A complaint received in the mail will be forwarded to the Internal Affairs Unit.A representative of the Internal Affairs Unit will make personal contact with the mail-in complainant and initiate the Complaint and Tracking Form PD 600.

2. If the initial employee representative is a supervisor; that supervisor should attempt to obtain a preliminary written statement from the complainant and take any relevant photographs. The supervisor should conduct a preliminary investigation by interviewing the complainant to clarify all of the facts contained in their written statement. The complainant should be recorded and shall be advised of that fact.

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3. Per Penal Code Section 832.7, at the conclusion of the interviews, the supervisor conducting this preliminary investigation shall provide a copy of the Complaint and Tracking Form PD-600 to the complainant. The supervisor shall provide a copy of the written statement made by complainant. Do not include any statements by the witnesses.
4. The supervisor receiving the complaint will complete a written synopsis of the complaint and forward it to the Internal Affairs Unit in a confidential manner.
5. Upon receipt of the complaint, the Internal Affairs Unit will log, track and initiate the administrative investigation process on the complaint, in accordance with this policy.
6. The Internal Affairs Unit will either begin the investigation or assign the investigation to the appropriate command. The Lieutenant of that command will assign the complaint to the appropriate supervisor for investigation. The supervisor receiving the complaint will then conduct an investigation by interviewing all witnesses. All interviews will be digitally recorded and the witness shall be informed of that fact.

(b) Verbal complaints received in person or by telephone.

1. Verbal complaints shall be reduced to writing.Follow the steps outlined in "a" 1-6 above.
2. All complaints, including those not of a serious nature and/or those complaints which are not resolved to the complete satisfaction of the complainant, will be received. The supervisor shall complete a Complaint and Tracking Form PD 600 and allow the investigation to determine the proper disposition. If the complaint is resolved during the initial contact, the complainant shall complete and sign the complaint withdrawal section on the reverse side of the Complaint and Tracking Form PD-600.
3. Generally, complaints received over the telephone will not be taken. Most complainants will be asked to come to the station to file their complaint(s). In extreme cases, however, a citizen's complaint received over the phone will be responded to by an on-duty supervisor if the following criteria are met.
   (a) The complaint allegation(s) falls under Section VI (A) or (B) of this procedure and;
   (b) The complainant is unable to come to the station due to a disability and lives within San Diego County, or;
   (c) At the direction of the Chief of Police or the authorized designee.

CRITERIA FOR FILING OF COMPLAINTS

Citizen Complaint packages shall be completed on:

(a) Any alleged complaint of misconduct by any member, sworn or civilian, of the National City Police Department.

(b) A complaint alleging a violation of policy or procedure or violation of civil rights.

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(c) Any complaint alleging poor service from any employee of the National City Police Department. It is not necessary to complete the PD 600 Complaint and Tracking Form on a dispute of guilt or innocence emanating from a traffic citation. The complainant in these situations will be referred to the courts for dispute resolution.

COMPLAINT AND TRACKING FORM PD 600

The Complaint and Tracking Form PD 600 is designed to document the complaint and to track the complaint from the initial contact with the complainant until the completion of the investigation.

(a) Documentation

1. The Complaint and Tracking Form PD 600 shall be used to start the citizen's complaint process. The form is designed to document the personal information of the complainant (s) and any witnesses, the name of the involved employee (s), and the details of the alleged incident. The form should be filled out by the complainant. The complainant is to fill out the complainant, witness(s), involved employees, and synopsis sections. If necessary, supervisors may fill out these sections for the complainant. However, it is preferable that the complainant fills out the form him/herself. The complainant voluntarily signs the form, which is witnessed by the receiving supervisor. The complainant signature is not mandatory. Supervisors will take the citizen complaint regardless of whether the complainant signs the form. The form also allows a complainant to withdraw a complaint after information has been provided which convinces him/her that the conduct was justified, legal and/or necessary.

(b) Tracking

1. The Complaint and Tracking Form PD 600 is used to track and record the complaint from start, through the various stages of investigation and levels of review, to completion. The shaded areas bordering the form are designed for the purpose of tracking and for department use only.

(c) Vehicle Damage Report

1. The Complaint and Tracking Form PD 600 is also used as the Vehicle Damage Report (VDR). Supervisors must complete the appropriate sections of the form to document damage to department vehicles, and document all traffic collisions, preventable and non-preventable, involving department vehicles. Forms describing only damage to department vehicles will be forwarded to the Administration Support Lieutenant. Forms documenting all traffic collisions involving department vehicles will be forwarded to the Internal Affairs Unit for tracking and further processing if necessary.

COMMUNITY AND POLICE RELATIONS COMMISSION (CPRC)

The Internal Affairs Sergeant will maintain a conference room in the Internal Affairs' office to facilitate the case review procedure of the Complaint Review Subcommittee (CRS) of the CPRC.The CRS will maintain a locked cabinet in the Internal Affairs' office for their use.Only the CRS will have access to this cabinet. The Internal Affairs Sergeant will strictly adhere to the

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guidelines set forth in the Community and Police Relations Commission, Internal Affairs Files-Review Procedures, as it relates to the review of Internal Affairs reports, documents and files.

(a) Process

1. If after review of thereports by the Complaint Review Subcommittee, further review and investigation ofa particular Department determination is desired by such subcommittee, the Complaint Review Subcommittee will submit a request to the Police Department CPRC Liaison, through City Administrative CPRC Staff, to further review and investigate a matter.

2. The Police Department Liaison will respond to the Complaint Review Subcommittee's request within seven working days, by providing them with a date for the further review to occur. The Police Department Liaison's response will be submitted to City Administrative CPRC Staff who will distribute a copy to the Complaint Review Subcommittee.

3. Within seven working days, the Complaint Review Subcommittee through City Administrative CPRC Staff will confirm or request that the further review be rescheduled. Step 1 and 2 may be repeated until a date and time certain is established for the review.

4. Pursuant to CPRC Operating Procedure 10.02(c), further review will occur at the Police Department in a designated conference room. The material to be provided will be that set forth inthe Operating Procedures, including Procedure 10.02(c). Any data that cannot be disclosed by the City will be indicated as non-disclosable.The designated IA Sergeant and/or the Police Department's Liaison will be present at all times during the Complaint Review Subcommittee's review and investigation of the matter.The City Attorney or its designee may also be present.

5. The Complaint Review Subcommittee will sign a log and a non-disclosure agreement on each occasion of their review and investigation of the Department's determinations of a matter. The Complaint Review Subcommittee's notes and any summary or report will remain locked in file cabinet at the Police Department.No written material concerning the facts of the matter or the Complaint Review Subcommittee's work product generated in the review may be removed from the Police Department's Internal Affair's Office, except as permitted in paragraph eight herein. The City may provide a computer for the Complaint Review Subcommittee's use, which must also remain locked in the file cabinet at the Police Department and/or have a security code for entrance.

6. Examinations or interviews of Police Department officers or supervisors requested by the Complaint Review Subcommittee or CPRC pursuant to Operating Procedure 10.02(c)(iii)-(v) will be given in writing to City Administrative CPRC Staff, who will give the request to the Police Chief for scheduling.

7. Subpoenas for members of the public pursuant to Operating Procedure 10.02(c)(vi), requested by Complaint Review Subcommittee will be issued by the Chair of the CPRC, and shall follow the format provided in the attached sample

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subpoena.The City Attorney may provide assistance in preparing the subpoena, if requested by the Chair. The cost for service of the subpoena by the Sheriff's Office or other related subpoena service company shall be born by the CPRC operating budget. Prior to a subpoena being issued by the CPRC Chair, a written voluntary request to appear to such member of the public shall first be sent by City Administrative CPRC Staff, inviting them to appear voluntarily without the need for subpoena issuance.

8. The Complaint Review Subcommittee may present a summation of each matter during a closed session at a CPRC monthly meeting, which will include the subcommittee's recommendations, if any. All CPRC members will sign a non-disclosure agreement for each matter before them.Any written summary or computer data may be transported by the Complaint Review Subcommittee members to the closed session and shall remain in the Complaint Review Subcommittee member's possession for returning to the secured file cabinet at the Police Department.

9. The CPRC in closed session may take a vote of the CPRC's ultimate recommendations and determinations, pursuant to Operating Procedure Article IX, 9.0l (h). City Administrative Staff and the City Attorney will only attend if requested by the Chair. The CPRC may adopt the Complaint Review Subcommittee's recommendation or request further review be performed by the Complaint Review Subcommittee. A report out of closed session may occur, consistent with the confidentiality provisions outlined in the Operating Procedures and as otherwise set forth by law.

10. Notification of the CPRC's recommendations and determinations, whether in agreement or disagreement with the Police Department, will be provided by City administrative staff to the City Manager and Police Chief pursuant to Operating Procedure 10.02(c) (vii).

11. If the CPRC's determinations differ from the Department's, pursuant to the Operating Procedure 10.02(c)(x) the Police Chief will respond to the CPRC in another closed session with the entire CPRC present to discuss reconsideration of the Police Department's or the CPRC's position.

12. City Administrative CPRC Staff will send notice to the Police Chief and the City Manager of the CPRC and Police Chief's agreement or disagreement.The City Manager will initial his/her having reviewed the notice and will return the notice to the Police Chief for the IA file.

13. The Complainant and the subject officer will be notified of the determinations, according to the procedures and requirements set forth in the Operating Procedures.

14. The Officer's right to appeal the position of the CPRC will be consistent with Caloca v. County of San Diego (1999),72 Cal.App.41b, 1209 and Caloca v. County of San Diego (2002), 102 Cal.App.41b 433, which held that under the Public Safety Officers Procedural Bill of Rights Act (Government Code Section 3300 ets eq.),police officers must be afforded an administrative appeal of sustained findings of misconduct even though no disciplinary matters are

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considered.Such administrative appeal proceeding will be conducted by a neutral, unbiased adjudicator(s) who will examine the finding de novo. All further terms of the reexamine will be consistent with the guidelines set forth in the Caloca v. County of San Diego (2002), 102 Cal.App.41b.

PROCESSING OF DEPARTMENT INITIATED AND CITIZEN COMPLAINTS

Complaints

(a) Initiation of Complaints

1. Category I and II Complaints will be forwarded to the Internal Affairs Unit. The complaint will be logged and assigned a tracking number. At the discretion of the Chief of Police or their designee, the case will either be retained by the Internal Affairs Unit for investigation or routed to the command of the affected employee(s) for investigation.

(b) Investigations of Complaints

1. The Investigating Employee may interview pertinent witnesses relevant to the alleged facts. However, the specific allegations of the complaint shall not be disclosed to non-focus employee witnesses.

2. The investigation shall be completed and Findings made by the Investigating Employee within 60 days of assignment to the Investigating Employee, unless permission for an extension is granted by the Investigating Employee's Lieutenant.

(c) Completion of Investigation

1. Once the investigation and Findings are completed, the following procedure will occur, depending upon which command did the investigation.

(a) Investigation and Findings

1. The Investigating Employee’s Lieutenant or Support Operations Lieutenant will review the investigation and Findings for content and completion within 30 days of receipt from the Investigating Employee.

(b) Recommendations

1. The Investigating Employee’s Lieutenant or Support Operations Lieutenant (The Chief will have the discretion to determine the appropriate Lieutenant), will make recommendations for discipline within 30 days, which will be documented in a separate report. The entire investigation package and the recommendations report will then be forwarded to the IA Sergeant.

PROCESSING OF VEHICLE DAMAGE REPORTING

(a) When an employee is involved in a traffic collision or causes damage to a Department/ City vehicle, or discovers unreported damage to a Department/City vehicle; the involved employee shall notify an on-duty supervisor.

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1. The notification to an on-duty supervisor should be made immediately, or as soon as practical if unusual circumstances exist that would prevent the involved employee from making such notification.
2. Regardless, the employee who caused or discovered the damage shall notify an on-duty supervisor no later than the end of the employee's shift.

(b) Upon being notified of damage to a Department/City vehicle, the on-duty supervisor will ensure that:

1. A Vehicle Damage Report (VDR)(PD-600) and a Traffic Collision Report (if necessary) are completed prior to the end of shift.
2. The damage information is logged into the electronic "VDR" database located on the NCPD website and,
3. The collision is noted on the Watch Commander's Log.
   (a) If the damage is very minor (e.g., 1/2" tear in the seat, superficial surface scratches in the paint, etc.), the supervisor may elect not to complete a PD-600 form and instead log the damage into the "VDR" database.
4. Send PD-600 form and all reports, including any evidence or photos, to the Internal Affairs Unit.
5. The Internal Affairs Unit shall:
   (a) Assign an internal affairs case number to the Vehicle Damage/Collision Investigation.Log case into IA case log. File (original or copies) of all reports. File any original evidence or photos attached to case.
   (b) Review internal affairs records to determine the total number of preventable collisions or Vehicle Damage Reports logged against the focus officer in the last five years.
   (c) Make a total of three (3) copies of all reports.Make the best available photocopy of original photos. Complete the second portion of the PD-600 Tracking Form. Distribute the report copies as follows:
      1. One copy of the collision report to City Risk Manager.
      2. One copy of the investigation to the appropriate Commander (usually a Lieutenant) in the chain of command of the focus officer.
      3. Upon completion of command review, the Internal Affairs Unit shall file the completed investigation signed by the Chief of Police. The completed investigation shall be reviewed and initialed by the focus officer, shall be retained for a period of five years.After the five years and with the approval of the City Attorney, the investigation and all supporting documentation shall be destroyed.
6. The Commander in the Focus Officer's Chain of Command shall:
   (a) Complete the third section of the PD-600 tracking form as appropriate. Obtain and review all relevant reports.Determine if collision or damage was preventable.

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(b) If collision or damage is deemed not preventable; complete the PD-600 tracking form and send all documents to the Chief of Police for final review and signature.

(c) If collision or damage is deemed preventable, the following applies:

1. Personally conduct a thorough administrative investigation. Upon completion of the investigation, send the tracking form and all reports, including the investigation, disposition and/ or recommendations to the Captain or the Chief of Police's designee. Or, in the alternative, assign administrative investigation to the supervisor of the focus officer.Send the PD-600 tracking form and all reports to that supervisor.

(d) Once the administrative investigation is completed and returned; review it for completeness, thoroughness, and compliance with procedure and state law. Accept or reject the supervisor's disposition and/or findings and conclusions. Proceed as appropriate depending upon the level of discipline.

(e) Ensure a complete and thorough administrative investigation including taped interview(s) with focus officer and ensure the officer was afforded the protections of the Peace Officer Bill of Rights Act.

(f) Ensure the focus officer reviews and initials the completed administrative investigation (every page); including any disciplinary findings or adverse actions.Ensure the PD-600 tracking form is completely and thoroughly filled out.

7. If assigned the Administrative Investigation, the Sergeant of the focus officer shall:

(a) Conduct a thorough administrative investigation into the allegation of the preventable collision or damage.

(b) Audio record any administrative interview with focus officer.

(c) Consider and apply the provisions of the Peace Officer Bill of Rights Act when any form of discipline could possibly result from an interview with any police officer.

(d) Determine if the collision was "preventable" or "not preventable." If deemed "not preventable;" make an appropriate recommendation to the appropriate Commander in the chain of command.

(e) Return completed investigation, reports and PD-600 tracking form to the appropriate Commander.

DISCIPLINARY DETERMINATION

The investigation, Findings and the recommendations file will be forwarded to the Captain or Assistant Chief, via the Internal Affairs Unit, for adjudication in accordance with this operating procedure. Any disciplinary conclusions made at this level shall likewise not be included in the

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IA investigation file.If the investigation is complete and no further work is needed, the disciplinary determination will then be forwarded to the Internal Affairs Unit. The officer's command will provide a notice of proposed discipline to the focus employee when it is above a written reprimand.

If the Captain or Assistant Chief decides that an appropriate level of discipline extends beyond their limits, they may forward their recommendations for discipline to the Chief of Police.The Chief of Police will then be responsible for adjudication in accordance with this operating procedure or other.

(a) Skelly

1. It is the policy of this Department to adhere to the requirements of the Skelly decision and notify the employee of pending disciplinary action within one year of the time when the department was made aware of the complaint. This includes discipline in the form of termination, suspension, demotion, or punitive transfer if a pay decrease is involved. The Skelly process is not available for reprimands or written notices of deficiency. The employee shall be formally notified of the pending disciplinary action in the form of a standardized written memorandum, and a copy of the investigation package, including copies of any tape recordings and any investigator's rough notes or recordings of interviews, shall be given to the employee.
2. If the focus officer requests, the proposed disciplinary determinations maybe appealed through Skelly rights.The Chief or the Chiefs designee will normally serve as the Skelly Hearing Officer.However, the Chief of Police will serve as the Skelly Hearing Officer in cases of a severe nature in which discipline is considered significant, at the Chiefs discretion.
3. The focus employee has the right to prepare an oral or written response to the proposed discipline.The employee also has the right to be accompanied or represented by an individual of the employee's choice, as long as that person is not associated with the investigation or the disciplinary action and scheduling the matter is not unduly delayed by the representative.
4. At the conclusion of the Skelly hearing, the hearing officer shall prepare and issue a final written notice of discipline regarding the appropriate charges and level of discipline to be imposed.If the Skelly Officer determines that no discipline is appropriate, a written notation shall be given to the employee, and all copies of the disciplinary package shall be purged from Department files, subject only to the right of the employee to submit a written statement for inclusion in any Internal Affairs investigation report that may apply to the incident.

(b) Completion of Investigation

1. The completed investigation will then be returned to the Internal Affairs Unit. The Internal Affairs Sergeant will send a disposition letter to the complainant and the investigation and disposition in the IA file.The discipline determination will be kept in a separate file. The completion of the investigation will be documented in the IA log for CPRC review.In CPRC initiated complaints, the IA Sergeant will send a disposition letter to the CPRC Complaint Review Subcommittee notifying them of its completion.

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(c) CPRC

1. CPRC may thereafter review the matter.The officer shall be notified of the CPRC's initiation of their review.

(d) Appeals

1. If applicable, appeals for discipline as to reprimands or less are to be in accordance with Attachment 2 of this procedure.All other discipline may be appealed to the Civil Service Commission.

AUTHORIZED FORMS OF DISCIPLINE AND OTHER

(a) Informal Actions and Counseling:

1. There is no specific appeal procedure provided for informal action and counseling. The employee concerned may discuss the matter with his or her supervisors within the chain of command.

(a) Certification for Retraining

1. Certification for retraining is when a violation was caused primarily by the employee being substandard or inadequately prepared for his/her responsibilities and it is in the best interest of the Department that the employee undergoes additional training. The specific nature and procedure for a given retraining shall be determined by the Chief of Police or their designee in conjunction with the Department training coordinator. No written notation concerning the reason for the training shall be made or separately filed in the employee’s personnel record.

(b) Verbal Counseling

1. Counseling is a process whereby an employee is made aware of performance issues or violations verbally by their supervisor, or there are circumstances that impair the employee's ability to comply with the provisions contained in departmental instructions and action is taken by the supervisor to work with the employee in an attempt to correct the problem rather than take formal disciplinary measures against the employee.

(b) Formal Discipline:

1. Appeals from formal discipline of a reprimand or written notice of deficiency are provided for in Attachment 2. The Hearing Officer shall be the City Manager, pursuant to Attachment 2.All other formal discipline greater than a reprimand may be appealed only to the Civil Service Commission.

(a) Written Notice of Deficiency

1. A written notice of deficiency is a formal intra-departmental memorandum issued by a Captain or the Chief’s designee finding a deficiency in a subordinate’s performance or conduct.A written notice of deficiency is used in situations that are deemed inappropriate for an informal verbal counseling, but do not rise to the

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severity level of a written reprimand. A written notice of deficiency shall be maintained in an employee's personnel record for a period of two years from the date of issuance but shall not be used for any personnel purpose after one year.

(b) Written Reprimand

1. A written reprimand is a formal intra-departmental memorandum of reprimand issued by a Captain or the Chief's designee finding a subordinate in violation of a specific section(s) contained in the Operating Procedures or Rules and Regulations, and stating that the violator has been formally or officially reprimanded.It includes any document located anywhere within the City and/or Department that constitutes a criticism of a fault and/or warns of future disciplinary action. The disciplined employee shall be advised of the finding in writing, and may make a written rebuttal or comment within 30 days thereof for inclusion in the personnel record to be filed along with the written reprimand.

(c) Suspension

1. Suspension is the removal of an employee from scheduled work and monetary compensation thereof.The Captain or the Chief's designee have the authority to administer discipline not to exceed 80 hours suspension. The Chief of Police has the authority to suspend an employee, pursuant to the provisions contained herein, for periods exceeding 80 hours.

2. Generally, suspension days shall be served consecutively and shall not include any scheduled days off.

3. The Chief has discretion to allow an employee who is subject to a suspension the alternative of a salary step reduction or loss of accumulated vacation time of an equal monetary value based on the pay scale or rate in effect at the time discipline is imposed.

4. During the time the employee is suspended, the Human Resources Department, and thereafter the Finance Department, will ascertain from the employee whether or not the employee desires to maintain, at the employee's own expense, health insurance coverage for the employee and the employee's dependents during the time the employee is suspended.

(d) Step-decrease or fine

1. A step-decrease is the reduction in pay of an employee within the same pay- range.The step-decrease may be of an indefinite or limited duration. A fine is a step-decrease of limited duration or amount. The Chief of Police shall advise the Human Resources Director in writing of his/her intention to lower the pay-step of the employee prior to taking such action.The memo shall specifically state the cause for the step-decrease.The Chief of Police shall give a

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copy of said order for the step-decrease to the employee and forward a copy to the Human Resources Director and the City Manager.

(e) Demotion

1. Demotion is the reduction of an employee from a position in one class to a position in another class having a lower maximum salary rate.The Chief of Police shall advise the Human Resources Director in writing of his/her intention to demote an employee prior to taking such action.In demoting the employee, the Chief of Police shall make an order in writing, specifically stating the cause for demotion.The Chief of Police shall give a copy of said order for demotion to the employee and forward a copy to the Human Resources Director and the City Manager.

(f) Dismissal

1. Dismissal is the involuntary separation of an employee from City service. The Chief of Police shall advise the Human Resources Director and the City Manager in writing of their intention to dismiss an employee prior to taking such action unless there are reasonable circumstances which prohibit such notification.In dismissing an employee, the Chief of Police shall make an order in writing, stating the specific cause for dismissal and the effective date of the dismissal, which shall automatically terminate the employees pay on such effective date.The Chief of Police shall give a copy of said order to the employee and forward a copy to the Human Resources Director and the City Manager.The Chief of Police may allow the employee to resign in lieu of dismissal if the Chief believes a resignation may be in the best interests of the City or Police Department and/or the employee. Upon dismissal and termination of pay, the employee may elect to thereafter pursue their appeal rights.

(g) Transfers

1. Transfers causing a loss in pay or otherwise disciplinary in nature may be imposed, subject to appeal rights such as in a demotion.

(h) Employee Performance Evaluation:

1. Performance evaluations are designed to improve performance and professionalism and are not disciplinary tools in either nature or intent.Supervisors should be alert to recognize exemplary performance as well as performance which is in need of improvement and should discuss these matters with their subordinates to provide positive counseling and training in a timely manner.Supervisors should neither maintain separate files on their subordinates' performance nor wait until due dates to prepare performance evaluations.

2. Supervisors should maintain ongoing evaluative processes regarding each of their subordinates, keeping in mind the restrictions

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applicable to written reprimands as defined in this policy under Formal Discipline. The employee has the right to review, sign and submit written comments on the finished evaluation in accordance with Civil Service and other regulations.

3. Transfers:

   (a) Transfers where no property entitlements are affected (such as pay) and are not disciplinary may be implemented due to the department's needs as determined by the Chief of Police.

DISCIPLINARY PROCEDURES

(a) Normal Circumstances

1. Any supervisor who discovers that a violation of Department Operating Procedures or Rules and Regulations may have or has been committed by a subordinate shall investigate the matter thoroughly and take immediate action.The supervisor will initiate a PD-600 Complaint and Tracking Form to begin the investigative process. The Internal Affairs Unit must be notified to assign a tracking number and to track the progress/stages of the investigation and shall brief the Chief of Police regarding the initiation of the investigation.

2. Investigations into alleged employee misconduct can be initiated at any level in the chain of command.Whenever an employee believes that misconduct or a violation of Department Operating Procedures or Rules and Regulations has occurred, the employee shall submit a written memorandum to their immediate supervisor.The supervisor has the responsibility to take appropriate action via the chain of command to ensure that the matter is investigated promptly and thoroughly.

3. Any employee who believes that their supervisor or any other supervisor in the Department is in violation of Department Operating Procedures or Rules and Regulations shall submit a memorandum detailing the circumstances relating to the violation to the Chief of Police, unless otherwise allowed by law. When the complaint involves a superior in the employee's chain of command, the complaint shall instead be forwarded to the immediate superior of the alleged violator. The Chief of Police or designee will cause an investigation to be conducted.

4. If an investigation into an alleged violation of Department Operating Procedures or Rules and Regulations results in a conclusion that some form of misconduct has been committed by an employee, then a recommendation for disciplinary action shall be initiated from the Division where the employee is assigned, in accordance with this operating procedure.

5. For all investigations, the supervisor shall prepare all memorandums and reports pertinent to the investigation. The investigating supervisor will also evaluate the totality of the completed investigation and make a Finding determination. All pertinent reports and memorandums will be reviewed by the supervisor's Lieutenant or immediate supervisor for content. The completed investigation and Findings will be forwarded to the Internal Affairs Unit. The Internal Affairs

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Sergeant will forward the completed investigation and Findings to the Lieutenant inside the employee's command for a recommendations report.

6. If an investigation into an alleged violation of Department Operating Procedures or Rules and Regulations results in a conclusion that some form of misconduct has been committed by an employee, then a recommendation for disciplinary action shall be completed.Such recommendations shall not be included in the IA investigation file.

7. All forms of informal discipline may be carried out by a supervisor with the approval of the appropriate Lieutenant.

(b) Interviews

1. If at any time during an investigation into misconduct it becomes necessary to interview a sworn employee of the Department, the person conducting the interview shall adhere to all of the procedural rights afforded a sworn employee under the Public Safety Officers Procedural Bill of Rights Act.(Government Code Sections 3300-3311)

(c) Special Circumstances

1. When conducting Internal Affairs investigations into allegations of misconduct, it may become necessary to require an employee to:

(a) Undergo a medical or laboratory examination, at the Department's expense, when the examination is specifically directed and narrowly related to a particular Internal Affairs investigation being conducted by the Department;

(b) Be photographed, if no current photo is available in the Department files;

(c) Participate in a lineup; and/or

(d) Submit financial disclosure statements.

(e) All of the procedures outlined above will be completed in accordance with current state law, the Public Safety Officers Procedural Bill of Rights Act (California Government Code Sections 3300-3311), and any other applicable laws or current Memorandum of Understanding

(d) Emergency Suspension

1. A Watch Commander or any command staff officer or their designee has the authority to impose an emergency suspension on any employee until the next business day, when it appears that such action is necessary and in the best interest of the Department.The person issuing the suspension will notify the Chief of Police, or their designee, of the action taken and prepare a written memorandum to the Chief of Police.The employee will be placed on administrative leave with pay pending an investigation into the matter or notification by the employee's commanding officer.

2. An employee receiving an emergency suspension shall be required to report to his/her commanding officer on the next business day.The commanding officer

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imposing the suspension shall also report to the Chief or Police or designee at the same time.

(e) Criminal Investigation Against an Officer

1. When a criminal investigation has been initiated by an entity charged with such duties, the Chief of Police or their designee may suspend or transfer the officer(s) during the time such investigation is pending, depending on the type of charges made.The Chief of Police or their designee has discretion on whether to continue or partially provide pay and/or benefits for such officer during the pending investigation, based upon the totality of the circumstances and if pay is suspended, the employee may then pursue his procedural remedies afforded by law.The employee has the option to appeal to the civil service commission for a good cause determination for the loss of pay.

2. The IA Unit may open an internal affairs investigation simultaneously.Adjudication of the IA may occur prior to the outcome of the criminal proceedings.

3. However, the department reserves the right to reopen the disciplinary matter if a criminal prosecution conviction occurs.

DISCIPLINARY RECORDS

(a) Informal Discipline

1. Informal disciplinary actions, as authorized in this Operating Procedure, will not be documented, nor shall separate notation be filed in the employee's departmental or personnel record.

(b) Formal Discipline

1. Formal discipline will be documented on a memorandum, reviewed, and signed by the employee, and placed in the employee personnel record.This documentation will be purged at no less than five (5) years from when the disposition has been made in the case of a sworn employee or sooner upon the direction of the Chief of Police. The Tracking form will designate the five year mark.The employee may submit a rebuttal memorandum for inclusion in the personnel record. A Written Notice of Deficiency shall be purged two years from the date of issuance.

(c) Personnel File

1. A sworn employee may submit a written request, through the chain of command, that a disciplinary action be purged from their employee personnel record.The Chief of Police or designee will make a final decision on the request.

CHIEF OF POLICE'S DISCIPLINARY AUTHORITY

The following types of discipline may be imposed by the Chief of Police, subject to appeal as set forth below.

(a) Suspension from duty without pay

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1. The Chief of Police may suspend an employee from duty without pay.Any suspension invoked under this rule against any one person shall not exceed thirty (30) days for any one disciplinary action or aggregate more than ninety (90) days in any one calendar year without the approval of the City Manager.Suspension without pay may be appealed to the Civil Service Commission.

(b) Reduction in Salary (Step-decrease) or fine

1. The Chief of Police may administer discipline by decreasing the employee's pay-step level within the same range.Any reduction, fine or loss in pay may be appealed to the Civil Service Commission.

(c) Demotion

1. The Chief of Police may demote an employee whose ability to perform the required duties falls below standard, or for disciplinary purposes.Any permanent employee so demoted shall have the right to a hearing before the Civil Service Commission in the manner set forth in the Civil Service Rules.

(d) Discharge

1. An employee may be discharged at any time by the Chief of Police.If the initial probationary period has been completed, any employee so discharged shall have the right to a hearing before the Civil Service Commission, in the manner set forth in the Civil Service Rules.

APPEALS FROM OR REVIEW OF PUNITIVE ACTION

All appeals or reviews of punitive action will be handled in accordance with Public Safety Officer Procedural Bill of Rights Act (Government Code sec.3304(b)), the current Memorandum of Understanding between the City and the respective employee organization, and, when applicable, the City Civil Service Rules.Procedures for review of punitive actions of sworn officers are outlined in Attachment 2 of this Operating Procedure.

CONFIDENTIALITY OF DISCIPLINARY REPORTS AND INTERNAL AFFAIRS INVESTIGATIONS

When writing and distributing reports and investigations involving disciplinary action, confidentiality shall be maintained.Such reports will either be delivered in a sealed envelope or given in person to the concerned member.

Copies of Internal Affairs investigations shall be furnished to each focus officer and to any other officer for whom discipline or administrative action is recommended upon request.Investigations that concern more than one focus officer shall be redacted to delete all personal information regarding each employee prior to delivery to each focus officer.Recommendations for discipline affecting two or more focus officers shall be redacted to delete the names of the respective focus officer(s) from the copies furnished to the other focus officer(s).The facts of the investigation shall not be redacted. Personal information and information that is required by law to be kept confidential

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shall be redacted from copies furnished to focus officers. The notation “[redacted]” shall appear in the portion where the redaction is made.

All recipients of Internal Affairs investigations or those who have knowledge of them shall maintain the investigation report in a confidential manner, and shall not disclose the contents or information to any other source, except upon authorization of the officer concerned or as may be necessary for further investigation or disciplinary proceedings.

Any sworn officer concerned is entitled to submit a statement for inclusion in an Internal Affairs investigation pertaining to his or her conduct.

REPORT RETENTION

Pursuant to Penal Code Section 832.5(b), Citizen Complaint investigations, all relevant reports, and dispositions shall be kept on file in the Internal Affairs Unit.This material is CONFIDENTIAL and shall be purged according to state law (5 year retention).

INFORMATION REGARDING ANY DISCIPLINARY ACTION TAKEN WILL NOT BE INCLUDED IN THE COMPLAINT FILE.

ANNUAL STATISTICAL SUMMARIES

By January 15 of each calendar year, the Internal Affairs Unit supervisor shall prepare a report for the Department of Justice, pursuant to Penal Code Section 13012(d).This report, which will not refer to any specific agency but by gross numbers only, shall indicate:

(a) The total number of citizen complaints received for the calendar year;

(b) The number of complaints alleging non-criminal or criminal misconduct of either a felony or misdemeanor; and

(c) The number of complaints sustained in each category.

This report may be posted on a Department bulletin board.

See Policy Manual on Personnel Complaints for further information.

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Commendations and Awards Procedure

1006.1 COMMENDATIONS AND AWARDS PROCEDURE

(a) An awards committee will be appointed by the Chief of Police and will consist of a lieutenant, a uniform sergeant, an investigations sergeant, a police officer or senior officer from patrol and a police officer or senior officer from investigations.

(b) Any employee may, via the chain of command, recommend any other employee for an award. Recommendations must be accompanied by all supporting documents and endorsed through the chain of command to the Administrative Captain.

(c) The Awards Committee will convene the Awards Board as needed to review all recommendations and, in turn, to recommend to the Chief of Police which awards they find to be appropriate.

(d) Awards will be presented at appropriate ceremonies by the Chief of Police. Commanding Officer Citations are to be presented at line-ups.

(e) Officers receiving an award at an Awards Ceremony are to appear in business suit or ceremonial uniform. Civilian employees receiving an award are to appear in appropriate civilian attire.

PROCEDURES FOR MEDALS AND CERTIFICATES

(a) Medal of Valor, Medal of Courage, Lifesaving Medal and Purple Heart.

1. These awards consist of a medal, shirt bar and certificate.
2. The same medal will be used for Valor, Courage, Lifesaving and Purple Heart with an engraved bar denoting the particular class. Recipient's name will be engraved on the fastening clip.
3. Shirt bars will be identical to the engraved bars on the medals and will fasten to the shirt by spring-loaded, flat clasps.
4. Dyes for striking the medals will be retained by the manufacturer and orders for medals will be made through Bocks Awards Company, 9285 Chesapeake Drive, San Diego, California, 92123, who will retain our supply of medals until needed.
5. These medals may be worn only on formal occasions with the ceremonial uniform and must be worn on the left breast pocket of the dress jacket centered just below the flap.
6. Shirt bars should be worn with the uniform at all times and will be worn centered just above the name plate.
   (a) A total of three shirt bars in any class may be worn.
   (b) Additional medals and shirt bars will be presented for subsequent awards.
   (c) Uniformed civilian employees shall wear the shirt bars centered just above the name plate.
7. The certificate will be on parchment paper and framed for presentation.

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(b) Lifesaving Citation Certificate will be on parchment paper and framed for presentation.

(c) Exceptional Performance Citation Award consists of a certificate only on parchment paper and will be framed for presentation.

(d) Commanding Officer's Citation Award consists of the citation certificate only and will be made by commanding officers without review by the Service Awards Board and the Chief of Police. The certificate will be on bond paper and will be framed for presentation.

AWARDS FOR CITIZENS

(a) Recommendations

1. Any officer may initiate a recommendation to the Chief of Police for recognition of a deserving citizen.
2. The recommendation must include an accurate account of the citizen's action and thesuggested award.
3. This recommendation should be submitted through the chain of command and forwarded to the Chief's office in final form for signature and mailing.
4. Those citizens performing exceptional service will be presented with a Certificate of Appreciation by the Chief of Police. News media are to be invited to the presentation.

Classes of Awards

(a) Citizen Meritorious Service Award

1. Awarded to a private citizen for meritorious service involving possible risk of injury, an act of meritorious service, or for a noteworthy contribution, which exemplifies and fulfills the Department's objectives.

(b) Certificate of Appreciation

1. Awarded to a private citizen who performs commendable acts, services, or contributions, which exemplify and fulfill the Department's objectives.

See Policy Manual on Commendations and Awards for further information.

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Attachments

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Respirator Cleaning Procedures.pdf

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Respirator Cleaning Procedures (Mandatory)
(*Appendix B-2. to Section 5144 :*)

These procedures are provided for employer use when cleaning respirators. They are general in nature, and the employer as an alternative may use the cleaning recommendations provided by the manufacturer of the respirators used by their members, provided such procedures are as effective as those listed here in Appendix B-2. Equivalent effectiveness simply means that the procedures used must accomplish the objectives set forth in Appendix B-2, i.e., must ensure that the respirator is properly cleaned and disinfected in a manner that prevents damage to the respirator and does not cause harm to the user.

Procedures for Cleaning Respirators.

A. Remove filters, cartridges, or canisters. Disassemble facepieces by removing speaking diaphragms, demand and pressure-demand valve assemblies, hoses, or any components recommended by the manufacturer. Discard or repair any defective parts.

B. Wash components in warm (43 deg. C [110 deg. F] maximum) water with a mild detergent or with a cleaner recommended by the manufacturer. A stiff bristle (not wire) brush may be used to facilitate the removal of dirt.

C. Rinse components thoroughly in clean, warm (43 deg. C [110 deg. F] maximum), preferably running water. Drain.

D. When the cleaner used does not contain a disinfecting agent, respirator components should be immersed for two minutes in one of the following:

1 Hypochlorite solution (50 ppm of chlorine) made by adding approximately one milliliter of laundry bleach to one liter of water at 43 deg. C (110 deg. F); or,

2. Aqueous solution of iodine (50 ppm iodine) made by adding approximately 0.8 milliliters of tincture of iodine (6-8 grams ammonium and/or potassium iodide/100 cc of 45% alcohol) to one liter of water at 43 deg. C (110 deg. F); or,

3. Other commercially available cleansers of equivalent disinfectant quality when used as directed, if their use is recommended or approved by the respirator manufacturer.

E. Rinse components thoroughly in clean, warm (43 deg. C [110 deg. F] maximum), preferably running water. Drain. The importance of thorough rinsing cannot be overemphasized. Detergents or disinfectants that dry on facepieces may result in dermatitis. In addition, some disinfectants may cause deterioration of rubber or corrosion of metal parts if not completely removed.

F Components should be hand-dried with a clean lint-free cloth or air-dried.

G Reassemble facepiece, replacing filters, cartridges, and canisters where necessary.

H Test the respirator to ensure that all components work properly.

Mandatory Information - respirators when not required under the standard.pdf

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APPENDIX B

Mandatory Information for Members Using Respirators When Not Required Under the Standard
(*Appendix D to Section 5144 :*)

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use is encouraged even when exposures are below the exposure limit, to provide an additional level of comfort and protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirators to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA standards. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

1. Read and heed all instructions provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations.
2. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Department of Health and Human Services, certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.
3. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designated to protect against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors or very small solid particles of fumes or smoke.
4. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

I have read and understand the information provided above and I am responsible for the maintenance, cleaning and care of the respirator. I understand that I have chosen to wear a respirator voluntarily and that it has been determined that I have not been exposed to a hazardous atmosphere during the scope of my job duties.

Member Signature	**Printed Name**	**Date**

Supervisor Signature	**Printed Name**	**Date**

Occupational Safety or Security Program Incident Report Form.pdf

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City of National City
Human Resources Department

OCCUPATIONAL SAFETY OR SECURITY PROGRAM

INCIDENT REPORT

This form must be completed by the employee and the supervisor when an incident of violence, safety or security has occurred.

Employee(s) Name(s): _____

Job Title:_____ Department:_____

Date of Incident:_____ Time:_____a.m./p.m.

Location of Incident:_____

Person(s) involved and witness(es) to the incident:

Name:_____Tel. No. _____Home/Work/Cell
Name:_____Tel. No._____Home/Work/Cell
Name:_____Tel. No._____Home/Work/Cell

Description of the Incident: _____

_____

_____

_____

Employee's Signature:_____ Date:_____

Describe personal and/or property damage resulting from incident and any injury medical treatment required:_____

_____

_____

Preventable? _____ Non-Preventable? _____ Safety Equipment Used? ❒ Yes ❒ No

W**hat actions have been taken with regard to incident**?_____

_____

_____

How could similar incidents be prevented?

_____

_____

Supervisor's Signature:_____ Date:_____

Department Director's Signature:_____ Date:_____

PD671A.pdf

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REGISTRATION NOTIFICATION STATEMENT

Read and Initial Each Statement

I have been notified of my duty to register as a convicted Street Gang Offender, pursuant to section 186.30 of the California Penal Code. I understand that:

_____ I must register with the Chief of Police or the Sheriff of the county in whose jurisdiction I reside within 10 days of release from custody or imposition of sentencing if no custody time is served.*

_____ I understand that my responsibility to register as a gang offender lasts for 5 years from my last imposition of registration requirement pursuant to Penal Code section 186.30.

_____ I understand that within 10 days of changing my residence address I must inform, in writing, the registering agency with whom I last registered, of my new address.

_____ I understand that when changing my residence within the State of California I must register with the new local law enforcement agency having jurisdiction over my residence within 10 days of my relocation.

_____ I understand that it is my duty to know the legal requirements of Penal Code section 186.30, including changes to the law, which may be made in the future.

_____ I understand that the registration requires that the registering policing agency take my photograph and fingerprints.

_____ I understand that if I knowingly violate any provisions of Section 186.30 I am guilty of a misdemeanor.

_____ I understand that if I knowingly fail to register pursuant to Section 186.30 and am subsequently convicted of any of the offenses specified in Section 186.30, or, if I am a juvenile, that if a petition is subsequently sustained for a violation of any of the offenses specified in Section 186.30, I shall be punished by an additional term of imprisonment in the state prison for 16 months, or 2, or 3 years.

CALIFORNIA STREET TERRORISM ENFORCEMENT AND PREVENTION (STEP) ACT NOTIFICATION

Pursuant to PC 186.32(a)

IF APPLICABLE

FULL NAME OF REGISTRANT	LAST	FIRST	MIDDLE		DOB
JUVENILES ONLY: NAME OF PARENT/GUARDIAN	LAST	FIRST	MIDDLE	RELATIONSHIP	DOB

_____ I HAVE BEEN NOTIFIED that it has been determined I belong to a criminal street gang whose members engage in or have engaged in a pattern of criminal gang activity as described in subdivision (e) of Section 186.22 of the California Penal Code. Additionally, a Judge of the Superior Court has determined that I have been convicted in a criminal court or have had a petition sustained in a juvenile court for a gang related crime, Superior Court Case Number _____.

_____ I HAVE BEEN FURTHER NOTIFIED THAT CRIMINAL BEHAVIOR COMMITTED WHILE ACTIVELY PARTICIPATING IN A CRIMINAL STREET GANG CARRIES THE POTENTIAL FOR ADDITIONAL CRIMINAL AND CIVIL PENALTIES. THIS INCLUDES THE PUNISHMENT OF LIFE IN PRISON WITHOUT THE POSSIBILITY OF PAROLE OR EVEN THE DEATH PENALTY. I HAVE BEEN DIRECTED TO THE STREET TERRORISM ENFORCEMENT AND PREVENTION ACT AS CODIFIED IN PENAL CODE SECTION 186.22 et. seq. AND CIVIL CODE SECTION 3479 et. seq.

I have read, understood and initialed the above Registartion Notification Statement and STEP Act Notification.

_____ SIGNATURE OF PERSON NOTIFIED _____ DATE OF NOTIFICATION / REGISTRATION

_____ SIGNATURE OF PARENT/GUARDIAN (JUVENILE) _____ DATE OF NOTIFICATION / REGISTRATION

REGISTERING AGENCY (DO NOT ABBREVIATE)	REGISTERING OFFICER'S NAME AND TITLE	PHONE NUMBER

I certify that I notified the individual described above of his duty to register under the provisions of the applicable statute.

_____ SIGNATURE OF NOTIFYING OFFICER _____ DATE OF NOTIFICATION

DECLARATION AND DETERMINATION FORM.pdf

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DECLARATION AND DETERMINATION
(PROBABLE CAUSE FOR WARRANTLESS ARREST)

ARRESTEE:	DOB:	CDL or SSN	BOOKING #	FACILITY / FAX #
VIOLATION ALLEGED:	DATE / TIME / PLACE OF ARREST:			RELEASE STATUS:
ARRESTING AGENCY: National City Police Department	ARRESTING OFFICER:		BADGE / ID#	AGENCY FAX# 336-4454

FACTS ESTABLISHING ELEMENTS OF CRIME AND IDENTIFICATION:

☐ See attached reports, incorporated herein by reference

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.

Executed on in the County of San Diego, State of California,

By_____(Declarant's Signature)

On the basis of the foregoing Declaration (☐ and attached reports), I hereby determine that there

☐ **Is** ☐ **Is Not**

probable cause to believe this arrestee has committed a crime.

_____ _____ _____
(Date) (Time) (Magistrate's Signature)

by _____
(For Telephonic Approval)

Naloxone Usage Report 2019.pdf

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5.4 Investigation Review of OIS Other Use of Force Where Death Occurs.pdf

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BCIA 713 fill.pdf

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User Seal Check Procedures.pdf

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User Seal Check Procedures (Mandatory)
(Appendix B-1. to Section 5144 :)

The individual who uses a tight-fitting respirator is to perform a user seal check to ensure that an adequate seal is achieved each time the respirator is put on. Either the positive and negative pressure checks listed in this appendix, or the respirator manufacturers recommended user seal check method shall be used. User seal checks are not substitutes for qualitative or quantitative fit tests.

1. Facepiece Positive and/or Negative Pressure Checks.

A. Positive pressure check. Close off the exhalation valve and exhale gently into the facepiece. The face fit is considered satisfactory if a slight positive pressure can be built up inside the facepiece without any evidence of outward leakage of air at the seal. For most respirators this method of leak testing requires the wearer to first remove the exhalation valve cover before closing off the exhalation valve and then carefully replacing it after the test.

B. Negative pressure check. Close off the inlet opening of the canister or cartridge(s) by covering with the palm of the hand(s) or by replacing the filter seal(s), inhale gently so that the facepiece collapses slightly, and hold the breath for ten seconds. The design of the inlet opening of some cartridges cannot be effectively covered with the palm of the hand. The test can be performed by covering the inlet opening of the cartridge with a thin latex or nitrile glove. If the facepiece remains in its slightly collapsed condition and no inward leakage of air is detected, the tightness of the respirator is considered satisfactory.

2. Manufacturer's Recommended User Seal Check Procedures. The respirator manufacturer's recommended procedures for performing a user seal check may be used instead of the positive and/or negative pressure check procedures provided that the employer demonstrates that the manufacturer's procedures are equally effective.

Respiratory Medical Evaluation Questionnaire.pdf

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Naloxone Usage Report July 2019.pdf

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1.10 Bereavement Protocol.pdf

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San Diego County
Police Chiefs' & Sheriff's Association

1163 N. Centre City Parkway
Escondido, CA 92026
(760) 839-4706

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Escondido Police Department

Manuel Rodriguez – Vice President
National City Police Department

Jon Froomin - Treasurer
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UCSD

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William Sherman
DEA

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U.S. Marshal

Summer Stephan
District Attorney

Walt Vasquez
La Mesa Police Department

Shelley Zimmerman
San Diego Police Department

LEGAL COUNSEL
James R. Touchstone

BEREAVEMENT PROTOCOL #1.10

The mourning band shall be worn whenever a law enforcement officer is killed in the line of duty in the State of California; when there is a death of a law enforcement officer that captures national attention; or at the discretion of the San Diego County Chiefs' and Sheriff's Association. The LECC will notify the San Diego County Chiefs' and Sheriff's Association when a California line of duty death occurs.

The mourning band shall be worn from the date of death until midnight on the day of the memorial service.

Wearing of a mourning band for any other line of duty deaths across the nation shall remain at the discretion of each agency Chief or Sheriff, but it is recommended that the decision to wear the mourning band outside of the above policy be communicated to the San Diego County Chiefs' and Sheriff's Association.

TERM OF AGREEMENT

The members of the San Diego County Chiefs' & Sheriff's Association, evidenced by the signature of the President of the Association, agree that this Protocol shall be effective upon approval and shall remain in full force and effect until any party withdraws from participation or a revised version is established.

CRAIG CARTER, President

9-6-17
DATE

INDEX / TOPICS

I

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Memorandum of Understanding

Protocol for Investigation & Review of Peace Officer Involved Shootings and Other Use of Force Where Death Occurs

WHEREAS, this agreement provides consistency for inter-agency investigations and independent review of all peace officer involved shooting incidents that result in injury or death, or other uses of force, where death occurs, by law enforcement officers within San Diego County.

NOW, therefore each of the signatories hereto hereby agree and consent to the established agreement of officer-involved shooting incidents that result in injury or death, or other uses of force by law enforcement personnel where death occurs.

A notice of intention to revoke this memorandum of understanding or any part thereof shall be given to each other signatory, in writing, thirty days prior to the effective date of such revocation.

PURPOSE

The purpose of this agreement is to provide consistency in inter-agency investigations and independent review of all peace officer involved shooting incidents that result in injury or death and other uses of force by peace officers within San Diego County where death occurs. This agreement also provides a foundation upon which individual department policies may be based.

DEFINITIONS

A. "Incident' means all peace officer involved shootings that result in injury or death and other types of peace officer force where death occurs which are, or will be, submitted to the District Attorney's Office for review of potential criminal liability.

B. "Jurisdictional agency" means the police agency with primary law enforcement jurisdiction over the area where the incident occurred.

C. "Officers involved" means peace officers who have fired their weapons resulting in injury or death or used other force where death occurs.

D. "Primary Investigating Agency" is either the Jurisdictional Agency or a separate law enforcement agency which agrees to do the primary criminal investigation of an Incident at the request of the Jurisdictional Agency.

POLICY

When a peace officer, on or off duty, is involved in a shooting resulting in injury or death, or any other use of force incident where death occurs, the primary investigating agency shall generally conduct the primary investigation of the incident. The jurisdictional agency may request a separate law enforcement agency conduct the primary investigation if the circumstances warrant. The agency that employs the officer(s) involved, or other designated investigating agency, may conduct a concurrent investigation of the incident. Concurrent investigations shall be conducted jointly, with full cooperation by the investigators representing all involved agencies. Information or reports developed in concurrent investigations shall be made available to all involved agencies, as needed, and as permitted by law. The

primary investigating agency shall submit investigative documentation of use of force incidents, as defined herein, to the District Attorney's Office for review.

Internal affairs investigations shall be conducted in compliance with all laws governing such inquiries.

OFFICERS INVOLVED

Officers who actually used force, as defined herein, and officers identified as key witnesses shall be removed from the incident scene as soon as possible. Officers who actually used force shall be transported, as determined by the primary investigating agency, to a law enforcement facility that allows for the separation of witnesses, accommodates investigative procedures, and affords a reasonable degree of personal comfort and privacy for the parties involved.

Officers who actually used force, as defined herein, shall brief the first responding supervisor, or other officer responsible for securing the incident scene, of the general facts of the incident and other matters as they relate to public safety. This is to enable the first responders to take appropriate emergency action, to secure evidence, and to isolate the scene.

Following the initial briefing with the first responding supervisor, involved officers should not discuss the incident with other persons, or among themselves, before being interviewed by primary investigating agency investigators responsible for the investigation of the incident. Investigators shall seek voluntary statements from officers involved in the incident. Upon request, officers involved in the incident shall be permitted to speak with a legal representative, peer support representatives, chaplain or member of the clergy, and/or mental health professionals before submitting to an interview by incident investigators.

INCIDENT SCENE

Officers at the scene, regardless of agency affiliation, shall secure the scene pending arrival of representatives of the primary investigating agency. Within the guidelines of the law involved officers shall cooperate fully with investigators and advise them of:

- The extent to which the scene has been stabilized
- The location of known items of evidence
- The location of involved officers and witnesses
- The basic facts surrounding the incident

EVIDENCE

Evidence, including personal belongings of the officers involved, shall not be unnecessarily moved or altered. Evidence in the personal possession of the officers involved, such as firearms or other equipment, shall be surrendered upon request of investigators representing the primary investigating agency.

NEWS MEDIA

The release of information concerning any incident, as defined herein, will be handled by the primary investigating agency. Any other agency receiving media inquiries about the incident shall refer them to the primary investigating agency. Once the primary investigating agency submits the case to the District Attorney's Office for review, media requests should generally be referred to the District Attorney's Office.

NOTIFICATION TO THE DISTRICT ATTORNEY OF FATAL INCIDENTS

The primary investigating agency SHALL notify the designated representative of the District Attorney immediately upon learning of the occurrence of any incident as defined herein.

DISTRICT ATTORNEY RESPONSE TO THE SCENE

A District Attorney Investigator may respond to the scene of an incident, as defined herein, that occurs within the county of San Diego. The investigator will have substantial training and experience in homicide investigation.

Upon arrival, the District Attorney Investigator will contact the supervisor in charge of the incident scene, who will provide a briefing of the incident and a familiarization of the incident scene as soon as practical. The investigator will be permitted access to the incident scene to the extent it is possible without contaminating evidence or otherwise disturbing the scene.

The District Attorney Investigator may participate in the interview of witnesses, if invited by the primary investigating agency. The investigator shall identify any potential witnesses he discovers and point out any item of evidence he observes to the officer in charge of the investigation. The District Attorney Investigator may provide any advice or assistance sought by the primary investigating agency.

DISTRICT ATTORNEY'S REVIEW

In any incident, as defined herein, the primary investigating agency shall provide a briefing to representatives of the District Attorney, Federal Bureau of Investigation, and U.S. Attorney no later than the third working day following the incident. The briefing shall include a verbal review of the evidence, witness statements and the status of the investigation.

The assigned District Attorney Investigator may attend the autopsy of any decedent involved in a fatal incident.

Upon completion of the investigation of an incident, the primary investigating agency shall provide copies of all investigative reports, witness statements, recordings, photographs, diagrams, autopsy reports, and all other relevant documents to the District Attorney's Office. The primary investigating agency shall make available, for inspection, any item of evidence.

The District Attorney may request supplemental investigation of the incident by the primary investigating agency or conduct additional investigation through District Attorney personnel. Copies of any investigative reports prepared by the District Attorney will be provided to the primary investigating agency as soon as possible.

The District Attorney shall conduct an independent assessment of the circumstances surrounding an incident, as defined herein. The District Attorney will issue written findings to the head of the primary investigating agency and the head of the agency employing the officers involved.

The DA's Office will be responsible for releasing their findings to the media/public after first issuing the findings to the head of the primary investigating agency and the head of the agency employing the involved officer/agent. Time and manner of release shall be determined by the District Attorney's Office.

In the event of an Officer Involved Shooting where an officer is wounded and a person is charged with a crime, the District Attorney reserves the option to waive the review set forth herein. In such a case, the District Attorney will send the requesting agency a letter memorializing the absence of criminal liability on the part of the officer(s) involved.

VIDEO EVIDENCE

The parties to this agreement recognize that releasing video evidence of an incident can assist the public in understanding how and why these incidents occur, increase transparency, and increase public trust in law enforcement. Thererfore, law enforcement leadership in San Diego County agrees it should be the practice in most situations to release the video evidence of an incident, as defined above.

At the same time, other relevant considerations, such as the requirements of due process, the integrity of law enforcement's investigation and review, the privacy of those involved, and public safety concerns must also be considered in determining how and when to release such video evidence. The rights of all parties involved must be protected and balanced against the public's desire to view this kind of video evidence.

Law enforcement is committed to prioritizing and expediting the investigations and District Attorney reviews of such incidents.

The default position will be to release video evidence from the incident in cases that are submitted to the District Attorney's Office for review of potential criminal liability. However, video evidence will not be released:

(1) Until the District Attorney's review of the incident has been completed and the findings have been provided to the law enforcement agencies involved.

(2) If criminal proceedings related to the incident are pending. Such proceedings could include criminal charges filed against a person involved in the incident, or a case where a peace officer or civilian was charged. When criminal cases are filed, the video evidence would likely become public at the time it is entered into evidence.

Once the District Attorney's Office has issued its written findings and completed any review related to criminal prosecution, the release of law enforcement video evidence will be made by the District Attorney's Office. Prior to the release of any law enforcement video evidence, involved law enforcement agencies and officers will be notified.

In recognition of the fact that these videos may contain graphic or sensitive material, the videos may be edited in the following ways:

(1) For privacy and safety concerns, the faces of peace officer(s), witnesses, and person(s) involved may be blurred out. Other distinctive identifying features may also be rendered unidentifiable.

(2) Segments of the video relevant to the review, legal analysis and decision of the District Attorney will be identified. Only those portions of the video related to the District Attorney's decision of whether a crime was committed will be released.

(3) Tactical information will not be disclosed.

In order to provide a consistent countywide release procedure, the District Attorney's Office will manage the release of incident law enforcement video evidence to the media. To provide appropriate and important context relating to an incident, the District Attorney's Office will make a public statement and release the results of the District Attorney's review at the same time the video is released.

The evidence released is exempt under the California Public Records Act, and the District Attorney's decision to release certain evidence does not otherwise waive another law enforcement agency's ability to assert a privilege as to that evidence. Likewise, the District Attorney retains its ability to assert a privilege as to any unreleased evidence.

While this policy will generally result in the release of the relevant portions of law enforcement video, there may be instances where the video is not released. The District Attorney has a legal and ethical duty not to do anything that would jeopardize the integrity of an investigation or prejudice a potential criminal case.

Exceptions may be made to this policy in the interests of justice and public safety. No video shall be released without the concurrence of the law enforcement agency that provided the video to the District Attorney's office.

INCIDENTS INVOLVING FEDERAL LAW ENFORCEMENT PERSONNEL

The policy will generally apply, unless there is a conflict with the federal agencies' specific internal policy dealing with officer/agent involved shootings.

When an employee of a federal law enforcement agency is involved in a shooting resulting in injury or death, or other type of incident resulting in death, the primary investigating agency shall conduct the primary investigation of the incident. The agency that employs the involved officer and/or other designated investigative agency may conduct a concurrent investigation of the incident.

The primary investigating agency shall submit investigative documentation of use of force incidents to the United States Attorney's Office for review.

The United States Attorney will assess whether a violation of federal criminal law has occurred, and take appropriate action based on this assessment.

TERM OF AGREEMENT

The parties, by signing below, acknowledge and agree that this Protocol shall be effective upon approval and shall remain in full force and effect unless and until a party withdraws or a revised memorandum of understanding is established.

Agreed hereto by all parties whose signatures appear below:

SUMMER STEPHAN, District Attorney

MIGUEL ROSARIO, Chief, Bureau of Investigations
JOE CARLEN A/CHIEF

NEIL GALLUCCI, Chief, Carlsbad Police Department

ROXANA KENNEDY, Chief, Chula Vista Police Dept.

EDWARD ACEVES, Interim Chief, Coronado Police Dept.

JEFF DAVIS, Chief, El Cajon Police Department

CRAIG CARTER, Chief, Escondido Police Department

WALT VASQUEZ, Chief, La Mesa Police Department

MANUEL RODRIGUEZ, Chief, National City Police Dept.

FRANK McCOY, Chief, Oceanside Police Department

BILL GORE, Sheriff, San Diego County

ADOLFO GONZALES, Chief Probation Officer

DAVID NISLEIT, Chief, San Diego Police Department

MARK STAINBROOK, Chief, San Diego Harbor Police

JOSEPH RAMOS, Chief, San Diego Community College Police Department

MICHAEL MARQUEZ, Chief, San Diego Unified Sch. Dist.

JOSH MAYS, Chief, San Diego State University Police

DAVID ROSE, Chief, UC San Diego Police

DATED: 11-8-18