

Selma Police Department

Selma PD Procedures Manual

CHIEF'S PREFACE

This manual has been designed to provide the employees of the Selma Police Department with readily accessible and contemporary reference information pertaining to the department policies.

This manual is not intended to cover the many situations that constantly confront the members of a law enforcement organization. Each member, at all times, is expected to use initiative, resourcefulness and sound judgment while performing his/her duties.

Each officer is given the legal authority and is charged with the responsibility to prevent and detect criminal activity, apprehend offenders, protect life and property and enforce laws and ordinances vigorously. This must be accomplished in a manner that will inspire the confidence and respect of the public we serve.

An officer must function with sensitivity, self-control, impartiality and, above all, honesty. An officer must do that which is required for self-preservation, but must absolutely refrain from the use of unnecessary force.

This manual has been assigned to you and must be maintained by you at all times. It is to be kept current at all times by making any and all deletions or additions as changes are issued to you. You will be held responsible for its contents and it is important that you use it regularly as reference material. This manual is confidential and the information contained is not to be passed on to those for whom it is not intended.

This manual will be subject to change as the needs of the department change and any future additions to it automatically revoke any and all previous orders in conflict with it.

Rene Garza

Acting Chief of Police

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Chapter 2 - Organization and Administration

Training Procedure

204.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the Selma Police Department to administer a training program that will provide for the professional growth and continued development of its personnel.

204.2 TRAINING PLAN

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

- Mandatory Training
- Essential Training
- Desired Training

204.3 TRAINING NEEDS ASSESSMENT

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

204.4 TRAINING COMMITTEE

The Training Sergeant shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Training Sergeant may remove or replace members of the committee at his/her discretion with final approval by the Chief of Police.

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

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

The Training Committee should convene on a regular basis as determined by the Training Sergeant to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training

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Sergeant. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

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

204.5 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. Document his/her absence in a memorandum to his/her supervisor.
 - 3. Make arrangements through his/her supervisor and the Training Sergeant to attend the required training on an alternate date.

Chapter 3 - General Operations

Officer-Involved Shootings and Deaths

304.1 PURPOSE AND SCOPE

The purpose is to establish procedures for the investigation of an officer involved shooting (OIS) whenever a member intentionally uses deadly force against another person, and will not apply to situations involving warning shots only, animal OIS(s), or unintentional discharges that do not result in the injury or death of any person.

304.2 UNINVOLVED OFFICER RESPONSIBILITIES

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

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

304.3 SUPERVISOR RESPONSIBILITIES

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any SPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 - 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 - 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Division Commander and Dispatch. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional SPD members until properly relieved by another supervisor or other assigned personnel or investigator.

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- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - 1. Each involved SPD officer should be given an administrative order not to discuss the incident with other involved officers or SPD members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer- safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

304.4 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 - 1. Involved SPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 - 2. Requests from involved non-SPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information (Government Code § 3303(i)).
- (d) A licensed psychotherapist shall be provided by the Department to each involved SPD officer. A licensed psychotherapist may also be provided to any other affected SPD members, upon request.
 - 1. Interviews with a licensed psychotherapist will be considered privileged.
 - 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 - 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

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

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

The following shall be considered for the involved officer:

- (a) When possible, SPD supervisors should not participate directly in any voluntary interview of SPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators (Government Code § 3303(i)). However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

304.5 WITNESS IDENTIFICATION AND INTERVIEWS

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

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

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

304.6 ADMINISTRATIVE INVESTIGATION

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).
 - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Government Code § 3303(g)).
 - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Lybarger or Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 - 5. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

304.7 AUDIO AND VIDEO RECORDINGS

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

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

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

304.8 CRITICAL INCIDENT/STRESS DEBRIEFING

Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

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

Vehicle Pursuits

306.1 STOP STICKS

The circumstances of every pursuit are different, but safety is always the most important factor to consider when deploying tire deflation devices. Factors that will be considered when deploying a device are:

- (a) Suspects may abruptly swerve or stop in an unexpected manner in an attempt to avoid the Stop Sticks.
- (b) Consider escape routes in the event the target vehicle swerves toward officers.
- (c) Officers should locate substantial cover in the area capable of stopping an approaching vehicle (patrol or other vehicles are not considered adequate cover).
- (d) When practical, only deploy Stop Sticks when you have a safe location to observe the target vehicle.
- (e) When practical, limit the traffic on the roadway to avoid collisions.
- (f) When practical, restrict pedestrian traffic on the roadway.

When Stop Sticks are to be deployed, the deploying officer will advise dispatch on the air when and where the device will be deployed. Dispatch will repeat the deployment information for the benefit of the other units involved in the pursuit. Officers should consider the following additional tactical factors when deploying Stop Sticks:

- (a) Plan ahead to identify the best location for deployment.
- (b) Deploy Stop Sticks at the last possible moment to avoid innocent vehicle damage and avoid the potential of the suspect swerving to avoid the device.
- (c) If deploying the device near an intersection, deploy the Stop Sticks just prior to the intersection to limit the suspect's ability to turn and avoid the device.
- (d) Always move to a safe location after deploying the Stop Sticks. The device has 80 feet of cord to allow officers to get as far as possible from the roadway when deploying the device.
- (e) Always advise pursuing units when and where Stop Sticks are being deployed so that appropriate action can be taken by pursuing units to avoid the Stop Sticks device.
- (f) As soon as it is safe to do so, pull the Stop Sticks from the roadway so that additional vehicles are not affected.

After the use of the tire deflation device the deploying officer will collect the device. If any vehicle came into contact with the tire deflation device, the deploying officer will ensure that photos are taken of the deployment area and collect all parts from the roadway. Additional post-deployment procedures are as follow:

- If the Stop Sticks are struck by a vehicle: The device is no longer functional and should be replaced. Complete the Stop Sticks "Pursuit Reporting Form" and fax it

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to 1-513-202-0240. The form can be found at www.stopstick.com, and can also be completed on-line at the same webpage.

- If the Stop Sticks were deployed but not struck by any vehicle: Inspect the sleeved Stop Sticks for damage. If the device is not damaged, it is suitable to use again.

Response to Calls

307.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

307.2 CALLS FOR SERVICE (CFS) DEFINITIONS

The below listed definitions are meant to be used as a guideline and CFS are subject to exceptions based on the spirit and intent of this order:

Priority 1 - Designates an emergency CFS for a presumed life threatening situation.

Priority 2 - Designates an urgent CFS for non-life threatening situations and property crimes in progress.

Priority 3 - Designates a routine CFS that requires a field response for a prior person/property crime or other CFS requiring a field response.

307.2.1 PRIORITY 1 CFS

Priority 1 calls shall include:

- (a) Incidents that are in progress or have just occurred that pose an imminent threat to life and/or great bodily injury;
- (b) No details traffic collisions where injuries are unknown;
- (c) Any incident with a violent suspect in custody by citizens or security;
- (d) Allied agency assist with an emergency situation.

307.2.2 PRIORITY 2 CFS

Priority 2 calls shall include:

- (a) Non-life threatening incidents that are in progress;
- (b) Non-life threatening incidents that just occurred where the suspect(s) are in the immediate vicinity and apprehension is likely;
- (c) Deceased persons, other than homicides;
- (d) Prowlers (Radio broadcast only for prior prowler calls where suspect not likely present);
- (e) 911 telephone hang up with no further information (except pay phone or PBX/Centrex with no reporting party or background noise);
- (f) Alarms where activity is being monitored by a listening device and there is indication of a crime in progress;
- (g) Hazardous conditions which pose a potential risk to public safety;
- (h) At risk found persons;
- (i) Non-injury traffic collisions with road blockage;

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- (j) Suspicious persons and/or vehicles where potential criminal activity is afoot;
- (k) Non-violent suspects in custody by citizens or security (including shoplifters in custody);
- (l) At risk missing persons/runaways absent immediate threat to life or great bodily injury;
- (m) Vicious animals where the animal poses a potential risk to the public;
- (n) Arson, or other known non-life threatening hate incident (including possible hate crime related vandalism/graffiti);
- (o) "Arguing only" disturbances, including loud parties, where there are no known weapons involved and no physical threat or contact;
- (p) Silent and audible burglar alarms or fence trips, with no verification that a crime is in progress;
- (q) Response to medical facilities for non-emergency WIC 5150 evaluations;
- (r) Prior person crimes and residential burglaries*;
- (s) Prior non-life threatening incidents where a field response is necessary;

307.2.3 PRIORITY 3 CFS

Priority 3 calls shall include:

- (a) Those which require a police response with no immediate problem present and the RP requests member contact*;
- (b) Prior criminal/suspicious activity not described elsewhere in this order;
- (c) Illegally parked/abandoned vehicles when vehicle poses a traffic hazard*;
- (d) Public assistance*;
- (e) Standby to preserve the peace;
- (f) Runaway juvenile not at risk and no special circumstances*.

307.3 RESPONDING TO CFS

When members are dispatched to a call, they should place themselves enroute and respond without delay. When a member is dispatched to a call and encounters another situation requiring police service while enroute, he/she should advise the Emergency Services Dispatcher (ESD) of the situation and proceed according to the instructions of the ESD.

- (a) When the member is instructed to continue on the original call, he/she should advise the person(s) involved in the second incident that another member will respond as soon as possible.
- (b) Members encountering such a situation shall not instruct the contacting citizen to call the Department. Instead, sufficient information shall be provided to the ESD to prepare an event for later dispatching. Members responding to a high priority call (priority "1" and "2") should not stop or delay their response for any activity other than another emergency. The ESD shall be immediately notified of a new incident to permit

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a decision to be made as to whether the unit will be preempted for the new emergency or required to respond to the original call.

307.4 SELF-INITIATION DURING CALL RESPONSES

Members responding to a high priority call shall not self-initiate any activity that will delay their response to the call except as necessary to protect lives or property.

- (a) When such a delay occurs, the responding member shall immediately advise the ESD and request that he/she be released from the call and reassigned to the new incident.
- (b) The ESD may permit preemption consistent with the priority of pending CFS. Field supervisors are responsible for monitoring personnel under their supervision to ensure that self-initiated preemptions from CFS are warranted.

307.5 NON-DISPATCHED UNITS

Field units should not go by the location of a call assigned to another unit unless requested, or it reasonably appears necessary for officer safety purposes.

307.6 "ANY UNIT" RESPONSES FOR "1" PRIORITY EMERGENCY CFS

- (a) When an ESD asks for a response from "any unit" or "any unit available," the request shall be construed as applying to all uniformed field officers, supervisors, and staff; regardless of location, or area of assignment.
- (b) When an ESD broadcasts an "any unit" request, officers, supervisors and staff that are available or can make themselves available shall acknowledge by radio, give their location, and await instructions from the ESD.
- (c) The ESD will follow communications Policy in determining which unit(s) should be dispatched to a CFS.
- (d) When there is no immediate response, ESD's will break the required number of units from lower priority CFS and dispatch them to handle the higher priority CFS.
- (e) ESD's shall not request "any unit" responses for "1" priority CFS when there are Area patrol units "in service" and available to respond. Units assigned to that area shall be dispatched to CFS within their area unless there is a unit from a different Area which is closer to the CFS, and the Area unit would have an extended arrival time.
- (f) ESD's shall advise a field supervisor or On-duty staff member when no units are available to respond to a "1" priority CFS;
- (g) ESD's shall strive to ensure that the officers assigned to a particular beat or area respond to the CFS within their beat of responsibility.

307.7 CROSS-BEAT DISPATCHING

- (a) It may become necessary to direct resources to areas where emergency CFS are backlogged when there is little likelihood of CFS being answered within a reasonable time.

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- (b) Under these circumstances, all uniformed officers, supervisors, and staff who are logged on to the MDT, including traffic and bike units who are temporarily within, or immediately adjacent to the affected beat may also be cross-beat dispatched for "1" priority CFS.
- (c) Plainclothes units should not be sent by themselves to CFS requiring the presence of uniformed officers.
- (d) Only uniformed patrol officers assigned to a beat or area shall be subject to cross-area dispatch of "2" priority CFS. CFS in the priority "3", may be cross-area dispatched to CSO's.
- (e) Officers and CSO's may be dispatched to any call at the discretion of a field supervisor or staff officer.

307.8 LATE CFS

Field members on duty are considered available for assignment to CFS until they go off duty.

- (a) Members shall not "log off" or turn their radios off more than five minutes before their shift is over.
- (b) ESD's should try not to assign low priority CFS that will extend a field unit beyond the end of his/her shift.
- (c) "1" and "2" priority CFS shall be dispatched immediately, even when it causes a field unit to be late.
- (d) Members receiving such CFS will handle them without questions or complaints to dispatch personnel.
- (e) When an officer feels an ESD acted improperly, it may be brought to the attention of the member's immediate supervisor who will discuss it with the Support Division Commander after the call is completed, or as soon as practical.

307.9 CALL ARRIVAL/MULTIPLE UNIT RESPONSES

A member's first consideration on arriving at a call should be the protection of life balanced by the need for officer safety.

- (a) When assistance appears to be needed, it should be requested immediately.
- (b) Pending the arrival of assistance, the member should take the safest measures possible to provide necessary assistance to those at risk of injury without unnecessarily jeopardizing his/her own safety.
- (c) When more than one unit is sent on a call, the primary unit (i.e. the member designated by the dispatcher to handle the call) is responsible for coordinating the response and arrival of assisting units.
- (d) The first unit arriving on a multi-unit call shall advise of his/her arrival on the radio to alert assisting unit(s).

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- (e) When it is determined that assisting units will not be needed, the first arriving unit or primary unit shall cancel the unneeded assisting unit(s) and handle the call or await the primary unit's arrival.
- (f) The designation "Code Four" may be used to cancel assisting unit(s).
- (g) After a "Code Four" or equivalent transmission, all units not arrived are considered canceled and shall immediately return to service.

307.10 GENERAL CALL HANDLING

Members handling CFS should direct their attention toward the long term solution of the problem. When appropriate, area problems which require strategic approaches shall be referred to the Support Division for consideration.

- (a) Preliminary Contacts & Evaluation
 1. RP's who are identified in the call should be contacted as soon as possible after arrival, unless the RP has requested that they not be contacted. When the RP is unknown, any potential witnesses should be contacted to determine the exact nature of the call. The first arriving officer shall evaluate the need for additional assistance and/or immediate actions that need to be taken. The primary officer assigned to a call is ultimately responsible for handling the call. Members shall take all reasonable and appropriate actions to resolve complaints after a complete determination of the facts has been made. When a report is taken, the field member shall provide the victim/RP with a Department business card containing the member's name, phone numbers, and case number. When no report is written, the member may also leave a card to facilitate re-contact to further discuss the problem.
- (b) Interviewing Involved Parties (IPs)
 1. The primary officer shall make every effort to interview all parties involved in an incident before deciding on a course of action or disposition of the call. The RP or witness identity should not be disclosed to other IPs without the express permission of the parties in question.
- (c) Public Satisfaction
 1. When possible, members shall strive to resolve calls to the satisfaction of all parties involved and to provide services as appropriate.
- (d) Informing RP of Action to be Taken/Disposition
 1. Members shall attempt to inform the RP of the course of action that will be taken by the police unless no contact has been requested. When members are successful in resolving a complaint they should attempt to notify the RP of the incident disposition in a timely manner.
- (e) Inability to Act
 1. Should members be unable to take action in response to a CFS, they shall attempt to inform the RP as to why they cannot act. This may involve giving

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information regarding the law, explaining the rights of the involved parties, the limited authority vested in the police, or the lack of a criminal violation.

(f) Referrals

1. Members may make referrals to appropriate public or private agencies/ organizations when they may enhance the resolution of the complaint. When explaining the availability of services available through private providers, members shall not make specific recommendations of businesses but should attempt to provide a range of options.

(g) Civil Law

1. Members should not attempt to explain civil law in civil cases beyond their expertise and training. Members may relate general legal principles and procedures whereby a person may obtain assistance such as retaining or consulting with an attorney.

(h) Chronic/Spite Complaints

1. When a chronic problem is identified, the RP should be re-contacted periodically to determine if the conditions complained of have improved and to assure the party of a continued police effort on his/her behalf. Beat officers are responsible for developing courses of action designed to abate the cause(s) of complaints.

307.11 GENERAL CALL HANDLING OF CSO/VIP CFS

CSOs and VIPs will generally be dispatched to non-emergency CFS. The following guide directs the priority order of how these CFS are to be handled:

CSO's

- (a) Residential burglaries
- (b) Stolen vehicle reports
- (c) Other Priority 3 CFS
- (d) Self-initiated CFS (i.e. parking enforcement)

VIP's

- (a) Assist at traffic collision scenes
- (b) Special Event Assistance
- (c) Other duties as assigned

Exception: Supervisors and staff may direct a CSO or VIP to handle other tasks as necessary, balancing the needs of the Department and CFS.

307.12 CHAPLAIN CALL-OUT

A Police Chaplain will be automatically dispatched, or otherwise contacted, at the time of receipt of the call, to the scene of all:

- (a) Deaths

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- (b) Officer involved shootings (excluding animals)
- (c) Injuries where death is likely to result
- (d) Fatal accidents

When an officer subsequently determines that the Chaplain cannot be utilized on a call within these categories, the dispatcher should be notified as soon as such a determination is made so that the Chaplain may be canceled. When there is any other type of call where an officer believes a Chaplain may be of assistance, the dispatcher shall be requested to dispatch one or more, as needed.

307.13 SUPERVISORY RESPONSIBILITY

Field supervisors shall monitor CFS to ensure that only the necessary units remain on a call and that the call is handled in the shortest possible time. Sergeants preparing End of Watch Reports where a Chaplain is utilized shall include the name(s) of any Chaplain who responds.

307.14 CODE-3

307.14.1 VEHICLES AUTHORIZED FOR CODE-3 OPERATION

No vehicle transporting prisoners shall operate Code-3 at any time for any reason. Trucks equipped with emergency lights and sirens and plain cars with interior-mounted or spotlight type red lights and sirens shall not be operated Code-3 except in cases of an emergency, and then only when a patrol vehicle is unavailable to respond.

307.14.2 AUTHORIZED CODE-3 RESPONSES

Operation of a vehicle Code-3 is authorized and should be utilized under these conditions:

- (a) While in immediate pursuit (mandatory);
- (b) When directed by, or approval is received from, a supervisor or staff officer;
- (c) In response to an officer/firefighter/paramedic call for help (emergency situations only);
- (d) In response to ALL priority "1" calls for service (CFS);
- (e) In response to a life-threatening incident (non-crime related) where serious injury or death is potentially imminent or has been reported; or
- (f) In response to priority "2" CFS which are in-progress AND the suspect(s) are in the immediate vicinity and apprehension is likely.

Officers should not utilize Code-3 driving outside of the circumstances listed above.

The following number of vehicles may respond Code-3:

- (a) The two closest available units may respond Code-3;
- (b) When there is reliable information that the suspect is no longer in the immediate area, one unit may respond Code-3; and
- (c) The first arriving Code-3 unit shall cancel all other unit's Code-3 when not needed.

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307.14.3 NOTIFICATION OF CODE-3 RESPONSE

Except in response to a call of an officer needs help, any officer responding Code-3 shall state over the radio that they are responding Code-3 and give their location.

307.14.4 CODE-3 VEHICLE OPERATION

Members utilizing Code-3 shall drive with due regard for the safety of all persons using the highway. The vehicle's emergency warning lights shall be activated and the siren shall be sounded as may be reasonably necessary to warn other drivers and pedestrian (Vehicle Code § 21055, § 21056, § 21057, and § 22350.)

307.14.5 SUPERVISORY RESPONSIBILITY

It is the responsibility of all supervisors to review Code-3 responses by their subordinates to ensure compliance with this order. Supervisors shall monitor their subordinates' emergency driving to ensure that they drive with due regard for the safety of all persons using the highway. Improper driving behavior that is identified shall be corrected through counseling, training, or disciplinary measures.

307.14.6 CODE-3 REQUESTS FOR ASSISTANCE

Members may request Code-3 assistance when confronted with an emergency situation which:

- (a) Presents a clear and present danger to the member's or other person's safety; or
- (b) Threatens to rapidly evolve into a clear and present danger to the member's or other person's safety.

When possible, requests for assistance Code-3 shall include the number of officers needed to respond. Unless otherwise unavailable or specified by the requesting officer, dispatch should send a minimum of two units to respond to the Code-3 request. Upon resolution of the situation, the immediate supervisor of the member requesting assistance Code-3 shall review the circumstances relating to the request and the necessity of a Code-3 response.

307.14.7 FAILURE OF EMERGENCY EQUIPMENT

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

Canines

308.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for the use of canines.

308.2 APPREHENSION GUIDELINES

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

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine

Absent a reasonable belief that a suspect has committed, is committing or threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the field supervisor. Absent a change in circumstances that present an imminent threat to officers, the canine or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable. If the canine has apprehended the suspect with a secure bite, the handler should promptly command the canine to release the suspect.

308.3 PREPARATION FOR DEPLOYMENT

The information should include, but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.

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- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

308.4 WARNINGS AND ANNOUNCEMENTS

The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

308.5 REPORTING DEPLOYMENTS, BITES AND INJURIES

Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements. However, the canine shall be made available for examination at any reasonable time if requested by the local health department. The canine handler shall also notify the local health department if the canine exhibits any abnormal behavior after a bite (Health and Safety Code § 121685).

308.6 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

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- (a) Absent a change in circumstances that present an immediate threat to officers, the canine or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the canine should be placed in a down-stay or otherwise secured as soon as it becomes reasonably practicable.

308.6.1 BOMB/EXPLOSIVE DETECTION

When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes and trains).
- (c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

308.7 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who has a minimum of 24 months of full-time experience.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).

308.7.1 HANDLER RESPONSIBILITIES

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Selma Police Department facility.

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- (e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or field supervisor.
- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or field supervisor.
- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

308.8 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

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- (g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Section or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

308.8.1 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (Health & Safety Code § 11367.5; 21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Selma Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

Domestic Violence

309.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for officers when investigating domestic violence cases.

309.2 PROCEDURES

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigation Unit in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

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- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - (a) Marital status of suspect and victim.
 - (b) Whether the suspect lives on the premises with the victim.
 - (c) Claims by the suspect that the victim provoked or perpetuated the violence.
 - (d) The potential financial or child custody consequences of arrest.
 - (e) The physical or emotional state of either party.
 - (f) Use of drugs or alcohol by either party.
 - (g) Denial that the abuse occurred where evidence indicates otherwise.
 - (h) A request by the victim not to arrest the suspect.
 - (i) Location of the incident (public/private).
 - (j) Speculation that the complainant may not follow through with the prosecution.
 - (k) The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

Temporary Custody of Juveniles

311.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for handling the temporary custody of juveniles. Members who deal with juvenile offenders shall use the least coercive among reasonable alternatives available (reprimand & release, citation, arrest) that are appropriate under the circumstances.

311.2 CONSTITUTIONAL RIGHTS ADVISEMENT

In any case where a juvenile is taken into temporary custody, the juvenile should be promptly advised of his/her Constitutional rights to ensure the admissibility of any spontaneous statements, whether or not questioning is intended (WIC §625).

311.3 JUVENILE CONTACTS AT SCHOOL FACILITIES

Officers should make every reasonable effort to notify school officials prior to contacting a student on campus while school is in session. Reasonable efforts should be taken to coordinate with school officials to minimize disruption of school functions and maintain a low profile police presence when contacting a student.

When circumstances warrant the temporary detention or formal interview of a juvenile student on campus, the officer should:

- (a) When practical and when it would not unreasonably interfere with the investigation, take reasonable steps to notify a parent, guardian, or responsible adult, including those phone numbers listed on any contact card on file with the school or provided by the student. All efforts to make contact with parents and/or reasons contact was not attempted should be documented;
- (b) Proceed with the formal interview if efforts to contact a parent, guardian, or responsible adult are unsuccessful or not attempted. Upon the request of the juvenile, a school official may be present during the interview in lieu of a parent; and
- (c) When contacted, permit the selected parent, other responsible adult or school official to be present during any interview.
 1. An adult suspected of child abuse or other criminal activity involving the juvenile, or an adult who, in the opinion of the officer appears to be under the influence or otherwise unable or incompetent to exercise parental rights on behalf of the juvenile, will not be permitted to be present.
 2. If the officer reasonably believes that exigent circumstances exist which would materially interfere with the officer's ability to immediately interview the juvenile, the interview may proceed without the parent or other responsible adult. In such circumstances, the exigent circumstances should be set forth in a related report.

Any juvenile student who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of school staff to be

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present. The purpose of the staff member's presence is to provide comfort and support and such staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

311.4 CURFEW VIOLATIONS

Juveniles detained for curfew violations may be released in the field to their parent, legal guardian, or responsible adult.

311.5 CITIZEN ARREST

When an officer is presented with a citizen arrest of a juvenile, the officer may arrest and bypass the citizen arrest procedure per WIC § 625.

311.6 INTOXICATED AND SUBSTANCE ABUSING JUVENILES

A medical clearance shall be obtained prior to detention of a juvenile at the Department when the juvenile displays outward signs of intoxication or is known or suspected to have ingested any substance that could result in a medical emergency (Title 15, California Code of Regulations 1431). In addition to displaying outward signs of intoxication, the following circumstances require a medical evaluation:

- (a) Known history of ingestion or sequestration of a balloon containing drugs in a body cavity
- (b) Juvenile is known or suspected to have ingested any substance that could result in a medical emergency
- (c) A juvenile who is intoxicated to the level of being unable to care for him or herself
- (d) An intoxicated juvenile whose symptoms of intoxication are not showing signs of improvement

Juveniles with lower levels of alcohol in their system may not need to be evaluated. An example is a juvenile who has ingested one or two beers would not normally meet this criterion.

A juvenile detained and brought to the Selma Police Department who displays symptoms of intoxication as a result of alcohol or drugs shall be handled as follows:

- (a) Observation of juvenile's breathing to determine that breathing is regular. Breathing should not be erratic or indicate that the juvenile is having difficulty breathing.
- (b) Observation of the juvenile to ensure that there has not been any vomiting while sleeping and ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.
- (c) An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.
- (d) Personal observation shall be conducted on a frequent basis while the juvenile is in the custody of the Selma Police Department, and no less than once every 15 minutes until such time as the symptoms are no longer present. For juveniles held in secure

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detention inside a locked enclosure, officers will ensure constant audio monitoring is maintained in addition to conducting the in-person visual checks. All other forms of detention require the officer to maintain constant visual supervision of the juvenile. The 15-minute checks of the juvenile shall be documented on the Juvenile Detention Log indispatch.

- (e) Any juvenile who displays symptoms suggestive of a comatose state (increasing difficulty or inability to rouse, irregular breathing patterns, or convulsions), shall be considered an emergency. EMS shall be called and the juvenile taken to a medical treatment facility.
- (f) Juveniles undergoing acute withdrawal reactions shall immediately be transported by EMS to a medical facility for examination by a physician.
- (g) A medical clearance is required before the juvenile is transported to Fresno County Juvenile Hall (FCJH) if it is known that the juvenile ingested any intoxicating substances or appears to be under the severe influence of alcohol. Once the juvenile no longer displays symptoms of intoxication, the juvenile will still be monitored on a 30-minute basis as outlined in this policy. The juvenile will continue to be monitored as required for secure or non-secure detentions.

311.7 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Selma Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Selma Police Department without authorization of the arresting officer's supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy. Juveniles detained under WIC § 602 may not be held at a the Selma Police Department facility for more than six hours from the time of arrival at the facility. If the six-hour time limit has expired, the juvenile should be transported to juvenile hall or released.

When a juvenile is taken into custody, the following steps shall be taken by the arresting officer or the detective assigned to the case:

- (a) Once the detained juvenile has been placed in secure or non-secure custody, complete the Juvenile Detention Log located in dispatch;
- (b) Take immediate steps to notify the juvenile's parent, guardian, or a responsible relative that such juvenile is in custody and provide the location where the juvenile is being held and the intended disposition (WIC § 627); and
- (c) Submit a completed report for approval.

Status offenders and abused or neglected children (juveniles falling within provisions of WIC § 300 and § 601) may not be detained in police jails or lockups. They may be taken to child welfare workers but may not be held in a secured environment or come into contact with adults in custody in the station.

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311.7.1 TEMPORARY CUSTODY REQUIREMENTS

Juveniles held in temporary custody shall have the following made available to them:

- (a) Access to toilets and washing facilities;
- (b) One snack upon request during term of temporary custody if the juvenile has not eaten within the past four hours or is otherwise in need of nourishment. The snack shall be provided by the arresting officer or as directed by a supervisor;
- (c) Access to drinking water;
- (d) Privacy during visits with family, guardian, or lawyer;
- (e) Immediately after being taken to a place of temporary confinement, and except where physically impossible, no later than one hour after being taken into custody, advise and provide the juvenile an opportunity to make at least three telephone calls within one hour of being taken into temporary custody. The telephone calls must be made to a parent, guardian, responsible relative, employer, or an attorney. (WIC § 627 and PC § 851.5); and
- (f) Blankets and clothing necessary to ensure the comfort of the juvenile (clothing shall be provided by the Department if the juvenile's clothing is taken as evidence or is otherwise unsuitable or inadequate for the continued wear while in custody).

311.7.2 NON-CONTACT REQUIREMENTS

There shall be no contact between juveniles held in temporary custody (either non-secure or secure detention) and adult prisoners who are detained except as provided below (WIC § 208, Title 15 California Code of Regulations 1544, 1546). Contact between juveniles in temporary custody, both secure and non-secure, and adult prisoners shall be restricted as follows:

- (a) There will be no communication between the juvenile and adult prisoners allowed if an adult prisoner, is present with the juvenile in the same room or area, a Selma Police Department employee shall maintain a constant side-by-side presence with either the juvenile or adult prisoner to assure there is no communication between the juvenile and adult prisoner.

Situations in which a juvenile and adult prisoner may be in the same room or corridor shall be limited to:

- (a) Booking
- (b) Medical screening
- (c) Movement of persons in custody within the Selma Police Department

311.7.3 USE OF ALTERNATIVE RESTRAINT DEVICES

Juveniles in temporary custody (secure or non-secure) shall not be subjected to alternative restraints. Handcuffs are not alternative restraints (WIC § 5150.) Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others. Restraints shall not be used as a punishment, or as a substitute for treatment.

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311.7.4 MONITORING OF JUVENILES

During the entire detention an in-person visual inspection shall be done to ensure the welfare of the juvenile and shall be conducted at least once every 30 minutes, until the juvenile is released. This inspection shall be conducted by the arresting officer, detective, or sworn designee, and the visual inspection shall be logged on the Inspection Log in dispatch. More frequent visual inspections should be made as circumstances dictate as in the case of an injured or ill juvenile being detained, or if specific circumstances exist such as a disciplinary problem or suicide risk.

311.7.5 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Selma Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (42 USC § 5633; Welfare and Institutions Code § 206).

311.7.6 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Status offenders shall not be held in secure custody (42 USC § 5633).

311.7.7 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Selma Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and suspected of using a firearm in violation of Welfare and Institutions Code 625.3 shall be transported to a juvenile facility.

A juvenile offender suspected of committing murder or a sex offense that may subject a juvenile to criminal jurisdiction under Welfare and Institutions Code § 602(b), or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

- (a) Released upon warning or citation.
- (b) Released to a parent or other responsible adult after processing at the Department.
- (c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
- (d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

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In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative which least restricts the juvenile's freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

311.8 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY

When emergency medical attention is required for a juvenile who is either in secure or non-secure custody, EMS will be called. A supervisor shall be notified of the need for medical attention for the juvenile. The juvenile will then be transported by EMS to a medical facility.

In the event of a serious illness, suicide attempt, injury or death of a juvenile, the following persons shall be notified as soon as possible:

- (a) The Juvenile Court
- (b) The parent, guardian, or person standing in loco parentis, of the juvenile

311.8.1 SUICIDE PREVENTION OF JUVENILES IN CUSTODY

Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

311.9 JUVENILE'S PERSONAL PROPERTY

The officer placing a juvenile into a detention room must make a thorough search of the juvenile's property. The property shall be inventoried in the juvenile's presence and sealed into the property bag. The property will be maintained by the responsible member until the juvenile is released from the custody of the Department.

311.10 TYPES OF CUSTODY

311.10.1 NON-SECURE CUSTODY

Non-secure custody means juveniles shall be placed in an unlocked room or open area. Juveniles may be handcuffed, but not to a stationary or secure object. Juveniles not meeting the criteria to be placed in a locked detention room, or any juvenile under the age of 14-years taken into custody for a criminal violation, regardless of the seriousness of the offense, may be temporarily detained in the police facility however the custody must be non-secure. Juveniles shall receive constant personal visual supervision by law enforcement personnel. Monitoring a juvenile using audio, video or other electronic device does not replace constant personal visual supervision.

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311.10.2 SECURE CUSTODY

A juvenile may be held in secure detention in a holding cell, if the juvenile is 14-years of age or older and, if in the reasonable belief of the peace officer, the juvenile presents a serious security risk of harm to self or others, as long as all other conditions of secure detention set forth below are met. Any juvenile in temporary custody who is less than 14-years of age, or who does not, in the reasonable belief of the peace officer, present a serious security risk of harm to self or others, shall not be placed in secure detention, but may be kept in non-secure custody in the facility as long as all other conditions of non-secure custody are met (WIC §602, Title 15 California Code of Regulations 1545).

In making the determination whether the juvenile presents a serious security risk of harm to self or others, the officer may take into account the following factors:

- (a) Age, maturity, and delinquent history of the juvenile
- (b) Severity of the offense(s) for which the juvenile was taken into custody
- (c) Juvenile's behavior, including the degree to which the minor appears to be cooperative or non-cooperative
- (d) The availability of staff to provide adequate supervision or protection of the juvenile
- (e) The age, type, and number of other individuals who are detained in the facility

A juvenile may be locked in a room or secured in a detention room subject to the following conditions:

- (a) Juvenile is 14-years of age or older
- (b) Juvenile is taken into custody on the basis of having committed a criminal law violation as defined in WIC § 602
- (c) Detention at this facility does not exceed six hours from the time of arrival at the police station, when both secure and non-secure time is combined
- (d) Detention is for the purpose of giving the officer time to investigate the case, facilitate the release of the juvenile to parents, or arrange transfer to FCJH
- (e) The officer apprehending the juvenile has reasonable belief that the juvenile presents a "serious security risk of harm to self or others"

311.11 SECURE DETENTION OF JUVENILES

While in secure detention, juveniles may be locked in a room or other secure enclosure, or otherwise reasonably restrained as necessary to prevent escape and protect the juvenile or others from harm.

Juveniles held in secure detention outside of a locked enclosure shall not be secured to a stationary object for more than 30 minutes unless no other locked enclosure is available. If a juvenile is secured, the following conditions must be met:

- (a) A Department member must be present at all times to ensure the juvenile's safety while secured to a stationary object;

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- (b) Juveniles who are secured to a stationary object are moved to a detention room as soon as one becomes available; and
- (c) Juveniles secured to a stationary object for longer than 30 minutes, and every 30 minutes thereafter, shall be approved by the Sergeant or the designated supervisor and the reason for continued secure detention shall be documented.

In the event a juvenile is held inside a locked enclosure, the juvenile shall receive adequate supervision which, at a minimum, includes:

- (a) Constant auditory access to an officer by the juvenile.
- (b) Unscheduled personal visual supervision of the juvenile by an officer, no less than every 30 minutes. These checks shall be documented.
- (c) Males and females shall not be placed in the same locked room unless accompanied by an officer.

311.12 CUSTODIAL INTERROGATION

The member conducting the interrogation should explain to the juvenile and parent/guardian what he/she may expect during the processing and interrogation, including:

- (a) The procedures of the juvenile justice system (e.g. juveniles release pending hearing, mail notification of hearing date/time/location, etc.); and
- (b) The procedures of the Selma Police Department. (e.g. juvenile processing at HQ, booking vs. cite & release, etc.)

No more than two members should participate in the interrogation of a juvenile. During detention/custody, juveniles may be held only long enough for members to investigate the crime, facilitate release of the juvenile to a parent, guardian, responsible relative or adult designated by the parent, or arrange for them to be transported to FCJH.

311.13 PROCESSING

Juveniles under the age of 10 or those in custody for WIC § 601 shall not be processed under any circumstances. Any juvenile, 14-years of age or older, who is taken into custody for a felony, or any juvenile, whose acts amount to a sex crime, shall be processed and booked. For all other acts defined as crimes, juveniles may be processed upon the approval from a supervisor giving due consideration to the following:

- (a) The gravity of the offense
- (b) The past record of the offender
- (c) The age of the offender
- (d) The identity of the juvenile is unknown

311.14 DISPOSITIONS – REPRIMAND & RELEASE / CITATIONS, BOOKINGS

After an officer has taken a juvenile into temporary custody for a violation of law, the following dispositions are authorized:

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- (a) The arresting officer may counsel or admonish the juvenile and recommend no further action be taken (reprimand and release).
- (b) The arresting officer may cite and release.
- (c) The juvenile may be transferred to FCJH when the violation falls within the provisions of WIC § 602.

311.14.1 REPRIMAND & RELEASE

Any juvenile not transferred to FCJH shall be released to one of the following:

- (a) Parent or legal guardian
- (b) An adult member of his/her immediate family
- (c) An adult person specified by the parent/guardian
- (d) An adult person willing to accept responsibility, when the juvenile's parents are unavailable as approved by the member's supervisor
- (e) Child Protective Services

311.14.2 CITE & RELEASE

When a juvenile is to be cited for any traffic offense (infraction or misdemeanor), members shall utilize the standard Traffic/Misdemeanor Citation Form. When a juvenile is to be cited for any non-traffic offense, the Juvenile Arrest Report (JAR) will serve as the citation.

In deciding whether or not to cite a juvenile (as opposed to arresting and booking), investigating officers shall consider the following criteria.

Misdemeanants shall be cited unless the juvenile:

- (a) Has violated a court order
- (b) Presents an immediate, serious threat to self or others
- (c) Has no parent/guardian reasonably available to take custody and assume responsibility for the juvenile's appearance
- (d) Has committed one of the violations listed in VC § 40302
- (e) Has a warrant for his/her arrest

The juvenile shall be arrested and booked when the officer has reason to believe that the juvenile has committed a felony. Prior to issuing a citation to a juvenile, the arresting officer shall confirm the juvenile's identity and determine whether or not the juvenile has any outstanding wants and/or warrants. Additionally, FCJH shall be requested to conduct a warrant hand search of arrested juveniles. Juveniles who live outside of Fresno County may be cited if they meet the established citation criteria.

311.14.3 BOOKING

When booking juveniles age 12 and under, members shall:

- (a) Take reasonable measures to verify the age of the juvenile;

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- (b) Establish “clear proof” the juvenile suspect was aware of the wrongfulness of his/her actions at the time of the offense (PC §26); and
- (c) Notify a field sergeant, who shall respond to meet with the arresting officer prior to booking.

When a juvenile is to be transported to FCJH, the following shall accompany the juvenile:

- (a) A JAR. The JAR shall contain facts sufficient to document the probable cause and necessary elements for each charge/count, before taking the arrestee into the intake area. The JAR shall be used as the PCD that is required for all warrantless misdemeanor or felony bookings of juveniles.
- (b) Juveniles taken into custody under WIC § 602 who are going to be booked shall be taken to FCJH with the arresting officer's completed JAR and a Juvenile Detention Disposition Report (JUS 8716). The top section of the Juvenile Detention Disposition Report (Part A for Law Enforcement) shall be completed by the arresting officer at the time a JAR is completed, and only when the juvenile is being booked. With the exception of the Arresting Agency copy (blue in color), the completed DOJ form shall be left at Juvenile Hall with the arrest report (juvenile petition) for Juvenile Probation. The blue copy shall be attached to the original JAR and submitted to Records as part of the arrest report.
- (c) Any personal property taken from the juvenile at the time of detention.

311.14.4 SUPERVISOR'S RESPONSIBILITIES

Prior to juveniles age 12 and under being booked into FCJH, supervisors shall:

- (a) Meet with the arresting officer to determine if booking is appropriate.
- (b) Notify the field supervisor of the circumstances surrounding the arrest and confirm the decision to book.
- (c) Notify a Division Commander of the circumstances surrounding the booking.
- (d) Ensure the complete and accurate documentation of the incident.

Note: When unusual circumstances exist, the field supervisor shall contact a Division Commander to verify the propriety of the booking. The Division Commander may contact the City Attorney for an opinion on the propriety of the booking.

311.15 DEATH OF A JUVENILE WHILE DETAINED

In the event of a juvenile's death while being detained at this Department, the District Attorney's Office and the Sheriff-Coroner's Office will conduct the investigation of the circumstances surrounding the death. The Support Division Commander or his/her designee will conduct an administrative review of the incident. In any case in which a juvenile dies while detained at SPD facilities, the following shall apply:

- (a) The Chief of Police or his or her designee shall provide to the California Department of Corrections and Rehabilitation a copy of the report submitted to the Attorney General under Government Code § 12525. A copy of the report shall be submitted to the Department of Corrections and Rehabilitation within ten calendar days after the death.

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- (b) Upon receipt of a report of death of a juvenile from the Chief of Police or his or her designee, the Department of Corrections and Rehabilitation may within 30 calendar days inspect and evaluate the juvenile facility, jail, lockup or court holding facility pursuant to the provisions of Article 4, Title 15 California Code of Regulations 1341. Any inquiry made by the Department of Corrections and Rehabilitation shall be limited to the standards and requirements set forth in these regulations.
- (c) A medical and operational review of the in-custody death of a juvenile shall be conducted. The review team shall include the following:
 - 1. Chief of Police or his/her designee
 - 2. The health administrator
 - 3. The responsible physician and other health care and supervision staff who are relevant to the Incident

311.16 RELEASE OF INFORMATION BY SUPERIOR COURT ORDER

A copy of the current policy of the Juvenile Court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Policy Manual. Such releases are authorized by WIC § 827.

311.17 DISCIPLINE OF JUVENILES

Police personnel are prohibited from administering discipline to any juvenile.

Exception: Restorative Justice Work Program

Senior and Disability Victimization Procedures

312.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the investigation and reporting of incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

312.2 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).
- (k) Whether a death involved the End of Life Option Act:
 1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14)
 2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person's life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17)

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3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17)
4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

312.3 NOTIFICATION PROCEDURE

Notification should include the following information, if known (Welfare and Institutions Code §15630(e)):

- (a) The name of the person making the report.
- (b) The name and age of the elder or dependent adult.
- (c) The present location of the elder or dependent adult.
- (d) The names and addresses of family members or any other adult responsible for the care of the elder or dependent adult.
- (e) The nature and extent of the condition of the elder or dependent adult.
- (f) The date of incident.
- (g) Any other information, including information that led the person to suspect elder or dependent adult abuse.

312.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

312.5 INTERVIEWS

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312.5.1 INTERVIEWS

Absent extenuating circumstances or impracticality, officers should conduct a thorough interview and when possible audio record the interview with a suspected adult abuse victim. Upon a supervisor's direction a detective shall be used to conduct a further investigation.

312.5.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

312.6 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist a search warrant shall be obtained for purposes of facilitating a medical examination of the victim.

312.7 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger

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the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

312.7.1 EMERGENCY PROTECTIVE ORDERS

In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code §6250(d)).

312.8 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

312.8.1 SUPERVISOR RESPONSIBILITIES

The Investigation Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors, to develop community specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Investigation Unit supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

312.8.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

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- (b) Notify the Investigation Unit supervisor so an interagency response can begin.

312.9 STATE MANDATES AND OTHER RELEVANT LAWS

California requires or permits the following:

312.9.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).
- (b) Retaining the original adult abuse report with the initial case file.

Discriminatory Harassment and Retaliation

313.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the handling of situations involving discriminatory harassment and retaliation.

313.1.1 DEFINITIONS

Discrimination - Any act or omission of an act which creates a hostile work environment, or exclude any person from employment or promotional opportunities because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, age, marital status or denial of family care or pregnancy disability leave. Discrimination includes, but is not limited to, derogatory comments, slurs or jokes, pictures, cartoons or posters, and actions which result in an employee being offended or insulted because of a protected classification status.

Sexual Harassment - Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment;
- (b) Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; and/or
- (c) Conduct that has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

Discrimination/harassment does not include the following:

- (a) Bona fide acts or omission of acts based solely upon bona fide occupational qualifications under Equal Employment Opportunity Commission and California Fair Employment and Housing Commission Guidelines; and/or
- (b) Bona fide requests or demands by a supervisor that the employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with City or departmental rules or regulations, or any other appropriate work related communication between supervisor and employee.

Retaliation – An adverse action taken against an employee for making a complaint of discrimination or harassment, or for cooperating in the investigation of such allegations.

313.2 RESPONSIBILITIES

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Personnel Manager or the City Manager.

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Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy. Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

313.2.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the city's Human Resource Analyst, the City Manager or the California Department of Fair Employment and Housing for further information, direction or clarification.

313.2.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers shall:

- (a) Continually monitoring the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or Human Resource Analyst in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

313.2.3 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

- (a) Behavior of supervisors and managers should represent the values of our Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

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313.3 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation or harassment shall be fully documented and promptly and thoroughly investigated.

313.3.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

313.3.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Human Resource Analyst or the City Manager.

313.3.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed or discriminated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

313.4 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

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- Approved by the Chief of Police, the City Manager or the Human Resource Analyst, depending on the ranks of the involved parties.
- Maintained in accordance with the department's established records retention schedule.

313.4.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

Child Abuse

314.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the investigation of suspected child abuse.

314.2 NOTIFICATION PROCEDURE

Notification should occur as follows (Penal Code § 11166):

- (a) Notification shall be made immediately, or as soon as practicable, by telephone, fax or electronic transmission.
- (b) A written follow-up report should be forwarded within 36 hours of receiving the information concerning the incident.

314.3 DEPARTMENT MEMBER RESPONSIBILITIES

The member's primary responsibility shall be to ensure a child is in, or placed in, a safe environment. Subsequent criminal investigations and/or arrest are secondary issues.

Members dispatched to incidents of suspected abuse, neglect, or endangerment shall:

- (a) Investigate to determine if the child has suffered, or there is a substantial risk that the child will suffer [e.g., WIC § 300 (a)-(d) and (j)], physical abuse, neglect or endangerment and/or whether a crime has been committed;
- (b) Determine who the perpetrator(s) is/are, and whether the child will be removed and placed with CPS per WIC § 300 and WIC § 305; and
- (c) Shall notify their supervisor when investigating any child abuse case.

314.4 TEMPORARY PROTECTIVE CUSTODY

314.4.1 AUTHORITY TO TAKE INTO CUSTODY

Both our agency and CPS shall work collaboratively, sharing information and participating in a shared decision-making process.

- (a) Through this process, the officers may take into temporary protective custody any juvenile falling under the provisions of WIC § 305.
- (b) In all cases where a juvenile is placed under WIC § 305, the incident shall be investigated sufficiently to determine whether siblings of the victim juvenile are also at risk and subject to protective custody.

Members taking juveniles into protective custody under authority of WIC § 305 shall immediately notify CPS directly by telephone or through dispatch to initiate placement and follow-up measures.

314.4.2 PLACING MINOR WITH RELATIVES/FRIENDS

When a juvenile is left without supervision as the result of the arrest of one or both parents, a placement is not required when:

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- (a) The charges against the parents do not include any violation against the juvenile including sexual assault, physical abuse, neglect, or endangerment. Charges related to drug usage or drug possession (where the juvenile may have had access to the drugs) may constitute endangerment and should be evaluated accordingly; and
- (b) A parent with legal custody requests that the juvenile be placed with a friend or relative who agrees to assume responsibility; and
- (c) The officer evaluates the friend or relative and their home environment and determines it is reasonably fit and does not constitute an obvious risk to the juvenile; and
- (d) The juvenile is not in need of immediate medical attention.

When custody is assumed by a relative or friend under these circumstances, full identifying information on the person taking custody shall be included in the officer's report of the incident. CPS shall not be notified in these circumstances.

314.4.3 PLACEMENT PROCEDURES

When the decision to place a juvenile has been made by an officer, the determination of where the juvenile is to be placed rests solely with CPS.

When it is determined that a juvenile will be removed from the home, the officer should assist the CPS worker in locating clothing, identification papers, Medi-Cal cards, and other necessary items.

314.4.4 NOTIFICATION OF PARENTS

Officers placing a juvenile in protective custody shall ensure that a parent, guardian, or responsible relative is contacted and advised to contact CPS for information on the juvenile.

314.4.5 CPS ASSISTANCE

CPS provides assistance to law enforcement in situations where juveniles need protection. Social workers are available on a 24-hour basis to provide:

- (a) Assistance in evaluating the juvenile's home situation and the need for the juvenile's removal. In the absence of a court order, the final decision to remove the juvenile shall be made by the officer. When there is disagreement between the officer and the CPS worker concerning the need for the juvenile's removal, the officer's supervisor shall be called to determine if removal is warranted under WIC § 300. When the supervisor determines that removal is warranted, the officer shall remove the juvenile. If CPS is not satisfied with the supervisor's decision, the supervisor should call a field commander who will make the final decision. When CPS is not satisfied with the Field Commander's decision, CPS shall make their concerns known through their chain of command;
- (b) Placement of the juvenile and investigation of placement alternatives. This may involve the location of relatives or the provision of homemaker services; and
- (c) Transportation to medical or foster care facilities as needed when a juvenile is placed into their custody.

When an officer suspects physical or sexual abuse of a juvenile, a CPS worker shall be notified so that a medical evaluation of the juvenile may be initiated. Whenever possible, the officer shall

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contact CPS directly either in person or by telephone (FPD Dedicated Line, 453-6474, or the main line, 255-8320).

The officer shall provide:

- (a) The name(s) and birth date(s) of the parent(s) and of the juvenile(s) who is/are to be placed
- (b) The reason for the placement (e.g., abuse, neglect, endangerment, etc.)
- (c) Whether any relative(s) are standing by for placement purposes, and
- (d) The relative's name(s) and birth date(s) so that this information can be relayed to CPS at the time of the request.

314.5 REPORTING REQUIREMENTS

314.5.1 REPORT TITLE

Reports on placements of juveniles under WIC § 300/§ 305 shall be titled according to the incident which justified the placement, not simply "WIC § 300." When a juvenile is placed as the victim of a crime, the report shall be titled with the appropriate criminal statute.

When a juvenile is placed under circumstances of "substantial risk of serious harm" etc., [WIC § 300 (a)-(d), and (j)] which fall short of a criminal violation, the report shall be titled, "Possible Child Endangerment."

When a juvenile is placed as a result of the arrest of a parent for charges unrelated to conduct against the juvenile and the placement is being made because there is no one to assume custody of the juvenile, the report shall be titled according to the charges on which the parent is arrested (e.g., warrants, petit theft, etc.).

In all placement cases special routing to CPS shall be indicated on the original report.

Advise/Report/Route

It is essential Department members:

- (a) Advise CPS of any incidents regarding suspected or actual abuse;
- (b) Submit a possible crime or crime report; and
- (c) Route that report to CPS.

Examples are:

- (a) Officers respond to a report of possible abuse. Upon arrival, officers are unable to make contact – no one is home. The call is cleared, "UTL." Officers are to advise CPS, submit a synoptical report, and route the report to CPS.
- (b) Officers respond to a report of possible abuse. Upon arrival, officers contact the children and parents. After further investigation (additional statements, reporting party contacted, etc.), the findings are inconclusive and there is insufficient evidence to determine whether child abuse or neglect has occurred. Officers are to advise CPS, submit a possible crime report, and route thereport to CPS.

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- (c) Officers respond to a report of possible abuse. Upon arrival, officers contact the children and the parents. Based upon the evidence, it appears more likely than not that child abuse or neglect occurred. Officers are to advise CPS, submit a crime report, and route the report to CPS.

314.5.2 UNFOUNDED INCIDENTS

Officers shall use caution when clearing a call as “unfounded.” Unfounded is a call determined by the officer(s) who conducted the investigation to be false, to be inherently improbable, to involve an accidental injury, or not to constitute child abuse or neglect. Prior to clearing a call as “unfounded,” officers shall:

- (a) Review call history,
- (b) Review previous suspect contacts (RPW or MARS name search),and
- (c) Contact CPS to review previous abuse reports receive from other agencies.

If the officer is satisfied the call is false, only a synoptical report is required. No CPS notification or routing is necessary.

314.5.3 MANDATORY NOTIFICATION GUIDELINES

Pursuant to PC § 11165.9, this Department is defined as a "child protective agency". All Department members are responsible for the proper reporting of child abuse. Any member who encounters any child whom he or she reasonably suspects has been the victim of child abuse shall immediately take appropriate action and prepare a crime report pursuant to PC § 11166.

314.5.4 MANDATORY NOTIFICATION

Pursuant to PC § 11166.1, when this Department receives a report of abuse occurring at the below listed facilities, notification shall be made within 24 hours to the licensing office with jurisdiction over the facility.

- (a) A facility licensed to care for children by the State Department of Social Services; and/or
- (b) A report of the death of a child who was, at the time of death, living at, enrolled in or regularly attending a facility licensed to care for children by the State Department of Social Services, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility

Additionally, an immediate notification is required to the appropriate licensing agency if the suspected child abuse occurs while the child is being cared for in a child day care facility, involves a child day care licensed staff person, or occurs while the child is under the supervision of a community care facility licensee or staff person.

314.6 EMERGENCY PROTECTIVE ORDERS

Members shall request an EPO if any of the following conditions exist:

- (a) The victim requests an EPO;

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- (b) The investigating officer has grounds to believe that there is an immediate danger of continuing violence against the victim;
- (c) The investigating officer or victim believes the potential for further violence or threats exists;
- (d) When a child is in immediate and present danger of abuse by a family or household member; or
- (e) When a child is in immediate and present danger of being abducted and taken from the jurisdiction by a parent or relative.

314.7 PROCEDURES FOR ISSUANCE OF EPO'S

A judicial officer shall be contacted regardless of the time of day. The determination of the designated judicial officer to issue or not to issue an EPO will be final.

314.8 TRANSPORTATION OF JUVENILES UNDER SIX YEARS AND 60 POUNDS

When members need to transport juveniles in their patrol car who are under six years and 60 pounds, and there is no child passenger restraint system available, members shall secure the juvenile by seatbelt prior to transport [CVC § 27363 (b)].

314.9 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

314.10 INTERVIEWS

314.10.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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314.10.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

314.10.3 INTERVIEWS AT A SCHOOL

Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member's presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).

314.11 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

314.12 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

314.12.1 SUPPORT DIVISION COMMANDER RESPONSIBILITIES

The Support Division Commander should:

- (a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children

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endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

- (b) Activate any available interagency response when an officer notifies the Support Division Commander that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

314.12.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Support Division Commander so an interagency response can begin.

314.13 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

314.14 CACI HEARING PROCEDURES

The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

- (a) Case reports including any supplemental reports
- (b) Statements by investigators
- (c) Statements from representatives of the District Attorney's Office

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- (d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party's name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person's name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

Missing Persons

315.1 PURPOSE AND SCOPE

This procedure provides guidance for handling missing person investigations.

315.2 REQUIRED FORMS AND DNA COLLECTION KITS

The Investigation supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing Person Investigation Checklist, providing investigation guidelines and resources available in the early hours of a missing person investigation (Penal Code § 13519.07)
- Missing Person School Notification Form
- Medical Records Release Form from the California Department of Justice
- California DOJ missing person forms as appropriate
- DNA Missing Persons Specimen Collection Kits

315.3 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call for service as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14205).
- (e) Ensure that entries are made into MUPS:
 1. Immediately, when the missing person is at risk.
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review the following:

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1. A photograph and a fingerprint card of the missing person, if available.
 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

315.4 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

315.4.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 1. The reports should be promptly sent to the Records Section.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

315.4.2 RECORDS SECTION RESPONSIBILITIES

The receiving employee shall:

- (a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's

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residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).

- (b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).
- (c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forward a copy of the report to the Investigation Unit.

315.5 INVESTIGATION UNIT FOLLOW-UP

The investigator assigned to a missing person investigation:

- (a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
 - 2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update CLETS, NCIC and any other applicable missing person networks within 60 days of the original entry into the networks and every 45 days thereafter until the missing person is located (42 USC § 5780).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 45 days.
- (f) Shall maintain a close liaison with the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 (42 USC § 5780).
- (g) Should make appropriate inquiry with the coroner or medical examiner.
- (h) Should obtain and forward medical records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

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315.6 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

315.7 CASE CLOSURE

The Support Division Commander may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.
- (b) If the missing person was a resident of Selma or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

315.8 TRAINING

Subject to available resources, the Training Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

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- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

Public Alerts

316.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

316.2 RESPONSIBILITIES

316.2.1 EMPLOYEE RESPONSIBILITIES

Employees of the Selma Police Department should notify their supervisor or Division Commander as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

316.2.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Administrative Sergeant when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

316.3 AMBER ALERTS

316.3.1 CRITERIA FOR AMBER ALERT

The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

- (a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
- (b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
- (c) The victim is in imminent danger of serious injury or death.
- (d) There is information available that, if provided to the public, could assist in the child's safe recovery.

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316.3.2 PROCEDURE FOR AMBER ALERT

The supervisor in charge will ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the child:
 1. The child's identity, age and description
 2. Photograph if available
 3. The suspect's identity, age and description, if known
 4. Pertinent vehicle description
 5. Detail regarding location of incident, direction of travel, potential destinations, if known
 6. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 7. A telephone number for the public to call with leads or information
- (b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).
- (c) The press release information is forwarded to the Fresno County Sheriff's Department Dispatch Center so that general broadcasts can be made to local law enforcement agencies.
- (d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).
- (e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).
- (f) The following resources should be considered as circumstances dictate:
 1. The local FBI office
 2. National Center for Missing and Exploited Children (NCMEC)

316.4 BLUE ALERTS

316.4.1 CRITERIA FOR BLUE ALERTS

All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

- (a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.
- (b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.
- (c) A detailed description of the suspect's vehicle or license plate is available for broadcast.

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- (d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

316.4.2 PROCEDURE FOR BLUE ALERT

The supervisor in charge should ensure the following:

- (a) An initial press release is prepared that includes all available information that might aid in locating the suspect:
 - 1. The license number and/or any other available description or photograph of the vehicle
 - 2. Photograph, description and/or identification of the suspect
 - 3. The suspect's identity, age and description, if known
 - 4. Detail regarding location of incident, direction of travel, potential destinations, if known
 - 5. Name and telephone number of the Public Information Officer or other authorized individual to handle media liaison
 - 6. A telephone number for the public to call with leads or information
- (b) The local California Highway Patrol communications center is contacted to initiate a multi- regional or statewide EAS broadcast.
- (c) The information in the press release is forwarded to the Fresno County Sheriff's Department Dispatch Center so that general broadcasts can be made to local law enforcement agencies.
- (d) The following resources should be considered as circumstances dictate:
 - 1. Entry into the California Law Enforcement Telecommunication System (CLETS)
 - 2. The FBI local office

316.5 SILVER ALERTS

316.5.1 CRITERIA FOR SILVER ALERTS

All of the following conditions must be met before activating a Silver Alert (Government Code §8594.10):

- (a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.
- (b) The department has utilized all available local resources.
- (c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.
- (d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

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- (e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

316.5.2 PROCEDURE FOR SILVER ALERT

Requests for a Silver Alert shall be made through the California Highway Patrol.

316.6 MUTUAL AID

The experiences of other law enforcement jurisdictions that have implemented similar plans indicate an AMBER Alert or Blue Alert will generate a high volume of telephone calls to the handling agency.

The Fresno County Sheriff's Department Dispatch Center facilities and staff can be made available in the event of a high call volume.

If the field supervisor or Patrol Division Commander elects to use the services of the Sheriff's Department, the following will apply:

- (a) Notify the Sheriff's Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.
- (b) In the press release, direct the public to the telephone number provided by the Sheriff's Department Watch Commander.
- (c) The Administrative Sergeant or appropriate Division Commander will continue to handle all press releases and media inquiries.

Any press inquiries received by the Sheriff's Department will be referred back to this department.

The Selma Police Department shall assign a minimum of two detectives/officers to respond to the Fresno County Sheriff's Department Dispatch Center to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the Dispatch Center.

Victim and Witness Assistance

317.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines to assist in providing victim/witness assistance.

317.2 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Selma Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

317.2.1 SPECIFIC VICTIM LIAISON DUTIES

The Chief of Police shall designate a crime victim liaison officer as liaison to the Victim-Witness Assistance Program office. It shall be his/her responsibility to forward copies of police reports requested by the local victim centers to verify the criminal activity upon which the application for assistance is based. The liaison officer shall carry out the functions required by state law; and devise and implement written procedures to notify and provide the required compensation information. The Release of Records and Information Policy in this manual regarding the release of reports shall be followed in all cases (Government Code § 13962(b); 2 CCR 649.35; 2 CCR 649.36).

317.3 VICTIM INFORMATION

The Administrative Sergeant shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams (42 USC § 3796gg; Penal Code § 13823.95(a)).
- (d) An explanation that no victim of sexual assault shall be required to participate or agree to participate in the criminal justice system, either prior to examination or at any other time (Penal Code § 13823.95(b)).
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (f) A clear explanation of relevant court orders and how they can be obtained.
- (g) Information regarding available compensation for qualifying victims of crime.
- (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check

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on an offender's custody status and to register for automatic notification when a person is released from jail.

- (i) Notice regarding U-Visa and T-Visa application processes.
- (j) Resources available for victims of identity theft.
- (k) A place for the officer's name, ID number and any applicable case or incident number.
- (l) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.05; Penal Code § 679.026).

Hate Crimes

318.1 PURPOSE AND SCOPE

The purpose of these procedures is to provide guidelines for the handling of hate crime incidents.

318.2 BASIS OF A HATE CRIME

Must be motivated by at least one of the following:

- (a) Race
- (b) Color
- (c) Religion
- (d) Ancestry
- (e) National origin
- (f) Disability
- (g) Gender
- (h) Sexual orientation

318.2.1 GENERAL GUIDELINES OF OVERT ACTS

- (a) A symbol(s), word(s), or act(s) which is or may be offensive to the above listed groups
- (b) Statements/actions of the victim(s), suspect(s), and other involved parties
- (c) Prior history of similar crimes in same area or against the same victim group

318.3 CRIMINAL STATUTES (PENAL CODES)

- (a) PC § 422 - Prohibits threats of great bodily injury or death to another or their immediate family
- (b) PC § 422.6(a) - Prohibits the use of force or threat of force with the ability to carry out the threat
- (c) PC § 422.6(b) - Prohibits the defacing, damaging or destroying of property for reasons as stated in PC § 422.6(a)
- (d) PC § 422.7 - Makes any other criminal offenses involving threats, violence, or damage in excess of \$400 a felony if done within the guidelines of PC § 422.6
- (e) PC § 422.76 - States gender as actual or perceived sex by the defendant
- (f) PC § 422.9 - Provides criminal enforcement of any issue pertaining to Civil Code § 2.1
- (g) PC § 11411 - Prohibits terrorizing by placing any physical impression on another person's private property
- (h) PC § 11412 - Prohibits threats of injury or property damage to interfere with a religious exercise
- (i) PC § 594.3 - Prohibits vandalism to religious buildings or places of worship

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- (j) PC § 11413 - Prohibits use of explosive or destructive devices for terrorizing at health facilities, places of religion, group facilities and other specified locations

Members should refer to the Penal Code for the full text of the statute.

318.4 HATE CRIME V. HATE INCIDENT

Hate Crimes are criminal acts based on the previously described motivation that include but are not limited to:

- (a) Burning cross or religious symbol
- (b) Explosive/Bomb threats
- (c) Unlawful use of the mails
- (d) Destroying or injuring property of another
- (e) Assault
- (f) Disorderly Conduct
- (g) Interrupting or disturbing religious meetings
- (h) Homicide
- (i) Unlawful use of the telephone.

Hate Incidents are non-criminal acts based on previously described motivation with the intention to:

- (a) Harass
- (b) Intimidate
- (c) Threaten
- (d) Retaliate
- (e) Create racial, religious, minority, or ethical conflict

318.5 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by, among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community, who are likely targets of hate crimes, to form and cooperate with prevention and response networks.
- (b) Accessing assistance by, among other things, activating the California Department of Justice Hate Crime Rapid Response Protocol when necessary.
- (c) Providing victim assistance and follow-up as outlined below, including community follow-up.

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318.6 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practical.
- (c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime. No victim of or a witness to a hate crime who is not otherwise charged with or convicted of a crime under state law may be detained for or turned over to federal authorities exclusively for any actual or suspected immigration violation (Penal Code § 422.93(b)).
- (e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.
- (f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes (Penal Code § 422.92). Such brochures will also be available to members of the general public upon request. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.
- (h) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the District Attorney or City Attorney Penal Code § 136.2 or Civil Code § 52.1 as indicated).

318.6.1 INVESTIGATION UNIT RESPONSIBILITY

If a case is assigned to the Investigation Unit, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate
- (b) Maintain contact with the victim(s) and other involved individuals as needed
- (c) Maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the Attorney General upon request pursuant to Penal Code § 13023

Subpoenas and Court Appearances

325.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for department members who must appear in court. This procedure will also allow the police department to cover any related work absences and keep the department informed about relevant legal matters.

325.2 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so. This may be accomplished by personal service to the officer or by delivery of two copies of the subpoena to the officer's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)).

The party that issues a civil subpoena to an officer to testify as a witness must tender the statutory fee of \$275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

- (a) He/she knows that he/she will be unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and he/she is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that he/she is unable to deliver a copy of the subpoena to the named officer within sufficient time for the named officer to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

325.3 SUBPOENA NOTIFICATION

Authorized subpoenas received from the District Attorney's office will be received by the department's designated court liaison. It shall be the responsibility of the court liaison to disseminate the personnel's subpoenas to their appropriate supervisor for subpoena service.

The court liaison will notify personnel when their appearance in court is required. The court liaison will notify of any changes to that requirement.

325.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

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- (a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Selma Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Selma Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

325.4 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in a department approved uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

325.4.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

Reserve Officers

327.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for the Selma Police Department Reserve Unit to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

327.2 FIELD TRAINING

Penal Code § 832.6 requires Level II reserve officers, who have not been released from the immediate supervision requirement per the Completion of the Formal Training Process subsection, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

327.2.1 TRAINING OFFICERS

Officers of this department, who demonstrate a desire and ability to train reserve officers, may train the reserves during Phase II, subject to field supervisor approval.

327.2.2 FIELD TRAINING OFFICER

Upon completion of the Academy, reserve officers will be assigned to a primary training officer. The field training officer will be selected from members of the Field Training Officer (FTO) Committee. The reserve officer will be assigned to work with his/her primary training officer during the first 160 hours of training. This time shall be known as the Primary Training Phase.

327.2.3 FIELD TRAINING MANUAL

Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Selma Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

327.2.4 COMPLETION OF THE PRIMARY TRAINING PHASE

At the completion of the Primary Training Phase, (Phase I) the primary training officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to Phase II of the training. If he/she has not progressed satisfactorily, the Reserve Coordinator will determine the appropriate action to be taken.

327.2.5 SECONDARY TRAINING PHASE

The Secondary Training Phase (Phase II) shall consist of 100 hours of additional on-duty training. The reserve officer will no longer be required to ride with his/her primary training officer. The reserve officer may now ride with any officer designated by the Watch Commander.

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During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, the reserve officer will return to his/her primary training officer for Phase III of the training.

327.2.6 THIRD TRAINING PHASE

Phase III of training shall consist of 24 hours of additional on-duty training. For this training phase, the reserve officer will return to his/her original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.

At the completion of Phase III training, the primary training officer will meet with the Reserve Coordinator. Based upon the reserve officer's evaluations, plus input from the primary training officer, the Reserve Coordinator shall decide if the reserve officer has satisfactorily completed his/her formal training. If the reserve officer has progressed satisfactorily, he/she will then graduate from the formal training process. If his/her progress is not satisfactory, the Reserve Coordinator will decide upon the appropriate action to be taken.

327.2.7 COMPLETION OF THE FORMAL TRAINING PROCESS

When a reserve officer has satisfactorily completed all three phases of formal training, he/she will have had a minimum of 284 hours of on-duty training. He/she will no longer be required to ride with a reserve training officer. The reserve officer may now be assigned to ride with any officer for the remaining 200-hour requirement for a total of 484 hours before being considered for relief of immediate supervision.

327.3 RESERVE OFFICER MEETINGS

All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

327.4 RESERVE OFFICER EVALUATIONS

While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

Death Investigation

330.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines related to death investigations.

330.2 SEARCHING DEAD BODIES

The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner or a designee (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

330.3 DEATH NOTIFICATION

When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin.

330.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a "John Doe" or "Jane Doe" number for the report.

Identity Theft

331.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the proper reporting of Identity Theft.

331.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim's name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.
- (f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

Child and Dependent Adult Safety

338.1 PURPOSE AND SCOPE

This procedure is intended to provide guidelines for dealing with child and dependent adult safety during arrests of parents or caregivers.

338.2 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code§ 13517.7(b)(1)):

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

338.3 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.

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1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
2. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
 - (b) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
 - (c) Notify Child Protective Services or the Division of Adult Protective Services, if appropriate.
 - (d) Notify the field supervisor or the appropriate Division Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

338.4 DURING THE BOOKING PROCESS

During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)).

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

338.5 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
 1. Name
 2. Sex
 3. Age
 4. How, where and with whom or which agency the child was placed
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:

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1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

Public Safety Video Surveillance System

339.1 PURPOSE AND SCOPE

The Selma Police Department's Video Policing Project is intended to contribute to public safety by employing a system that incorporates modern technology into the investigative process. This is available through active or passive video monitoring, storage and retrieval capabilities. Our system will be designed to improve the Department's ability to prevent and detect public safety emergencies, deter criminal conduct, identify crime participants and serve as an aid to the successful prosecution of those responsible.

This system, along with other simultaneous public safety enhancements, such as the use of predictive crime analysis software and greater involvement by citizens in bearing witness to crimes in their neighborhoods, will significantly improve public safety in the city of Selma.

This "smart policing" technology, combined with the confidence and trust of our citizens, can provide a safer community, a more efficiently run police agency, and greatly enhance our investigative abilities. Portions of our policy were adapted from other agencies policies, as well as information derived from the United States Department of Justice Community Oriented Policing Service (COPS) program.

339.2 STATEMENT OF PURPOSE

The purpose of our camera system is to supplement our agency's efforts to provide a safe public environment to conduct business, transit our public spaces, and enjoy our parks. The intent of the system is to lead to the rapid identification of those responsible for crimes in view of a camera; the deterrence of those who, but for the presence of a camera, might seize an opportunity to prey upon one another, and the successful prosecution of criminals whose activity is captured. This system is not a panacea for crime; it will not prevent the actions of those who are determined to violate the rights or freedoms of others.

The system will not be used for

- Arbitrary viewing of citizens
- Viewing activities where a reasonable expectation of privacy may exist, even though conducted in a public place
- Traffic enforcement

There may exist other examples that are too numerous to expound upon in this document that will limit the use of video information obtained by this system. This policy and guidelines will specify rules of acceptable Selma Police Department use of the Video Policing system and designate specifications in order to achieve program goals without compromising the public's right to privacy. This document must also be flexible to adjust for unanticipated incidents, occurrences, or applications for future improvements.

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339.3 VIDEO POLICING DESIGN SPECIFICATIONS

The system used by the Selma Police Department will utilize multiple fixed and adjustable cameras focused on predetermined public areas in public places. Cameras shall be situated in a manner and located in public places that will maximize the field of view of public areas for public safety purposes only. This system will be used primarily to address serious threats to public safety and applications delineated in this document.

- It is not intended to serve as a mechanism for the casual observation of citizens in public places conducting lawful activities in a public setting or situation.
- Camera placement will minimize the potential inadvertent capture of images from areas where there would be a reasonable expectation of privacy, while either in a public place or in any structure.

In any location where the view of any camera may compromise a citizen's privacy expectation, the Chief of Police or his/her designee shall review the camera's location and either make a recommendation to relocate the unit or to employ window-blanking technology to minimize, if not eliminate, the potential for video intrusion.

The cameras may be equipped with Pan, Tilt, and Zoom (PTZ) capabilities that allow operators to manipulate the framing or focal length of a video image only for the specific purpose of monitoring potential suspicious persons, activities or as the result of a CFS. Images that are captured of persons who are either irrelevant or incidental to an investigation shall be digitally masked prior to any public release of such footage. Racial Profiling/Nondiscrimination

No operator shall select any person in view of this camera system based solely on their race, ethnicity, or sex for observation or tracking. The system shall only be used for purposes directly related to public safety or authorized internal or criminal investigations. The system shall not be used to track individuals arbitrarily or based on race, gender, ethnicity, sexual orientation, disability, or other classifications protected by law. Operators shall make specific observations of individuals based only on articulable reasonable suspicion that the person may be or may have been involved in criminal activity of a serious nature, or as the result of a call for service to law enforcement of criminal activity in the area of the camera's viewing parameters.

339.4 TRACKING AND IDENTIFICATION OF PERSONS

"Tracking" refers to the use of public video surveillance systems to follow an individual or his/her vehicle, regardless of whether that individual's identity is known, so as to create a seamless record of his/her activity during a specific period. "Identification" refers to the use of the system to ascertain or confirm the identity of an individual captured on video footage. The use of identification and tracking technologies raises specialized concerns regarding constitutional rights and values. Even in public, most people expect to remain anonymous unless they are seen, recognized, and remembered by another individual present at that location. Even tracking alone can create a far more thorough record of activity than observation and recording. Identification, moreover, creates a record that is personally identifiable and traceable back to a specific person, which raises data privacy concerns far less present with other types of surveillance.

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The Selma Police Department will adopt the practice of tracking an unknown person only when an operator makes specific observations of the individual(s) based on articulable reasonable suspicion that the person may be or may have been involved in criminal activity of a serious nature, or as the result of a call for service to law enforcement of criminal activity in the area of the camera's viewing parameters.

339.5 STORAGE/RETRIEVAL OF IMAGES

Video images captured from the system will be automatically downloaded on secure digital storage system where they will be stored for minimum of seven days before being overwritten by new data. The secure digital storage system will be connected to the City's network and is protected by multiple layers of security including password protected user accounts.

The system employed shall use digital watermarks to ensure the authenticity of transferred images from the system. Requests for a review of stored images shall be made through to the Chief of Police or his/her designee. The review and retrieval of images may be for the purpose of criminal or administrative investigations only.

339.6 NEW TECHNOLOGY

Any changes to the scope, capabilities, and the uses of the system should not pose significantly greater threats to constitutional rights and values than existing ones. However, the incorporation of any device that uses technology commonly referred to as "biometrics" shall not be implemented without first having the proposed system brought before the Selma City Council. The approval process will include a complete disclosure of the capabilities of such a system and legal necessity of its addition to any existing camera system. Other technological advances that could be incorporated into the existing video camera system (i.e., thermal imagery) shall also be first publicly proposed by the information being presented to the Selma City Council for their approval.

339.7 LEGITIMATE LAW ENFORCEMENT PURPOSES

The Selma Police Department may collect data that would be relevant to other legitimate law enforcement uses. Subject to certain restrictions (discussed below), law enforcement may use the system for these new purposes.

For clarification purposes, it should be distinguished between the two types of extra-purpose use of this video system: "secondary" and "incidental."

- Secondary use is an intentional, planned use of a system, a component of it, or the collected data, for a purpose other than the original one. For instance, if an officer has reason to believe that stored footage collected for traffic control purposes would show evidence of drug shipments and seeks to review the footage for this purpose, the use would be secondary. The written permission of the system administrator is required for any "secondary use" of the Selma Police Department Video Surveillance System.
- Incidental use describes a situation in which law enforcement is using the system for its intended purpose and incidentally notices something useful for a different purpose. For instance, if an officer monitoring a surveillance system deployed to prevent a terrorist

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attack incidentally witnesses a non-terrorism serious criminal offense, the information would be useful for the purpose of investigating that crime.

No additional approval is required for "incidental use" of the system.

A public video surveillance system may be used incidentally for other legitimate law enforcement purposes. Similar to the "plain view" exception in Fourth Amendment law, a police officer properly observing public scenes through a visual surveillance system may act upon evidence of criminal behavior as if he/she had witnessed it in person. This is true whether the officer is viewing the footage in real time or via a recorded image.

339.8 IDENTIFYING MONITORED ZONES

Whenever practical, signage notifying the public that the Video Policing system is being used and recorded will be posted in conspicuous locations proximate to each camera indicating that the camera may be monitored and/or recorded. In the event the placement of signage may hamper the Police Department's ability to make an apprehension, signage will not be posted. When signs are placed, they will be clearly and conspicuously placed and shall clearly display at least a camera icon indicating the presence of a video camera.

339.9 MONITORING OF EMPLOYEE ACCESS

The Video Policing system shall be equipped with capabilities that provide an audit trail of system use and user access. This information shall include the user ID, password, and the ability to review all activities concerning the use of the PTZ features of that particular operator.

Authorized Users

- (a) User accounts will be limited to those City of Selma employees with a specific, ongoing need to access the system for the purpose of prevention, detection, identification, or apprehension considerations related to public safety, emergency response, or authorized internal or criminal investigations. All user accounts require approval by the Chief of Police or designee before establishment.

User Access

- (a) All persons designated by the Chief of Police as system users shall receive training and a unique user identification in order to access the system. Images stored on servers shall only be accessed and retrieved by the Chief of Police or other authorized technician, and only in response to public safety emergencies or authorized internal or criminal investigations.

Unused/Purging Video Data

- (a) Video data that has not been retained for evidentiary purposes shall not be reproduced, nor shall it be distributed, provided, or shown to other persons, without the approval of the Chief of Police, or pursuant to a court order. In the event that persons are captured whose images are incidental to any legitimate law enforcement purpose, the following guidelines shall be followed:

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- Recorded images lacking evidentiary or other documented value shall be overwritten as a matter of course after 30 days.
- Prior to any public release of images, the Department shall employ the use of "digital masking" or other technologies to remove identifying features of individuals who are incidentally captured on camera or whose identities are otherwise irrelevant to the purposes for which the data is stored.

339.10 VIDEO DATA AS EVIDENCE

Video data retained for evidentiary purposes shall only be reproduced for the purpose of prosecution efforts. All copies shall be accounted for by the investigator responsible for maintaining case records related to the video data.

339.11 AUDITS

Use of the system will be regularly audited annually by a mutually agreed upon person between the SPD and a majority of the Selma City Council. The report will address compliance issues with this policy manual and any audits of operators and the subsequent findings. The report will be sent to the Selma City Council, the Chief of Police and the City Manager's Office.

339.12 PRIVACY AND ANONYMITY

It is the intent of these policies and guidelines to ensure that all citizens, who may be conducting their activities in a place generally described as "public," be assured that their Constitutional right to privacy is respected and acknowledged. Freedom of Expression and Association the Selma Police Department also shares its deep commitment to preserving the right of individuals to freely express themselves and to associate freely in all public settings.

It is with the above perspective the Selma Police Department adopts the following Policies on the use of its Video Policing System: There will be no active monitoring of locations such as, but not limited to:

- (a) Political rallies or demonstrations
- (b) A non-emergency medical facility.
- (c) Any social services facility (welfare office, Social Security office).
- (d) A place of worship (i.e., a church or religious-based organization).
- (e) A place (i.e., HIV or abortion clinic) or circumstances, although publicly located, where there exists a reasonable expectation of privacy (i.e., a conversation on a cell phone, writings or readings in a person's possession.)

EXCEPTION: These types of locations may be monitored only if criminal activity is suspected of occurring. Rallies may be actively monitored only for potential criminal activities or crowd management. Any video of such activities shall be purged after 24 hours. Pan. Tilt & Zoom (PTZ) Camera Usage

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Public Safety Video Surveillance System

- (a) Any active, continual observation of an individual, employing PTZ cameras, shall be done as the result of reasonable suspicion of their involvement in criminal activity.
- (b) PTZ camera operators are responsible for protecting the public's right to privacy as delineated by the Department values.
- (c) PTZ camera operators are forbidden from looking at non-public areas and areas in which there is a reasonable expectation of privacy.
- (d) PTZ camera operations will be randomly audited for misuse violations.
- (e) PTZ camera images and operators are subject to the same restrictions detailed under "User Access."

339.13 AUTHORIZED CAMERA APPLICATIONS

The primary use of the cameras will be in conjunction with calls for service of a potentially life-threatening or serious nature. These types of calls are, but may not be limited to:

- Robbery
- Assaults
- Violent crimes
- Narcotics enforcement
- Property crimes
- Surveillance activities for crime series
- Internal investigations

339.14 SHARING OF IMAGES

Requests for images in the possession of the Selma Police Department shall be made with the authorization of the Chief of Police only. The request shall be in writing on the requesting agency's letterhead and signed by that agency's Chief of Police or appropriate counterpart.

339.15 COMPLAINTS REGARDING CAMERAS

See the Selma Police Department Personnel Complaints Policy.

339.16 PROVISION OF IMAGES TO MEMBERS OF THE PUBLIC

Images obtained by the Selma Police Department cameras shall not be generally releasable to members of the general public, including information sought between civil litigants. Images will be withheld consistent with the Public Records Act. These include data involving ongoing law enforcement investigations or data which constitutes an unwarranted invasion of personal privacy. This is based on the Freedom of Information Act's privacy exception. The most notable exception is where images are released to assist in the identification or apprehension of a person or persons wanted in an investigation.

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Public Safety Video Surveillance System

339.17 POLICY VIOLATIONS

Unauthorized access to the system, misuse of the system, unauthorized reproduction of images, or unauthorized distribution of images may result in disciplinary action up to and including termination.

Chapter 4 - Patrol Operations

Racial- or Bias-Based Profiling

401.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines and establish controls to ensure employees of the Selma Police Department do not engage in racial or bias-based profiling or violate any related laws.

401.2 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.3 SUPERVISOR RESPONSIBILITY

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review MDT data and any other available resource used to document contact between officers and the public to ensure compliance with the policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

401.4 ADMINISTRATION

Upon request from the Chief of Police, the Support Division Commander shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints, to the Chief of Police.

This report should not contain any identifying information regarding any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

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Racial- or Bias-Based Profiling

Supervisors shall review the annual report and discuss the results with those they are assigned to supervise.

401.5 TRAINING

Training on racial- or bias-based profiling and review of this policy should be conducted as directed by the office of the Chief of Police.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of racial- or bias-based profiling.
- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial racial- or bias-based profiling training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial and cultural trends (Penal Code § 13519.4(i)).

Foreign Diplomatic and Consular Representatives

404.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidance for employees dealing with subjects/arrestees who are claiming Consular or Diplomatic Identity or Immunity.

404.2 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089 and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

404.3 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

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Foreign Diplomatic and Consular Representatives

- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers
 - 5. Whenever an officer arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the officer shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.

404.4 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented in a police report and forwarded to DOS.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for employees when handling a hazardous material incident.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from the person transporting).
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.
- (e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).(f) Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety§ 25354.5).

406.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum and complete worker's compensation paperwork that shall be forwarded via chain of command to the Division Commander and Human Resources. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for sworn personnel in dealing with hostage and barricade calls for service.

407.2 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.2.1 EMERGENCY COMMUNICATIONS

Only an officer who has been designated by the District Attorney or Attorney General may use or authorize the use of an electronic amplifying or recording device to eavesdrop on or record, or both, oral communication in response to an emergency situation involving a hostage or the barricading of a location, and only when (Penal Code § 633.8(b)):

- (a) The officer reasonably determines an emergency situation exists that involves the immediate danger of death or serious physical injury to any person within the meaning of 18 USC§ 2518(7)(a)(i),
- (b) The officer reasonably determines that the emergency situation requires that eavesdropping on oral communication occur immediately, and
- (c) There are grounds upon which an order could be obtained pursuant to 18 USC § 2516(2).
- (d) An application for an order approving the eaves dropping and complying with the requirements of Section 629.50 is made within 48 hours of the beginning of the eavesdropping.
- (e) The contents of any oral communications overheard are recorded on tape or other comparable device.

407.3 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume

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the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.3.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers.
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

407.3.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage

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negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.4 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. The following options should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.

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- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers to restrict such services (e.g., restricting electric power, gas, telephone service).
 - 1. When considering restricting communication services, a supervisor should make the determination that there is reason to believe an emergency situation exists involving immediate danger of death or great bodily harm and that an interruption to communication services is necessary to protect public safety. The supervisor must ensure the Department obtains a court order, in accordance with Public Utilities Code section 7908, prior to requesting the interruption. In the case of an extreme emergency when there is insufficient time to obtain an order prior to the request, application for the order must be submitted within six hours after initiating the interruption (Public Utilities Code § 7908).
- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the department designated temporary media representative provide media access in accordance with the News Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

407.5 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Aircraft Accidents

408.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for responding to incidents involving aircraft accidents.

408.2 RESPONDING OFFICER RESPONSIBILITIES

The duties of responding officers at the scene of an aircraft accident include the following:

- (a) Determine the nature and extent of the accident.
- (b) Request additional personnel and other resources to respond as needed.
- (c) Provide assistance for the injured parties until the arrival of Fire Department personnel and/or other emergency personnel.
- (d) Cordon off and contain the area to exclude unauthorized individuals as soon as practicable.
- (e) Provide crowd control and other assistance until directed otherwise by a supervisor.
- (f) Ensure the Coroner's office is notified if a death occurs.

Entering an aircraft or tampering with parts or debris is only permissible for the purpose of removing injured or trapped occupants, protecting the wreckage from further damage or protecting the public from danger. If possible, the investigating authority should first be consulted before entering or moving any aircraft or any crash debris. Photographs or sketches of the original positions should be made whenever feasible.

The Fire Department will be responsible for control of the accident scene until the injured parties are cared for and the accident scene has been rendered safe for containment. Thereafter, police personnel will be responsible for preserving the scene until relieved by the investigating authority.

Once the scene is relinquished to the investigating authority, personnel from this agency may assist in containment of the scene until the investigation is completed or assistance is no longer needed.

An airport service worker or the airport manager may respond to the scene to assist the on-scene commander with technical expertise, should it be needed during the operation.

408.3 DISPATCH RESPONSIBILITIES

Dispatchers are responsible to make notifications as directed once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. Generally, the dispatcher will need to notify the following agencies or individuals when an aircraft accident has occurred.

- (a) Fire Department
- (b) The affected airport tower

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- (c) Closest military base if a military aircraft is involved
- (d) Ambulances or other assistance as required

When an aircraft accident is reported to the Police Department by the airport tower personnel the dispatcher receiving such information should verify that the tower personnel will contact the Federal Aviation Administration (FAA) Flight Standards District Office and the National Transportation Safety Board (NTSB). In the event that airport personnel are not involved, the dispatcher should notify the FAA and the NTSB.

408.4 RECORDS CLERK RESPONSIBILITIES

The Records Clerk is responsible for the following:

- (a) Forward and maintain an approved copy of the accident report to the California Department of Aeronautics
- (b) Forward a copy of the report to the Patrol Division Commander and the manager of the affected airport

Response to Bomb Calls

409.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the handling of incidents involving bomb threats.

409.2 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the shift supervisor is immediately advised and informed of the details. This will enable the shift supervisor to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

409.3 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Selma, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the shift supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

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Response to Bomb Calls

409.3.1 ASSISTANCE

The shift supervisor should be notified when police assistance is requested. The shift supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the shift supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

409.4 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

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- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the shift supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

409.5 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

409.6 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- (a) Fire department
- (b) Fresno County Sheriff's Department Watch Commander
- (c) Additional department personnel, such as investigators and forensic services
- (d) Patrol Division Commander
- (e) Support Division Commander

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- (f) Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- (g) Other government agencies, as appropriate

Crisis Intervention Incidents

410.1 PURPOSE AND SCOPE

The purpose for this procedure is to provide guidelines for interacting with those who may be experiencing a mental health or emotional crisis.

410.2 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- (a) Evaluate safety conditions.
- (b) Introduce themselves and attempt to obtain the person's name.
- (c) Be patient, polite, calm, courteous and avoid overreacting.
- (d) Speak and move slowly and in a non-threatening manner.
- (e) Moderate the level of direct eye contact.
- (f) Remove distractions or disruptive people from the area.
- (g) Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- (h) Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- (a) Use stances or tactics that can be interpreted as aggressive.
- (b) Allow others to interrupt or engage the person.
- (c) Corner a person who is not believed to be armed, violent or suicidal.
- (d) Argue, speak with a raised voice or use threats to obtain compliance.

410.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas

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- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

410.4 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional. Additional resources and a supervisor should be requested as warranted.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
 1. Prior to making contact, and whenever possible and reasonable, conduct a search of the Department of Justice Automated Firearms System via the California Law Enforcement Telecommunications System (CLETS) to determine whether the person is the registered owner of a firearm (Penal Code § 11106.4).
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.

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- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

410.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

Mental Illness Commitments

411.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for when officers may take a person into custody for a mental health evaluation. (Welfare and Institutions Code § 5150)

411.2 AUTHORITY

When determining whether to take a person into custody, officers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

- (a) An individual who is providing or has provided mental health treatment or related support services to the person
- (b) A family member
- (c) The person subject to the determination or anyone designated by the person

411.3 VOLUNTARY EVALUATION

If officers encounter an individual who may qualify for a 5150 commitment, they may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the officers should:

- (a) Arrange for the person to be transported to the appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
- (b) If at any point the person changes his/her mind regarding voluntary evaluation, officers should proceed with the 5150 commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

411.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others. Officers should consider

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a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

411.5 TRANSFER TO APPROPRIATE FACILITY

Once the determination has been made to place a 5150 commitment upon an individual, they will notify EMS to facilitate the transportation of the individual to the appropriate facility. The 5150 commitment form will be turned over to the EMS personnel.

411.6 DOCUMENTATION

The officer shall complete an application for a 72-Hour detention for evaluation and treatment, provide it to the facility staff member assigned to that patient and retain a copy of the application for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

411.6.1 ADVISEMENT

The officer taking a person into custody for evaluation shall advise the person of:

- (a) The officer's name and agency.
- (b) The fact that the person is not under criminal arrest but is being taken for examination by mental health professionals.
- (c) The name of the facility to which the person is being taken.
- (d) If the person is being taken into custody at his/her residence, he/she should also be advised that he/she may take a few personal items, which the officer must approve, and may make a telephone call or leave a note indicating where he/she is being taken.

The advisement shall be given in a language the person understands. If the person cannot understand an oral advisement, the information shall be provided in writing (Welfare and Institutions Code § 5150(f)(1)).

411.7 FIREARMS AND OTHER WEAPONS

Whenever a person is taken into custody for a 5150 commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon defined in Welfare and Institute § 8100. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g. safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A search warrant may also be needed before searching for or seizing weapons

The handling officers shall issue a property receipt describing the deadly weapon or any firearm seized, and list any serial number or other identification that is on the firearm. Officers shall advise

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the person of the procedure for the return of any firearm or other weapon that has been taken into custody (Welfare and Institutions Code § 8102 (b)) (see Property and Evidence Policy).

411.7.1 PETITION FOR RETURN OF FIREARMS AND OTHER WEAPONS

Whenever the handling officer has cause to believe that the future return of any confiscated weapon might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Investigation Unit, which shall be responsible for initiating a petition to the Superior Court for a hearing in accordance with Welfare and Institutions Code § 8102(c), to determine whether the weapon will be returned.

The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon has been confiscated, unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him/her of the right to a hearing on the issue, that he/she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon.

411.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a 5150 commitment should resolve the criminal matter by issuing a warning or a Notice to Appear as appropriate.

When an individual who may qualify for a 5150 commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the 5150 commitment.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a 5150 commitment.

In the supervisor's judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

Bicycle Patrol Officer

413.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for Selma Police Department personnel assigned to bicycle patrol.

413.2 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a memorandum of interest to the Patrol Division Commander. Qualified applicants will then be invited to an oral interview. The oral board will consist of designees selected by the Patrol Division Commander. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as it pertains to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

413.2.1 BICYCLE PATROL SUPERVISION

On-duty supervisors will be responsible for bicycle patrol officers.

The Department Training Sergeant shall have responsibility for the following:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining inventory of patrol bicycles and program equipment.
- (c) Scheduling maintenance and repairs.
- (d) Coordinating activities with the Patrol Division.
- (e) Other activities as required to maintain the efficient operation of Bicycle Patrol.

413.3 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white in with a "POLICE" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of Vehicle Code § 2800.1(b).

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing, vehicle storage and citations.

Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information and use manuals. These items are to remain with/on the bicycle at all times.

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Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides, or rear of the bicycle. (Vehicle Code § 21201.3)

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

Each bicycle will have scheduled maintenance yearly to be performed by a department approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Electric patrol bicycle batteries shall be maintained per the manufacturer's specifications.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor, or in the event of an emergency.

If available, vehicle bicycle racks will be provided should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push- bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

Rapid Response And Deployment Procedure

414.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for Department personnel when responding to events where imminent danger or loss of life to the public or personnel exists.

414.2 PROCEDURE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to immediately eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

When deciding on a course of action officers shall consider:

- (a) Whether sufficient personnel are available on-scene to advance on the suspect. Any advance on a suspect should be made using teams of two or more officers whenever reasonably possible.
- (b) Whether individuals who are under imminent threat can be moved out of danger with reasonable safety.
- (c) Whether the officers have the ability to effectively communicate with others in the field.
- (d) Whether planned tactics can be effectively deployed.
- (e) The availability of rifles, shotguns, shields, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.
- (f) In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).
- (g) If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, the officer shall take immediate action, if reasonably possible, to stop the threat presented by the suspect while calling for additional assistance.

Contacts and Temporary Detentions

420.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested.

420.2 FIELD INTERVIEWS

Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

- (a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) The actions of the suspect suggest that he/she is engaged in a criminal activity.
- (c) The hour of day or night is inappropriate for the suspect's presence in the area.
- (d) The suspect's presence in the particular area is suspicious.
- (e) The suspect is carrying a suspicious object.
- (f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.
- (g) The suspect is located in proximate time and place to an alleged crime.
- (h) The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

420.2.1 INITIATING A FIELD INTERVIEW

An officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person however, should not be detained longer than is reasonably necessary to resolve the officer's suspicions.

Nothing in this procedure is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Selma Police Department to strengthen our community involvement, community awareness and problem identification.

420.2.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigators to utilize available personnel for the following:

- (a) Identify all persons present at the scene and in the immediate area.

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1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

420.3 PAT-DOWN SEARCHES

A pat-down search of a detained subject may be conducted whenever an officer reasonably believes that the person may possess an object that can be utilized as an offensive weapon or whenever the officer has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to the following:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
- (d) The appearance and demeanor of the suspect.
- (e) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

Whenever possible, pat-down searches should be performed by officers of the same gender.

420.4 FIELD PHOTOGRAPHS

Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

420.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should document the consent given in the field interview narrative.

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420.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. Mere knowledge or suspicion of gang membership or affiliation is not a sufficient justification for taking a photograph without consent. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

Mobile Digital Terminal Use

423.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the use of the mobile digital terminals.

423.2 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by a Division Commander or field supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

423.2.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT.

423.2.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor or Division Commander is notified of the incident without delay. Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

Public Recording of Law Enforcement Activity

425.1 PURPOSE AND SCOPE

This procedure is intended to provide guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition it provides guidelines for situations where the recordings may be evidence.

425.2 OFFICER RESPONSE

Officers should promptly request a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

425.3 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

Foot Pursuit Policy

427.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for Department personnel when initiating or being involved in a foot pursuit of a suspect(s).

427.2 RESPONSIBILITIES IN FOOT PURSUITS

427.2.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should broadcast the following information as soon as it becomes practicable and available:

- (a) Unit identifier
- (b) Location and direction of travel
- (c) Reason for the foot pursuit
- (d) Number of suspects and description
- (e) Whether the suspect is known or believed to be armed

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts to set a perimeter for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify Dispatch of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary.

427.2.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

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Any officer who is in a position to intercept a fleeing suspect or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with department policy, based upon available information and his/her own observations.

427.2.3 SUPERVISOR/OFFICER IN CHARGE RESPONSIBILITY

Upon becoming aware of a foot pursuit, the supervisor/officer in charge shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor/officer in charge should respond to the area whenever possible. The supervisor/officer in charge does not, however, need to be physically present to exercise control over the pursuit. The supervisor/officer in charge shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor/officer in charge shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor/officer in charge should promptly proceed to the termination point to direct the post-pursuit activity.

427.2.4 DISPATCH RESPONSIBILITIES

Upon being notified or becoming aware that a foot pursuit is in progress, communication personnel should, as soon as practicable, notify the supervisor/officer in charge and provide available information. Dispatch personnel are also responsible for the following:

- (a) Clear the radio channel of non-emergency traffic
- (b) Repeat the transmissions of the pursuing officer as needed
- (c) Relay all pertinent information to responding personnel
- (d) Contact additional resources as directed by a supervisor/officer in charge
- (e) Coordinate response of additional resources to assist with the foot pursuit

First Amendment Assemblies

428.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for personnel when dealing with First Amendment assemblies.

428.2 GENERAL CONSIDERATIONS

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

428.2.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

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428.3 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

428.4 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

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428.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

428.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

428.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for the following:

- (a) Command assignments, chain of command structure, roles and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields)
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multijurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with City government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability

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- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force
- (s) Protocol for handling complaints during the event

428.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

428.6 ARRESTS

The Selma Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

428.7 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan

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- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Dispatch records/tapes
- (g) Media accounts (print and broadcast media)

428.7.1 AFTER-ACTION REPORTING

The Incident Commander should work with the field supervisor, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

428.8 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

Civil Disputes

429.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines in the handling of civil disputes.

429.2 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

429.3 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

429.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

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A copy of the court order should be attached to the report when available. The report should be forwarded to the District Attorney's Office. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the District Attorney's Office for review.

429.4.1 STANDBY REQUESTS

Officer responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

429.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

Chapter 5 - Traffic Operations

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines in the preparation of traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service make traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY

The Administrative Sergeant will be responsible for distribution of the Collision Investigation Manual. The Administrative Sergeant will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORT ROUTING

All traffic collision reports taken by members of this department shall be forwarded to the shift supervisor for approval and data entry into the Records Management System. The Administrative Sergeant will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Patrol Division Commander, or other persons as required.

501.4 TRAFFIC COLLISION REPORTING

The following subsections shall be used to determine which type of collision format is required and the contents of that documentation. Except for those situations described in this section, no collision report will be taken.

501.4.1 COLLISION INVESTIGATION

A Collision Investigation shall consist of all elements and forms required by the Collision Investigation Manual (CIM) to document a collision that involves any of the following:

- (a) A fatality
- (b) Any injury defined in the CIM as "severe injury"
- (c) The possibility of civil litigation against the City, the Department, or any other public agency
- (d) The arrest or citation (notice to appear or notice of violation) of a driver for a misdemeanor or felony traffic violation causing the collision (including DUI)
- (e) The potential for a felony prosecution absent an arrest (e.g., Hit and Run)
- (f) A Department Vehicle Collision (DVC - Defined as a motor vehicle traffic collision involving any City owned or leased vehicles, or other vehicles used during the course and scope of official Department business)

501.4.2 COLLISION REPORT

A Collision Report shall be used to document a collision that involves any of the following:

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- (a) Hit and run collisions when there is sufficient information available to identify the hit and run driver through follow-up investigation (no separate crime report needed)
- (b) Injury collisions (other than "severe injury") that result in the immediate removal of any person(s) by ambulance to a medical facility
- (c) Damage to City property (Vehicles, light poles, traffic signs, buildings, etc.)
- (d) The issuance of a notice of violation to a driver for a traffic infraction causing the collision

501.5 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Division Commander. Photographs of the collision scene and vehicle damage shall be taken at the discretion of the investigating officer or any supervisor.

501.6 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Selma Police Department resulting in a serious injury or fatality, the shift Sergeant or the Division Commander, may notify the California Highway Patrol for assistance. The term serious injury is defined as any injury that may result in a fatality.

501.7 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The shift Sergeant or on-duty Commander may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

Vehicle Towing and Release

503.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for towing a vehicle by or at the direction of the Selma Police Department.

503.2 VEHICLE IMPOUND REQUIREMENT

Vehicles may be impounded:

- (a) For further investigation/evidence (i.e. the vehicle itself constitutes evidence in a crime, to secure the vehicle while obtaining a search warrant, VIN discrepancy, contains evidence, etc.);
- (b) The member shall request a tow. Dispatch will then contact the appropriate tow company from the rotation tow list
- (c) The requesting member shall contact the investigator the vehicle is being held for and advise them of the tow; and
- (d) The Investigative unit supervisor is responsible for ensuring that vehicles are released from evidence holds in a timely manner, and notification regarding the release is made to Records, and the Registered Owner of the vehicle. Exception: Recovered stolen vehicles shall be towed utilizing the normal tow rotation list.
- (e) Pursuant to VC § 23109.2 when the vehicle was involved in:
 1. Reckless driving on a highway, as described in VC § 23103(a);
 2. Reckless driving in any off-street parking facility, as described in VC § 23103(b);
 3. A motor vehicle speed contest, as described in VC § 23109(a); or
 4. Exhibition of speed on a highway, as described in VC § 23109(c).
- (f) For registration expired in excess of six months, and/or evidence of false registration (False Tabs) VC § 22651(o).
- (g) When the driver has been cited for VC § 12500 and has no active license suspensions, the vehicle can only be impounded if, pursuant to the Community Care Doctrine (CCD), leaving the vehicle at the scene would:
 1. Jeopardize public safety;
 2. Jeopardize the efficient movement of traffic; or
 3. Subject the vehicle to vandalism or theft.

Note - Members will include a notation on the CHP 180 Form indicating which CCD applied. DO NOT impound when the driver is cited for VC § 12500 simply because no other licensed driver is available when the Community Care Doctrine does not apply. Members must get supervisor approval before releasing a vehicle on scene after having issued a citation for any of the above violations.

Vehicles shall be impounded:

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- (a) When the driver has been cited for VC § 12500, and DMV, citation data, or RMS records indicate the driver has been previously cited for the same offense. This indicates “prior knowledge” and proof the offense will continue, therefore the vehicle shall be impounded pursuant to VC § 22651(p);
- (b) When the driver has been cited for VC § 12500, but has an active suspension on their license. Regardless of knowledge of the suspension, the vehicle shall be impounded pursuant to VC § 22651(p);
- (c) When the driver has been arrested/cited for any violation of sections VC § 14601; Violations of VC § 14601 require knowledge of the suspension or revocation. Knowledge is established by a valid service code indicated in the drivers DMV record. The service codes are listed below:

A	First Class Mail, not returned unclaimed
B	Served, signed Document on file
D	Personal Service Document on File
H	Acknowledgement, No Signature
I	Returned Unclaimed
J	Written Notice Service by Officer
K	Refused Service
L	Reported Deceased
M	Verbal Notice Document on File
P	Personal Service
R	Personal Service Unsuccessful

All of the service codes constitute proof of knowledge of the suspension or revocation for enforcement purposes, with exception of “I”, “K”, “R”. When knowledge of the suspension or revocation cannot be established through service codes, the driver shall be issued a DL310 verbal notice by Peace officer and cited VC § 12500(a) and the vehicle shall be impounded.

*NOTE: Pursuant to VC § 14601 through VC § 14601.5(a) service code “A” First class mail, not returned unclaimed, knowledge of suspension or revocation is “conclusively presumed” and therefore service is valid. VC § 13106 refers to that presumption of knowledge as a “rebuttable presumption”. Any request of “personal service needed” with service code “A”, does not affect the valid service, it is merely a secondary notification that eliminates the “rebuttable presumption” provision of VC § 13106. The District Attorney’s Office WILL NOT file on service code “A”, unless the driver admits to having knowledge and this information is included in the police report. Therefore, if the driver refuses to acknowledge the suspension on an “A” service code, the driver shall be cited for CVC § 12500(a) and the vehicle shall be impounded. The “Community Care Doctrine” does not apply in this situation since the driver’s privileges have been suspended. It is

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imperative that members complete a DL 310 so that the service code can be updated showing the driver has been advised of the suspension by law enforcement.

503.2.1 DISPATCH

Dispatch shall be advised the vehicle is being impounded for an unlicensed driver:

- (a) When the driver has been arrested/cited for VC § 23140, § 23152, or § 23153:
- (b) DUI impounds for VC § 23140, § 23152, § 23153 will follow the guidelines set forth in VC § 22651(h)(1) and § 22651(h)(2);

Officers shall check the DMV record of all DUI offenders to determine prior convictions for DUI. Vehicles of repeat DUI offenders shall be impounded as follows:

- (a) Impound for 5 Days when the driver has been determined to have been convicted onetime of violating VC § 23140, VC § 23152 or VC § 23153 within the prior 10 years, per VC § 14602.8(a)(1) and at least one of the following criteria:
 - (b) The driver has a BAC of .10% or more; or
 - (c) The driver refuses to submit to or complete a chemical test requested by an investigating officer.
- (d) Impound for 15 days when the driver has been determined to have been convicted two or more times of violating any combination of VC § 23140, VC § 23152 or VC § 23153 within the prior 10 years, per VC § 14602.8(a)(1) and at least one of the following criteria:
 - 1. The driver has a BAC of .10% or more; or
 - 2. The driver refuses to submit to or complete a chemical test requested by an investigating officer.
 - 3. Officers should indicate the length of the hold (5 or 15 days on the CHP 180 Form); and
 - 4. Officers shall check the DMV record to determine any requirements for any ignition interlock devices. Any vehicle of a DUI offenders found in violation of this requirement shall be impounded pursuant to the provisions of VC § 14602.6(a).

503.2.2 30 DAY IMPOUNDS

30 day impounds will follow the guidelines set forth in VC § 14602.6(a) and/or VC § 23109.2 when the driver has been arrested/cited for any violation of sections VC § 14601, VC § 23103 or VC § 23109. Vehicles may only be impounded for 30 days pursuant to VC § 14602.6(a), when the driver is the registered owner and all other provisions have been met. Vehicles impounded for VC § 12500 will not be impounded for 30 days.

503.3 VEHICLE STORAGE REPORT

Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator

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and the original shall be submitted to the Communications Section as soon as possible after the vehicle is stored.

503.4 REMOVAL FROM TRAFFIC COLLISION SCENES

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Dispatch. If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the a tow company from the rotational list. The officer will then store the vehicle using a CHP Form 180.

503.5 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide the registered owner (if other than the arrestee), or a designee (licensed driver) authorized by the registered owner, an opportunity to retrieve the vehicle. If the registered owner is not present, the officer in charge of the incident and/or dispatch will attempt to contact the RO. If the RO can respond to the scene in a reasonable time frame (within 30 minutes if registered within the Selma metropolitan area, 60 minutes from anywhere outside same) PD personnel will remain at the scene for the RO to retrieve the vehicle. The vehicle may be left at the scene when it otherwise does not need to be stored and the registered owner requests that it be left at the scene, or cannot be contacted, provided the vehicle can be legally parked and left in a reasonably safe and secured condition/location (pursuant to provisions of the Community Care Doctrine). In cases where the RO requests the vehicle be left at the scene, the owner will be informed the Selma Police Department WILL NOT be responsible for any theft or damages. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community care doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high crime area).

503.6 DRIVING A NON-CITY VEHICLE

Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

503.7 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request. Dispatch personnel shall promptly enter

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pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the shift supervisor for approval (Vehicle Code § 22651.5(b), § 22851.3(b) and § 22854.5). Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the dispatcher to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d), § 22852(a) and § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

- (a) The name, address, and telephone number of this Department.
- (b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
- (c) The authority and purpose for the removal of the vehicle.
- (d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.
- (e) Approved storage forms shall be promptly provided to the shift supervisor for inclusion in the report package so that they are immediately available for release or review should inquiries be made.

503.8 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the CHP 180 form. All property of evidentiary value found in plain view and/or resulting from a legal search shall be seized from the vehicle prior to impound and shall be booked consistent with normal booking procedures. This includes the trunk and any compartments or containers, even if closed and/or locked. When the container is locked, and the key is not present, members will contact a supervisor and advise them of the circumstances, prior to forcing open the locked container. Members shall inventory all items that can legally be opened without damaging the containers or the contents. When a container is not opened due to the probability of damage or not legal to do so, it shall be noted on the CHP 180 form. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

503.9 RELEASE OF VEHICLE

- (a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3 and § 22850.5).
- (b) Vehicles removed that require payment of parking fines or proof of valid driver's license shall only be released upon presentation of proof of compliance, proof of payment,

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completion of affidavit and payment of applicable fees related to the removal (Vehicle Code § 22651 (et seq.), § 22652 (et seq.), § 22850.3 and § 22850.5).

- (c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) and impounded for 30 days shall be released at the end of the impoundment period only when the registered owner or agent presents his/her valid driver's license and proof of current vehicle registration, or upon order of a court (Vehicle Code § 14602.6(d)(2)).
- (d) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his or her agent with proof of current registration, proof of a valid driver's license and applicable fees paid prior to the end of the 30 day impoundment period under any of the following circumstances (Vehicle Code § 14602.6(d)(1)):
 - 1. In response to a valid order of a court.
 - 2. When the vehicle is a stolen vehicle.
 - 3. When the vehicle is subject to bailment and is driven by an unlicensed employee of a business including a parking service or repair garage.
 - 4. When the license of the driver was suspended or revoked for an offense other than those included in Article 2 (commencing with Vehicle Code § 13200) of Chapter 2 of Division 6 or Article 3 (commencing with Vehicle Code § 13350) of Chapter 2 of Division 6.
 - 5. When the vehicle was seized under this section for an offense that does not authorize the seizure of the vehicle.
 - 6. When the driver reinstates his/her DL or acquires a DL and proper insurance.
 - 7. To the legal owner when all of the following are met:
 - (a) The it's a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed institution legally operating in this state or another person, not the registered owner, holding a security interest in the vehicle.
 - (b) The legal owner or the legal owner's agent pays all towing and storage fees related to the seizure of the vehicle.
 - (c) The legal owner or the legal owner's agent presents a copy of the documents specified in Vehicle Code § 14602.6(f)(3).

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503.10 SELMA PD TOWING STORAGE IMPOUND GUIDE

Selma PD Towing, Storage & Impound Guide					
Reason code	Type of Tow	Violation section	Storage Authority	Hold Time	180?
City vehicle	Storage	n/a	n/a	n/a	No
Owners preference	Storage	n/a	n/a	n/a	No
Owners Non Preference	Storage	n/a	n/a	n/a	No
Stranded Vehicle	Storage	n/a	n/a	n/a	Yes
Recovered Stolen	Impound	VC 10851(A) rec. on pub. rdway	VC22651(C)	n/a	Yes
Collision w/Road Blkg	Impound	VC 10851(A) rec. on priv. rdway	VC22651(B)	n/a	Yes
		Disabled/Blkg at Scene	VC22651(G)	n/a	Yes
		72hr Muni Code Viol.	VC22651(K)	1	Yes
Illegal Parker	Impound	Blkg Driveway	VC22651(D)	1	Yes
		Blkg Fire Hyd.	VC22651(E)	1	Yes
		Park/Aband. In Roadway	VC22651(B)	n/a	Yes
Expired Reg	Impound	VC 4000(A)(1)Exp over 6 months	VC22651o1A	Until Paid	Yes
		Lic Plate/Tag not displayed	VC22651o1B	Until Paid	Yes
Unlicensed	Impound	VC12500(A)Exp./None issued	VC22651(P)	1	Yes
		VC12500 in lieu of 14601 (no proof)	VC22651(P)	1	Yes
Evidence	Impound	Used to Commit a Crime	VC22655.5(A)	Variable	Yes
		Contains Crime evidence	VC22655.5(B)	Variable	Yes
H & R Misdemeanor	Impound	H & R Private Prop	VC22655(A)	48 hours	Yes
		H & R Public Rdwy	VC22655.5(B)	48hours	Yes
H & R Felony	Impound	H & R Private Prop	VC22655(A)	Variable	Yes
		H & R Public Rdwy	VC22655.5(B)	Variable	Yes
Other 30-day(reckless, etc)	Impound	VC 23103 (Reckless)	VC23109.2(A)(1)	30 days	Yes
		VC23109A(Sp.Contest)	VC23109.2(A)(1)	30 days	Yes
		VC23109C(Ex. Speed)	VC23109.2(A)(1)	30 days	Yes
		VC2800F/M(evading)	VC22655.5(A)	30 days	Yes
		VC23247(Ign.Int'lock)	VC14602.6(A)(1)	30 days	Yes
Suspended	Impound	VC 14601-Susp. Lic.	VC 22651(P)	1	Yes
Suspended 30-day	Impound	VC14601 Susp. Lic & RO	VC14602.6(A)(1)	30 days	Yes
Driver Arrested	Impound	Driver Arrested(Custodial)	VC22655(H)(1)	1	Yes
DUI	Impound	VC23152-Misd. DUI	VC22655(H)(1)	1	Yes
		VC23153-Felony DUI	VC22655(H)(1)	1	Yes
		VC23550.5- 4 th DUI/10yrs	VC14602.8(A)(1)	15	Yes
		VC23154(A)-DUI Prob.Viol.	VC22651(H)(2)	1	Yes
		VC23136 or 23140-U21 DUI	VC22651(H)(2)	1	Yes
DUI 5 Day	Impound	DUI Arrest w/ 1 prior w/10yrs Current .10 BAC or refusal	VC14602.8(A)(1)	5	Yes
DUI 15 Day	Impound	DUI Arrest w/2+ prior w/10yrs Current .10 BAC or refusal	VC14602.8(A)(1)	15	Yes
DUI 30 Day	Impound	DUI Arrest+Susp. DL+RO of vehicle	VC14602.8(A)(1)	30	Yes

Chapter 6 - Investigation Operations

Asset Forfeiture

601.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines when officers are involved in a case where assets are subject to forfeiture.

601.2 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer:

- (a) Property subject to forfeiture authorized for seizure under the authority of a search warrant or court order.
- (b) Property subject to forfeiture not authorized for seizure under the authority of a search warrant or court order when any of the following apply (Health and Safety Code § 11471; Health and Safety Code § 11488):
 - 1. The property subject to forfeiture is legally seized incident to an arrest.
 - 2. There is probable cause to believe that the property was used or is intended to be used in a violation of the Uniform Controlled Substances Act and the seizing officer can articulate a nexus between the property and the controlled substance offense that would lead to the item being property subject for forfeiture.

Officers aware of assets that may be forfeitable as a result of criminal profiteering or human trafficking should consider contacting the district attorney regarding a court order to protect the assets (Penal Code § 186.6; Penal Code § 236.6).

Whenever practicable, a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

601.3 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds should not be seized.
- (b) Real property is not subject to seizure, absent exigent circumstances, without a court order(Health and Safety Code § 11471).
- (c) A vehicle which may be lawfully driven on the highway if there is a community property interest in the vehicle by a person other than the suspect and the vehicle is the sole vehicle available to the suspect's immediate family (Health and Safety Code § 11470).
- (d) Vehicles, boats or airplanes owned by an "innocent owner," such as a common carrier with no knowledge of the suspected offense (Health and Safety Code § 11490).

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601.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the report that the property was "Seized Subject to Forfeiture."

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

601.5 DIVISION COMMANDER RESPONSIBILITIES

The responsibilities of the Division Commander include:

- (a) Remaining familiar with forfeiture laws, particularly Health and Safety Code § 11469 et seq. and Penal Code § 186.2 et seq. and the forfeiture policies of the forfeiture counsel.
- (b) Serving as the liaison between the Department and the forfeiture counsel and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
 1. Names and contact information for all relevant persons and law enforcement officers involved.

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2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 3. A space for the signature of the person from whom cash or property is being seized.
 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Department Directives. The training should cover this policy and address any relevant statutory changes and court decisions.
- (h) Reviewing each asset forfeiture case to ensure that:
1. Written documentation of the seizure and the items seized is in the case file.
 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
 4. Property is promptly released to those entitled to its return (Health and Safety Code§ 11488.2).
 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 6. Any cash received is deposited with the fiscal agent.
 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 9. This procedure and any related policies and procedures are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (j) Ensuring that the process of selling or adding forfeited property to the department's regular inventory is in accordance with all applicable laws and consistent with the department's use and disposition of similar property.
- (k) Keeping a manual that details the statutory grounds for forfeitures and department procedures related to asset forfeiture, including procedures for prompt notice to

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interest holders, the expeditious release of seized property, where appropriate, and the prompt resolution of claims of innocent ownership (Heath and Safety Code § 11469).

- (l) Providing copies of seized business records to the person or business from whom such records were seized, when requested (Heath and Safety Code §11471).
- (m) Notifying the California Franchise Tax Board when there is reasonable cause to believe that the value of seized property exceeds \$5,000.00 (Health and Safety Code § 11471.5).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives (Health and Safety Code § 11495).

Informants

603.1 PURPOSE AND SCOPE

The purpose of this procedures is to provide guidelines for the handling of informants.

603.2 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commanders, or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Selma Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Support Division Commander.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Support Division Commander.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

603.2.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant

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provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.3 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Support Division Commanders office. The Support Division Commander or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Support Division Commander or their authorized designees.

The Support Division Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Support Division Commander is replaced, the files will be audited before the new Commander takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files. Prior to signing up an informant to work off criminal charges or for any type of payment the informant file shall be forwarded to the Fresno County District Attorney's Office for review.

603.3.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

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- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

603.4 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Support Division Commander will discuss the above factors with the Patrol Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

603.4.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Support Division Commander buy/expense fund.
 1. The Support Division Commander shall sign the voucher for cash payouts from the buy/expense fund.

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- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
 - 1. The check shall list the case numbers related to and supporting the payment.
 - 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
 - 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
 - 4. Authorization signatures from the Chief of Police and the City Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
 - 1. The cash transfer form shall include the following:
 - (a) Date
 - (b) Payment amount
 - (c) Selma Police Department case number
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 - 2. The cash transfer form shall be signed by the informant.
 - 3. The cash transfer form will be kept in the informant's file.

603.4.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

603.4.3 AUDIT OF PAYMENTS

The Support Division Commander or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This procedure sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.2 EYEWITNESS IDENTIFICATION

Officers are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Officers should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.2.1 PHOTOGRAPHIC LINEUP CONSIDERATIONS

When practicable, the person composing the lineup and the person presenting the lineup should not be directly involved in the investigation of the case. When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The employee presenting the lineup to a witness should do so sequentially and not simultaneously (i.e., show the witness one person at a time). The witness should view all persons in the lineup.

The order of the suspect or the photos and fillers should be randomized before being presented to each witness.

604.3 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo identification. A field elimination or show-up identification should not be used when independent

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probable cause exists to arrest a suspect. In such cases a photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
- (e) A person should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
- (g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies an individual as the perpetrator, officers should not conduct any further field identifications with other witnesses for that suspect. In such instances officers should document the contact information for any additional witnesses for follow up, if necessary.

604.4 EYEWITNESS IDENTIFICATION FORM

The Support Division Commander shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process and any related forms or reports should provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.
- (c) The name of the person administering the identification procedure.

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- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An admonishment that the suspect may or may not be among those presented and that the witness is not obligated to make an identification.
- (f) An admonishment to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (g) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 INTERPRETIVE SERVICES

Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this procedure is to establish guidelines for the operation of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

606.2 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring the COA remains current
- Ensuring all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities
- Developing a protocol for fully documenting all missions
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits
- Developing protocols to ensure all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures evidential integrity, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody

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- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules
- Facilitating law enforcement access to images and data captured by the UAS
- Recommending program enhancements regarding safety and information security
- Ensuring established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police

606.2.1 SELECTION OF UAS OPERATORS

The UAS program coordinator will be responsible for issuing a memo to all personnel announcing opening in the UAS program. All officers interested in the program should submit a memo of interest. In that memo the officers should include any training or experience that they have in this field.

The Chief of Police or authorized designee and the UAS program coordinator will make the decision on the officers that are selected. The UAS program coordinator will be responsible for notifying the applicants of the board's decision.

606.3 DEPLOYMENT OF THE UAS

When the deployment of the UAS has been authorized, there will always be two UAS program members present. One person will be the UAS operator and the other will be the observer. Below is a list of duties and responsibilities of the operator and the observer.

606.3.1 OPERATOR

- Pre-flight check of the UAS, batteries, camera and controller
- General safety of the UAS while it is in flight
- General safety of the public while the UAS is in flight
- Check and monitor the weather conditions before and during the flight
- Has the final say in whether the flight will take place and when the mission will end

606.3.2 OBSERVER

- Check for ground activity in the general area of the mission
- Check and monitor the air in the general area of the mission
- Check for obstruction and/or threat to the UAS during the mission
- During the flight, the observer is responsible for communications between the UAS program members and other law enforcement personnel
- Assist in the post flight inspection and break down of the UAS

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606.4 CONTROL STATION

The Mavic 2 Enterprise, Phantom 4 Pro, and the Tello TLW004 are single remote-control units for operation of the aircraft. All controllers comply with part 15 of the FCC rules. Operation is subject to the following two rules:

- (a) This device may not cause harmful interference.
- (b) This device must accept any interference received, including interference that may cause undesired operation.

The controllers operate in the 2.400 to 2.483 GHz range. There is a display of reception strength and battery charge level on the Mavic 2 controller and Phantom 4 controllers. The Tello controller displays battery charge level only and connects via Bluetooth technology.

606.5 UNMANNED AIRCRAFT MODEL

The DJI Mavic 2 Enterprise Dual is a portable commercial UAS for public safety and inspection operations. It is equipped with a powerful side-by-side, visual and thermal cameras. It provides officers with a reliable tool to operate better, safer, and quicker in challenging environments. The take-off weight is approximately 1.9 pounds without accessories. The UAS measures 12.6" X 9.5" X 4.5". The system is powered by a removable battery and is outfitted with a 1/2.3" CMOS; Effective pixels: 12M, 4K Ultra HD camera that is gimbal mounted to the UAS. The system utilizes barometric pressure and satellite location to identify positioning and altitude. The UAS is controlled by a single remote device and telemetry. Altitude, speed, battery level, and signal strength are displayed on a video feed. The system allows for saving of launch position and will return to that position if link is lost, battery power is diminished to a critical level, or manually instructed.

DJI Phantom 4 Pro has similar capabilities as the Mavic 2 Enterprise Dual with the exception of the side-by-side thermal cameras. The take-off weight is approximately 3 pounds without accessories. The UAS measures 19.3" X 11.8" X 19.3". The system is powered by a removable battery and is outfitted with a 1" CMOS; Effective pixels: 20M, 4K Ultra HD camera that is gimbal mounted to the UAS. The system utilize barometric pressure and satellite location to identify positioning and altitude. The UAS is controlled by a single remote device and telemetry. Altitude, speed, battery level, and signal strength are displayed on a video feed. The system allows for saving of launch position and will return to that position if link is lost, battery power is diminished to a critical level, or manually instructed.

The Tello TLW004 is a mini UAS for public safety and inspection operations. The take-off weight is approximately 80 grams. The UAS measures 3.58" X 1.61" X 3.64". The system is powered by a removable battery and is outfitted with a five-megapixel HD (720P30) camera with electronic image stabilization integration. The system uses vision-positioning cameras to help maintain its position while hovering and is controlled by a single remote device. The system does not have the ability to return to launch location if link is lost or battery power is diminished to a critical level.

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606.6 LIMITATIONS TO UAS OPERATION

The following warnings and limitations for the Mavic Enterprise Dual and the Phantom 4 Professional:

606.6.1 FLIGHT ENVIRONMENT CONSIDERATION

- (a) Always fly at locations with minimum magnetic or radio interference, building and other obstacles.
- (b) DO NOT fly above or near large crowds.
- (c) Fly in moderate weather conditions with temperature between 14° to 104° (-10° to 40° C).
- (d) Additional caution while flying indoors because the aircraft stabilization features may be interfered with.

606.6.2 WEATHER CONDITIONS AND SURROUNDING ENVIRONMENT

- (a) DO NOT use the aircraft in severe weather conditions. These include wind speeds exceeding 10 m/s (22 mph), snow, rain, smog, heavy wind, hail, lightning, tornadoes or hurricanes.
- (b) DO NOT operate the aircraft where there is obvious change in the ground level (e.g. flight from inside the building to outside) and when the GPS signal is weak, in case the positioning function is interfered and thus impacts flight safety.
- (c) Aircraft and battery performance are subject to environmental factors such as air density and temperature. Be very careful when flying 19,685 (6,000m) or more above sea level since battery and aircraft performance may be reduced.
- (d) Fly in open areas. Tall buildings, steel structures, mountains, rocks or even trees may affect the accuracy of the on-board compass and block the GPS signal.

606.6.3 REGULATIONS AND FLIGHT RESTRICTIONS

- (a) DO NOT operate in the vicinity of manned aircraft, regardless of altitude. (Land immediately if necessary)
- (b) DO NOT fly the aircraft above the authorized altitude. Remain well clear of and DO NOT interfere with manned aircraft operations. Be aware of and avoid other aircraft and obstacles at all times.
- (c) Fly NO higher than 120 meters (400 feet) above ground level and stay away from any surrounding obstacles.
- (d) Always keep your aircraft within visual line of sight (VLOS) and use an observer to assist if needed.

606.6.4 TSO COMPONENTS

There are no TSO components on the UAS.

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606.7 DAY OPERATIONS

UAS operation outside of class G airspace will be conducted during daylight hours unless otherwise authorized.

606.8 NIGHT OPERATIONS

- Night operations will be considered if the drone operator provides a safety case and sufficient mitigation to avoid collision hazards at night. (This includes a plan to stay below 400' AGL and above the highest known obstacles in the flight area. If the operator cannot confirm hazards in the flight area, night operations will not be authorized.)
- UAS night operations are those operations that occur between the end of evening civil twilight and the beginning of morning civil twilight, as published in the American Air Almanac, converted to local time. (This is equal to approximately 26-30 minutes after sunset and 26-30 minutes before sunset.) External pilots and observers must be in place 30 minutes prior to night operations to ensure dark adaptation.

606.8.1 BEFORE NIGHT OPERATIONS

- The operator must conduct three takeoffs (launch) and three landings (recovery) to a full stop, in the specific UAS at night within the previous 90 days.
- A visual observer (VO) must be positioned to assist the operator to exercise the see-and-avoid responsibilities required by scanning the area around the aircraft for potential conflicting traffic/obstacles and assistance with navigation awareness.
- VO must:
 - (a) Ensure the drone is operated within Visual Line of Sight (VLOS) at all times.
 - (b) Be able to see the aircraft and the surrounding airspace sufficiently to assist the operator with:
 1. Determining the unmanned aerial vehicle (UAV) proximity to all aviation activities and other hazards (e.g. terrain, weather, and structures).
 2. Exercising effective control of the UAV.
 3. Preventing the UAV from creating a collision hazard.
 4. Inform the operator before losing sufficient visual contact with the UAV or previously sighted collision hazards. (This distance is predicated on the observer's normal vision.)

NOTE-Only normal vision using corrective lenses, spectacles, or contact lenses will be allowed.

606.8.2 ADDITIONAL NIGHT OPERATIONS SAFETY

Mavic 2 Enterprise Beacon

- Visibility: Flashing omnidirectional up to 3 miles.
- 2-11/16"W X 1-1/8"H X 1-5/8"D

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606.9 VISUAL OBSERVATION

- The UAS will be operated at a maximum of 400' altitude above ground (AGL).
- The UAS will be operated no further than .22 nautical miles (1/4 mile) horizontally from the operator and will not be operated beyond the direct sight of the operator.
- There will be no chase aircraft used in UAS operations.
- Ground based observation will be accomplished by either the operator, or the operator and a dedicated observer.
- All officers involved in the operation will have the ability to communicate with the operator or a dedicated observer and can immediately notify the operator of any unsafe situations or potential hazards.

606.10 LAUNCH & RECOVERY

The DJI Enterprise, Phantom 4 Pro, the Tello TLW004 are vertical launch systems capable of being launched and recovered by a single operator. The launch and recovery locations should be the same whenever possible. Launch and recovery sites will not be inhabited areas and those operations will not be conducted over uninformed parties. Sites will be chosen as to not require flights over persons or inhabited areas upon approach and departure. Indoor deployment of the UAS should only be done if the anticipated search area is within the effective range of the UAS and the control station.

606.11 COMMUNICATION SYSTEM

- The Mavic Enterprise Dual uses a remote controller and an optional iPad video link to operate. The controller operates in a 2.400 - 2.483GHz; 5.725 - 5.850GHz range and is FCC Part 15 compliant. The effective range of the controller is 5 miles however the UAS will not be operated beyond the line of sight of the operator. The controller is manufactured by DJI and is linked to the Mavic Enterprise Dual. The model number is RC1A (C2).
- The Phantom 4 Pro uses a remote controller with an attached display 1080P video screen. The controller operates in a 2.400 - 2.483GHz; 5.725 - 5.850 GHz range and is FCC Part 15 compliant. The effective range of the controller is 5 miles however the UAS will not be operated beyond the line of sight of the operator. The controller is manufactured by DJI and is linked to the Phantom 4 Pro. The model is GI300E (C1).
- The Tello TLW004 uses a remote controller and a required iPad link to operate. The controller operates using Bluetooth 4.0 and is FCC Part 15 compliant. The effective working range is approximately 25 feet. The controller is manufactured by GameSir and is linked to the Tello. The model is 23502-T1D.

606.12 EMERGENCY PROCEDURES

In the event of an emergency, the UAS will be landed as soon as possible and Selma Police dispatch will be notified if any additional first responders are necessary including Fire, Medical, or utility companies. All PICs will have two-way radio communication with Selma Police Emergency

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Dispatch at all times during UAS operations. In the event of serious injury to personnel, the appropriate authorities will be notified within 10 calendar days.

606.13 LOST LINK PROCEDURES

In the event of a lost link, the UAS (Mavic & Phantom) will hover for three seconds and try to reconnect. If it is unable to reconnect, the UAS will fly to a preset safe altitude and return to the launch point. The UAS will hover over the launch point then begin a descent until landing. If the link is recovered while returning and if safe to do so, the operator may continue with the operation. The operator will be responsible for programming the safe altitude as part of the pre-flight preparation. The safe altitude will be determined by the specific mission and will be calculated so as not to expose any persons to undue risk. The unmanned aircraft lost link mission will not transit or orbit over populated areas. A lost link of the Tello will trigger a failsafe, the UAS will descend and hover at approximately 11 inches until the battery level diminishes, at which point the UAS will land.

606.14 LOST COMMUNICATION

In the event of lost communication, the PIC will have the UAS land until communications can be regained.

606.15 MITIGATION PLAN

In the event of an emergency, the UAS will be landed as soon as safe and Selma PD Dispatch will be notified if any additional first responders are necessary, including Fire, Medical or Utility Companies. All PIC's will have 2-way radio communications with Selma PD Dispatch at all times during UAS operations. In the event of injury to personnel, appropriate response and type of response will be determined by the PIC.

606.16 STORAGE/ACCESS TO ALL VIDEOS AND PHOTOGRAPHS

Not all video watched/used by the flight crew is recorded. If there is a request for video and/or photographs to be taken, it will be the responsibility of the flight crew to book all video or photographs into evidence. UAS operators will use current Department policy and procedures regarding photographs and videos.

The storage, access to and retrieval of any photographs or videos booked into evidence will follow current Department policies and procedures. Video or photograph request will follow current protocols regarding distribution of copies.

Retention and purge of videos and photographs will follow all current Department policies and procedures.

Any member of Law Enforcement that would like to view or get a copy of any of the UAS video or photographs will follow the Department policies and procedure that are currently in place for information requesting.

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Unmanned Aerial System (UAS) Operations

606.17 ATTACHMENTS

- (a) [Request to Deploy UAS](#)
- (b) [Emergency Requests for Deployment](#)
- (c) [Pre-Flight Checklist](#)
- (d) [Mission Documentation](#)

Chapter 8 - Support Services

Property and Evidence

802.1 PURPOSE AND SCOPE

The purpose of these procedures is to provide guidelines for the proper methods of collection, preservation and storage of property.

802.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as firearms, bicycles, or other items taken under authority of a law (e.g., WIC §5150 (mentally ill persons)); and/or
- Personal property of an arrestee not taken as evidence.

Found property - Includes property found by a member or citizen that has no apparent evidentiary value (and where the owner cannot be readily identified or contacted).

802.3 PROPERTY HANDLING

Any member who comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the Property/Evidence Report (PER). Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

802.4 PROPERTY BOOKING PROCEDURE

The following procedures will be used to book property and evidence.

802.4.1 INTRODUCTION

This material has been prepared to familiarize all police employees with the proper methods of collection, preservation and storage of property. The methods and procedures set forth herein are presented for two main reasons:

- To ensure that evidence is properly handled, documented and preserved to prevent contamination and/or inadmissibility in court.
- To ensure that property is disposed of in an appropriate and timely manner, once it is no longer of use to law enforcement.

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The impounding of property should not be taken lightly by any employee of this department. The process of impounding, recording, controlling, storing and disposing of property is multifaceted, with a direct and profound impact on many operations within this department, as well as the criminal justice system as a whole. Officers are urged to use prudent judgment, as well as common sense, when seizing property. Due care and proper diligence must be exercised when collecting evidence and documenting the collection of evidence, so that a proper course of action may be determined. Valuable time and energy may be lost if this is not done. It is imperative that all employees involved in the handling of property have a thorough knowledge of the appropriate procedures. For the purpose of these procedures, property is defined and categorized as follows:

- (a) Evidence is any property that comes into the custody of a police department employee when such property may tend to prove or disprove the commission of a crime, or the identity of the suspect, pursuant to an official criminal investigation.
 1. Examples of Evidence: physical or chemical evidence left at the scene of a crime by a victim or suspect; recovered (stolen) property; or property that is suspected to have been used in, or be the result of, the commission of a crime.
 2. Property for Safekeeping is any property of no evidentiary value surrendered to an employee of this department for temporary custody with the understanding that the person surrendering the property has a legal right to do so, and that the property will be returned to the rightful owner(s) at the end of a specified period of time, unless disposition by the department in a manner prescribed by law is requested by the owner(s). (Civil Code 2080.10)
 3. Found Property is any property of no evidentiary value, which comes into the custody of an employee of this department, and whose rightful owner may, or may not, be known to the finder or the department. Due diligence must be exercised to discover the rightful owner. Upon failing to do so, the department will dispose of the property in a manner prescribed by law, (usually within 90 days of receipt). (Civil Code 2080 - 2080.3)
 4. Property for Destruction is any property, including firearms and ammunition, released by a citizen to the Selma Police Department for disposal.
 5. Property Seized by Search Warrant is any property that is held by a court-ordered search warrant.

802.4.2 EMPLOYEE RESPONSIBILITY

The employee who recovers evidence or finds property shall be responsible for transporting and booking, except when the responsibility for doing so is assumed by, or assigned to another employee. If a private citizen finds property, the employee who takes custody of the property shall be responsible for transporting and booking the property. All property or evidence not immediately released and not essential to an immediate investigation shall be placed by the booking officer(s) in an intake locker prior to the completion of the booking officer's shift.

Booking Officer Defined - For the purpose of this instruction, the term booking officer shall mean the employee who prepares the property for submission to the property control section for storage, lab transmittal, etc.

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At no time shall any officer or investigator retain personal possession of any property or evidence taken into custody and at no time shall any evidence or other such property be stored inside or on top of any officers locker, inside or on top of any investigators desk, inside of any officers mailbox, nor shall such property be left unattended.

802.5 MARKING, PACKAGING, BOOKING AND STORAGE OF EVIDENCE

802.5.1 MARKING

It is essential that the officer or investigator be able to prove that evidence entered into court, as an exhibit, is the actual evidence obtained during the course of the investigation and subsequently sent, or delivered in person, to the laboratory for examination. Evidence must be marked in a manner which permits identification in court, and which is acceptable to court officials as proof that continuity of possession, or the "chain of custody," has been maintained.

File headings or any other notations, which may be construed as prejudicial to the case, must not be used as a means of identification of evidence. Such file headings and notations may be interpreted by the court as constituting potential evidence on the basis that they are "silent witnesses" bearing unsworn and unchallenged evidence. (e.g. "Taken from person who committed the offense.")

When biological samples, such as blood and urine are collected by a laboratory technician, that person should mark the evidence container or attached tag with his/her own initials, the time, the date, and when known, the name of the person from whom the samples were taken. The officer present when the samples were taken must ensure that these markings are not inadvertently omitted, and that his/her own markings are also placed on the evidence containers.

Limit markings on document evidence to the case number and the date. Make additional notations on the envelope used to contain the documents. Mark envelopes prior to insertion of the evidence to prevent the creation of indentations on the actual articles.

802.5.2 PACKAGING

The concept of packaging is to maintain the evidentiary value while protecting departmental personnel from potential injury. When considering which type of packaging to use, keep in mind all of the purposes the packages serve:

- (a) Keeping the evidence as close to its original condition as possible.
- (b) Preventing the inadvertent loss of evidence (e.g. falling out of the package) by properly securing all containers.
- (c) Preserving evidence until it can be thoroughly processed.
- (d) Preventing contamination of evidence.
- (e) Preserving the individual identity of evidence for court presentation.

All property coming into the custody of the Selma Police Department that must be stored or retained shall be handled as follows:

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- (a) All items will be packaged in the smallest acceptable container.
- (b) Acceptable containers for submission of evidence shall be:
 - 1. 4 x 9 letter envelopes
 - 2. 6 x 9 or 9 x 12 manila envelopes
 - 3. drug/lab envelopes
 - 4. evidence bags
 - 5. cardboard boxes; or
 - 6. Kraft brown paper
- (c) Prior to being packaged, all items shall be prepared for packaging in accordance with the Collection, Preservation and Packaging of Evidence section of this manual.
- (d) Evidence should be preserved in the condition in which it is found in order to maintain its evidential properties. There are exceptions to this rule, particularly where changing the condition is necessary to prevent deterioration or decomposition of the material or where it is necessary to further process the evidence to obtain additional evidence. Evidence should be handled as little as possible.
- (e) Evidence must be treated in a manner designed to reduce to a minimum any influence which threatens its value in court. Certain types of articles should be maintained in a flat condition. Questioned documents should not be folded or unfolded as the case may be, unless absolutely essential. Items for comparison should not be placed in contact with anything that may alter or damage important surface characteristics or impressions. These types of items must be packaged in such a manner so as to prevent the areas of importance from coming into contact with the packaging material.
- (f) Evidence must also be packaged in individual containers to prevent cross contamination or loss of evidentiary value. Under no circumstances are different biological samples to be placed in one container. (e.g. suspect clothing and victim clothing).
- (g) When selecting a suitable container for a particular piece of evidence, several basic factors should be considered. Containers must always be checked for cleanliness and/or prior use. There must be no possibility of a chemical reaction between the container and its intended contents. Do not use excessively large containers to hold small items.
- (h) Some large items only need a property tag.

Example: Lawn mowers, television sets, suitcases, etc.

802.5.3 BOOKING

Each packaged item will be sealed with evidence tape. (Do not staple packages as this could lead to unsafe working conditions for property and laboratory personnel.) The tape should wrap around the sides of the envelope. The officer's initials and the date booked will be placed on the areas where the tape intersects on packages and across the seal of envelopes.

Each item will be entered into Evidence onQ and have an Evidence onQ label affixed. Specific instructions on attaching the labels will be discussed in the Collection, Preservation and Packaging

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of Evidence section. Separate property by owner name whenever possible in the Evidence onQ system.

- (a) **Example:** If a bank robbery suspect is arrested, recovered property should be listed under the bank's name, but the weapon should be listed under the suspect's name, making the release of property to its rightful owner much easier.

The officer shall provide complete and accurate information on all spaces in the Evidence onQ database including but not limited to:

- (a) Complete description of all items contained within the packaging, including the type, quantity, serial number or other identifying information for each item
- (b) Complete name
- (c) Case number
- (d) Offense/violation
- (e) Item number
- (f) Investigating officer's name.
- (g) Victim and suspect information must be entered into Evidence onQ for each entry.

It is the responsibility of the booking officer to make sure that all serialized property is entered into the automated property system prior to storage by completing a Teletype Property Entry form (See Attachment E) and giving to dispatch for entry. Place a copy of the printout and completed Teletype Property Entry form in the evidence officer's mailbox outside the evidence room door.

Any property or evidence received by the property room that is not packaged as specified in this manual or is illegible will be returned to the submitting officer for correction. A written Property and Evidence Return Notice form will be prepared noting the item(s) needing correction and will be forwarded to the officer's Sergeant. If the officer does not respond to the first notice within five days, a second notice shall be prepared noting the lack of response to the first memo. The second notice shall again be forwarded to the officer's Sergeant. If the officer does not respond to the second notice within five days, a third notice shall be prepared noting the lack of response to the first two notices. The third notice shall be forwarded to the Operations Lieutenant.

802.5.4 STORAGE

This is not an exhaustive list of all the evidence storage locations. For any questions refer to your immediate supervisor or the evidence officer.)

Submit to appropriate location:

4 X 9 and 6 X 9 envelopes	drop slot
9 x 12 envelope	small locker
Narcotics envelope	drug slot
CVT lab envelope (be certain to lock unit)	evidence refrigerator locker
License plate	small locker

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Multiple evidence cases (if possible, do not separate)	smallest locker that will house all of the evidence
Bicycles	sally port
Tires	sally port
Sexual assault kits (be certain to lock unit)	evidence refrigeration locker
Bloody (wet) clothing (do not store both suspect and victim clothing on one shelf or area)	drying cabinet (if locker is full, contact Sgt. or Evidence Tech for direction)
Long guns	large locker
Handguns and other evidence	small locker
Items wet with non-blood biological materials	drying cabinet
Questionable evidence	see Sgt. for instructions

802.6 COLLECTION, PRESERVATION AND PACKAGING OF EVIDENCE

802.7 ALCOHOL

Limited storage space makes it impossible to keep every can or bottle of alcohol seized. With the exception of felony cases, alcohol should be photographed and then destroyed. The photograph should be able to show the type of liquor seized and if possible the amount within the bottle.

802.7.1 MISDEMEANOR CASES

- (a) Photograph the alcohol. Always include a case number and a scale in the picture.
- (b) The photograph(s) will be retained as evidence and the alcohol will be disposed of.
- (c) Complete an entry in Evidence onQ.
- (d) Download the photo(s) to the City of Selma "F" drive under the appropriate case number.

802.7.2 FELONY CASES

Open bottles and Alcohol Beverage Commission (ABC) complaints:

- (a) Photograph the alcohol. Always include a case number and a scale in the picture.
- (b) Pour a small amount of alcohol in a clean uncontaminated unbreakable vial or container making sure that you properly seal and initial the vial or container.
- (c) Place vial in an envelope. Clearly mark the envelope "FELONY – HOLD FOR COURT." Seal envelope with evidence tape being sure to initial and date the sealed areas.
- (d) Complete an entry in Evidence onQ.
- (e) Affix the Evidence onQ label to the front of the envelope on the upper right hand side.
- (f) Place the properly packaged item into an evidence locker.

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802.8 ALCOHOL AND DRUG KITS

Complete and proper procedures must be adhered to in order for successful prosecution. If we fail to follow correct procedures, this could result in contamination and/or a breach in the chain of custody.

802.8.1 ALCOHOL

- Any VC charges including VC 23152 will first be tested for alcohol (Per DOJ). If .08% and under, the sample will then be tested for drugs. **A standard 4 panel drug screen testing for Cocaine, Opiates, PCP, and Amphetamines is done. If there are other drugs you wish the sample to be tested for, you must indicate the specific drug to test for on the envelope.**
- Use the proper test kit. Alcohol urine and alcohol blood kits are contained in the white boxes and labeled "Blood Alcohol Kit" or "Urine Kit" and are stored in the labeled areas in the jail booking cabinets.
- Completely fill out the envelope included in the kit. Do not rely on the phlebotomist to fill out the envelope as you are the booking officer and ultimately responsible for the content.
- Make sure that the phlebotomist signs, and lists location, date and time sample was taken.
- Complete the labels that will be attached to the sample and make sure that the phlebotomist initials the label and puts the date and time.

Yes No
Evidential Breath Test Performed

BFS Case No. _____
BAR Code _____

California Department of Justice
BLOOD SAMPLE FOR ALCOHOL ANALYSIS

Subject: LAST NAME Doc FIRST John MI M
Drivers License Number A1508345 State CA Date of Birth 01/01/45
Agency Selma Police Dept Agency Case Number 15-1234
County of Arrest Fresno Date of Arrest 02/11/15 Offense VC23152(x6)

Arrest in Unincorporated Area
 Arrest in City Limits Provide Name of City Selma

Person Drawing Blood Alipians SPD Jail Location of Withdrawal (facility) SPD Jail Date and Time of Withdrawal 02/11/15 2215
Arresting Officer (print) J. Cerda Badge Number NO 85

CHAIN OF POSSESSION
AND INSTRUCTIONS ON BACK OF ENVELOPE.
WITNESSING OFFICER SIGNS THE CHAIN OF POSSESSION.

Witnessing/Arresting officer is to seal flap with provided evidence tape then initial and date across the tape seal.

EVIDENCE
SELMA POLICE DEPARTMENT
02/11/15

Officer should witness the removal of the subject and the collection of the sample. Completely fill out the envelope and chain of possession. Properly seal the sample in the envelope.

Received From	Received By	Date

Special Instructions:
Also test for THC

802.8.2 DRUGS

- Any H&S charges will have a standard 4 panel drug screen testing for Cocaine, Opiates, PCP, and Amphetamines. If there are other drugs you wish the sample to

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- be tested for, you must indicate, on the envelope, the specific drug to test for (I.E. Methadone, Marijuana, Benzodiazepines, Barbiturates, etc.)
- (b) Use the proper test kit. Use the CVT envelope for H&S charges only. Use the sampling contents from the DOJ kits for the blood draw or urine sample that are stored in the labeled areas in the jail booking cabinets.
 - (c) Completely fill out the CVT envelope. Do not rely on the phlebotomist to fill out the envelope as you are the booking officer and ultimately responsible for the content.
 - (d) Make sure that the phlebotomist signs and that you also sign on the same line as the witnessing officer.
 - (e) Complete the labels that will be attached to the sample and make sure that the phlebotomist initials the label and puts the date and time.
 - (f) Seal the sample with security seals.
 - (g) Place sample in the plastic bag included with the kit.
 - (h) Place sample that is now sealed in the plastic bag in the completed envelope.
 - (i) Seal envelope with evidence tape making certain to initial and date the sealed areas.
 - (j) Discard the white box and the DOJ envelope.
 - (k) Complete an entry in Evidence onQ and print out an Evidence onQ label.
 - (l) Affix the Evidence onQ label to the back of the envelope.
 - (m) Do not book blood or urine samples along with other evidence. A separate Evidence onQ entry must be made.
 - (n) Place urine or blood sample in the evidence refrigerator being certain to lock.
 - (o) Trombetta samples should be completed exactly as the original sample for testing but the envelope should clearly be marked 'TROMBETTA SAMPLE', "DO NO TEST."

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CVT CENTRAL VALLEY TOXICOLOGY, INC.
BLOOD/URINE SAMPLE FOR DRUG/ALCOHOL ANALYSIS

SUBJECT LAST NAME: Lee SUBJECT FIRST NAME: Bobby OFFENSE: P
AGENCY CASE NO.: 15-4321 SUBJECT ANALYSE NOC: H4S 11552
FIC 910: REPORTING AGENCY: Selma Police Dept REQUESTING AGENCY: Selma Police Dept
COUNTY OF ARREST: 1831 CITY/TOWN: City Limits VOID SAMPLE
DATE: 05/20/15 TIME: 7:00 NAME PERSON DRAWING BLOOD/SIGNATURE WITH AGENCY OFFICER: [Signature]
CHAIN OF POSSESSION

TO	NAME	INCLUSIVE DATES

EVIDENCE 05/20/15 **EVID**
SELMA POLICE DEPARTMENT

Check appropriate box for Alcohol/Drug Screens

- Alcohol
- Abused Drug Screen: Cocaine, Opiates, PCP, Methamphetamine
- General Drug Screen: Prescription drugs and over the counter medications
- Specific Drug: Also include Propoxyphene
- THC (marijuana and metabolites)

802.9 BICYCLES

Several of the bicycles are donated each year because the police officer cannot locate an owner. When collecting a bicycle always check the stolen reports and the automated property system. When taking a stolen bicycle report always encourage the owner to license any bicycle(s) that they might still have.

- (a) Check the bicycle for serial numbers, owner engraved ID, or license numbers. Serial numbers are usually located on the front frame area or under the pedal casing. Short numbers (example G028812) are usually model numbers. Longer numbers (HC6699852) are more likely the serial number.
- (b) Bicycles with license numbers should be checked for registered owners and released in the field whenever possible.
- (c) Serial numbers must be checked in the automated property system to see if the bicycle was reported stolen. If determined stolen, the officer may release in the field and notate

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in their report or advise the owner to call the Property Officer to arrange an appointment for release of the bicycle.

- (d) Make sure that the bicycle is entered into the automated property system by completing a Teletype Property Entry form and giving to dispatch for entry. Place a copy of the printout and completed Teletype Property Entry form in the evidence officer's mailbox outside the evidence room door.
- (e) Complete an entry in Evidence onQ making sure to include the brand, model and serial number. If there is not a serial number please state "none", "scratched off", "painted over", etc.
- (f) Affix the Evidence onQ label to a property or evidence tag and attach to bicycle handle bars and place upright in sally port near evidence cage being sure not to block the cage door.
- (g) If bicycle is being retained for safekeeping due to a subject being transported to FCJ, please encourage them to have someone pick up the bicycle before they have been transported and before you have entered into Evidence onQ.

Common Bike Serial Number Locations



- 1. ACROSS THE TOP BAR**
- 2. ON THE SEAT POST MAST**
- 3. ON THE LOWER BAR**
- 4. ON THE HANGER CRANK NEAR THE SPROCKET**
- 5. ON ONE OF THE REAR FORKS (Left or Right)**
- 6. ON ONE OF THE REAR STAYS (Left or Right)**

802.10 BIOLOGICAL

DNA processing is possible on most pieces of evidence. Properly preserving biological evidence has become a crucial concern for law enforcement agencies. Loss of biological evidence due to improper packaging and storage could result in the dismissal of a case.

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Always use gloves, and when appropriate, face protection. Use safeguards and do not take risks. Biological evidence can cause serious illness if not handled properly. Be sure to wash and disinfect hands thoroughly before eating, drinking or applying makeup.

Do not use DNA Database Collection kits to collect known reference samples for case reports.

A swab taken from the cheek inside the mouth is a buccal swab. Do not label any other swab sample as a buccal; they are a "swab".

Protect samples from sunlight, heat, and humidity to prevent sample from degrading. Keep evidence in a cool dry area after collection and during transport. Evidence should be placed into paper packaging. Do not package in plastic or ziplock bags. If sample is on a small object or clothing, package entire article.

802.10.1 BLOOD

If blood is wet on a piece of clothing, sheet, etc., it must be completely air dried prior to submission. Transporting this type of evidence is critical to properly preserving it. Place in a paper bag where it can breathe yet remain secure from cross contamination. Items shall be dried in the Evidence Drying Cabinet. (See Attachment B for operating instructions). Prior to placing evidence in drying cabinet, check the log located on the side of the cabinet to verify that the unit has been cleaned and disinfected prior to use and also make sure that the door has been secured with a blue tamper proof seal. (If drying cabinet is full, please notify on duty Sgt. or Evidence Tech for instruction).

- (a) Remove blue tamper proof seal and discard.
- (b) Follow instructions on Attachment B being sure to secure with tamper proof seal/lock and notating the lock number in report.
- (c) If blood is deposited on a surface, samples of the fluid should be swabbed and separately placed in a swab shield (located in evidence supply area) before being placed in an envelope.
- (d) Complete an entry in Evidence onQ for each article placed in drying cabinet including the lock number on tamper proof seal used to lock the unit.
- (e) Print out label(s) and place in an evidence locker to alert the Evidence Tech of the presence of blood evidence.

802.10.2 SEMINAL FLUID/STAINS

- (a) If the semen is wet and heavily deposited, samples of the fluid should be swabbed and placed in a swab shield (located in evidence supply area) before being placed in an envelope.
- (b) The article on which the deposit was found should be allowed to dry thoroughly. (Use drying locker if needed) If possible, mark with a permanent marker around the stained area taking care not to mark on the actual stain. This will make it easier for the DOJ lab technician to locate the area for analysis.
- (c) Each item of clothing should be individually packaged in a brown paper bag.

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- (d) Complete an entry in Evidence onQ.
- (e) Print out Evidence onQ label(s).
- (f) Package the article (smallest package possible) in such a fashion as to prevent friction on the stained area. Seal the package with evidence tape being sure to initial and date the sealed areas. Affix Evidence onQ label to the front of the package on the upper right hand side and place in evidence refrigerator.

802.10.3 SALIVA

- (a) Samples of the saliva should be swabbed and placed in a swab shield (located in evidence supply area) before being placed in an envelope.
- (b) Complete an entry in Evidence onQ.
- (c) Print out Evidence onQ label(s).
- (d) Package the swab in envelope and seal with evidence tape being sure to initial and date the sealed areas. Affix Evidence onQ label to the front of the package on the upper right hand side and place in evidence locker.

802.10.4 VOMIT

- (a) Samples of the vomit should be swabbed or collected on a gauze pad and placed in a swab shield or container before being placed in an envelope. If gauze pad is collected and placed in container, be sure to seal container before placing in envelope.
- (b) Complete an entry in Evidence onQ.
- (c) Print out Evidence onQ label(s).
- (d) Package the swab or gauze in envelope and seal with evidence tape being sure to initial and date the sealed areas. Affix Evidence onQ label to the front of the package on the upper right hand corner of the package and place in evidence locker.

802.10.5 SEXUAL ASSAULT KITS - SUSPECT AND VICTIM

- (a) Always maintain kit in your personal custody until securing in evidence refrigerator.
- (b) Complete the law enforcement area on the outside of the kit.
- (c) When bringing back from Hospital, be sure that the nurse who conducted the exam has completed the chain of custody portion on the outside of the box.
- (d) The SART exam report will be booked separately in an appropriate envelope.
- (e) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (f) Seal the box with evidence tape and initial and date all areas and affix Evidence onQ label to bottom left hand side of the box.
- (g) Complete the chain of custody before placing in evidence refrigerator. (Make certain to lock)

802.11 BREAKABLE ITEMS

Take all precautions to ensure that fragile items are protected from breakage.

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- (a) Wrap the item in bubble wrap, being sure to maintain the integrity of the evidence, and secure with tape.
- (b) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (c) Place evidence in smallest package available and seal with evidence tape being sure to initial and date the sealed areas.
- (d) Affix Evidence onQ label to the front of the envelope or bag.
- (e) Place the properly packaged item into an evidence locker.

802.12 BULLETS, CARTRIDGES AND SHELL CASINGS

- (a) Wrap each bullet in a soft cloth or tissue and place in a container. This applies to cases where the weapon was used in the commission of a crime not for found property or owner destruct.
- (b) Seal the container and mark for identification.
- (c) Shell casings may be marked on the inside if large enough.
- (d) If a cartridge or shell casing is to be examined for the ejection marks of a particular weapon, package and seal the item. Mark the package for identification not the cartridge or casing itself.
- (e) Bullets or casings found in different locations, shall be numbered separately and secure separately in containers.
- (f) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (g) Place evidence in smallest package available and seal with evidence tape being sure to initial and date the sealed areas.
- (h) Affix Evidence onQ label to the front of the envelope or bag.
- (i) Place the properly packaged item into an evidence locker.

802.13 CLOTHING

All clothing must be dry prior to packaging. Empty all pockets of items and package aside from the clothing. Several articles from the same source may be packaged and sealed separately, then placed together in one convenient bag.

If removal from the body is necessary, do not cut through or destroy areas that may need to be processed (blood or semen stains, gunshot residue, entrance/exit holes, bank dyes, paint fragments, garment labels, etc.)

If the clothing is saturated with blood or other fluids, hang to dry in the drying locker being certain to follow instructions for using drying locker.

- (a) Photograph as needed on a case by case basis and upload to the City of Selma "F" drive.
- (b) Place item(s) in the appropriate packaging and seal being sure to initial and date the sealed area.

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- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (d) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (e) Place evidence in a locker.

802.14 COLLECTIBLES (COINS/CARDS)

Collectible coins or cards should be maintained in their original packaging when possible. Collectible coins do not require a currency intake form but should be processed as most other pieces of evidence. However, they should be clearly documented with a detailed description in Evidence onQ.

- (a) Photograph and upload to the City of Selma "F" drive.
- (b) Place item(s) in the appropriate packaging and seal being sure to initial and date the sealed areas.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (d) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (e) Place evidence in a locker.

802.15 COMPUTERS

When collecting computer equipment from the scene, do not manually alter the on/off power button. Simply unplug the computer in the state that it resides. This will allow for processing at a later date if needed. Place a piece of tape over the power switch to secure it in the position it was at during the time of seizure.

Handle the item as FRAGILE evidence. Protect from static electricity, heat and magnetic guide. When collecting computer towers seal with evidence tape around the covers. Seal the front with evidence tape as well to prevent any of the drives being opened. All cords should be labeled as to how they were set up/plugged in, photographs should also be taken, not only of the set up but whatever windows were onscreen before unplugging. Batteries should be completely removed from laptops.

Collect the cords along with lap tops if possible.

- (a) Photograph as needed on a case by case basis and upload to the City of Selma "F" drive.
- (b) Place item(s) in the appropriate packaging and seal being sure to initial and date the sealed areas.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label. Be certain to record the make, model, serial number, operating system, internet service provider and password if available.
- (d) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (e) Place evidence in a locker.

Do not transport computers in the trunk of a police vehicle.

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802.16 CURRENCY

A currency intake form is used whenever any U.S. currency is booked into evidence. Currency intake forms are not used for foreign money, stocks, bonds, checks, or counterfeit bills.

- (a) Photograph or photocopy all bills and coins and upload to the City of Selma "F" drive or attach photocopies to your report.
- (b) Sort by denomination.
- (c) Count the bills and coins and complete the Currency Intake form.
- (d) Have a supervisor recount for verification and sign the Currency Intake form.
- (e) Place currency in the appropriate envelope and seal being sure to initial and date the sealed area.
- (f) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (g) Affix the Evidence onQ label to the front of the envelope on the upper right hand side.
- (h) Because currency is deposited in finance and not kept in evidence, it is necessary to indicate on the Currency Intake form if the actual bills are essential for court.
- (i) Place currency and Currency Intake form in the drop slot. If being booked with other evidence items, a locker may be used.

802.16.1 COUNTERFEIT CURRENCY

- (a) Photograph or photocopy the front and back of all bills and upload to the City of Selma "F" drive or attach photocopies to your report.
- (b) Place counterfeit currency in the appropriate envelope and seal being sure to initial and date the sealed area.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (d) Affix the Evidence onQ label to the front of the envelope on the upper right hand side.
- (e) Counterfeit currency will be sent to the Secret Service so be sure not to package with any other items.
- (f) Place counterfeit currency in the drop slot.

802.17 DOCUMENTS, CREDIT CARDS AND IDENTIFICATION

802.17.1 DOCUMENTS

In most cases where large amounts of miscellaneous papers or documents of limited evidentiary value are seized, they can be booked in one package.

In cases where documents of significant value are seized, they should be booked separately.

802.17.2 CREDIT CARDS

If credit cards belong to the same person, individually itemize the cards on the evidence tag and book together in one package. Be sure to identify the owner in your Evidence onQ entry.

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If the credit cards belong to different people, they should be booked separately and each be given their own entry in Evidence onQ. Be sure to identify the owners in your Evidence onQ entry.

802.17.3 IDENTIFICATION

If the identification card(s) belong to the same person, individually itemize the cards on the evidence tag and book together in one package. Be sure to identify the owner in your Evidence onQ entry.

If the identification card(s) belong to different people, they should be booked separately and each be given their own entry in Evidence onQ. Be sure to identify the owners in your Evidence onQ entry.

If the identification is counterfeit, indicate on the property sheet. This will help you at a later date when a disposition will be done on the property.

For each of the above mentioned items:

- (a) Photograph or photocopy the front and back and upload to the City of Selma "F" drive or attach photocopies to your report.
- (b) Place item(s) in the appropriate envelope and seal being sure to initial and date the sealed area.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (d) Affix the Evidence onQ label to the front of the envelope on the upper right hand side.
- (e) Place evidence in a locker.

802.18 FIREARMS

Ammunition should always be removed from all firearms, and packaged separately, unless the seriousness of the crime is such that unloading the gun may destroy or contaminate evidence. All handguns should be packaged in a gun box and all crime related long guns shall be placed in a rifle box. If a long gun is being booked as found property, safekeeping, or owner destruct do not use a rifle box.

802.18.1 HANDGUNS

- (a) Place weapon in gun box with chamber open, magazine removed and safety on. Revolvers should have cylinder open and blocked from accidental closure during handling and storage.
- (b) If it is necessary (due to the seriousness of the crime) that a firearm must be submitted for storage in a loaded condition, the following will apply:
 1. A metal trigger lock shall be applied to the firing mechanism to prevent it from being activated. Clearly worded warning signs should be added to the evidence tag.
 2. The weapon shall be unloaded at the first opportunity unless transported to the crime lab. At no time under any circumstances shall untrained personnel attempt to unload any such weapon.

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3. The weapon shall never be placed in an evidence locker but shall be delivered personally to the Evidence Tech or the supervisor if the Evidence Tech is not on duty. The supervisor will deliver the weapon to the Evidence Tech as soon as possible and prepare a report documenting the chain of evidence, including where the weapon was stored prior to it being turned over to the Evidence Tech.
- (c) All firearms shall be searched in the Automated Firearm System to see if the weapon was reported stolen or to see if it is registered. If the firearm is registered be sure to list the owner information in the Evidence onQ entry.
- (d) The officer shall have dispatch enter the firearm into the Automated Firearm System before being booked into evidence. It is the officers responsibility to check the entry to ensure that it is correct. The printout must be included with the firearm when booking into evidence.
- (e) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (f) Secure weapon in a gun box with security ties (located in evidence supply area) being sure to cut off the excess ends of the security tie. The tie will be affixed to the weapon in a manner that will not compromise ballistic evidence.
- (g) Seal gun box and be sure to initial and date all sealed areas especially where the tape intersects.
- (h) Paperclip the Evidence onQ label to the Automated Firearm System printout and place in an evidence locker along with the weapon.

802.18.2 LONG GUNS

- (a) It is not necessary to place weapon in a long gun box unless it is absolutely essential to preserve evidence.
- (b) If it is necessary that a long gun must be submitted for storage in a loaded condition (due to the seriousness of the crime) See Number 2 a-c above for instructions.
- (c) All firearms shall be checked in the Automated Firearm System to see if the weapon was reported stolen or to see if it is registered.
- (d) The officer shall have dispatch enter the firearm into the Automated Firearm System before being booked into evidence. It is the officers responsibility to check the entry to ensure that it is correct. The printout must be included with the firearm when booking into evidence.
- (e) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (f) Affix the Evidence onQ label to a property tag and securely attach to the long gun.
- (g) Place weapon and Automated Firearm System printout in a large locker.
- (h) If a large locker is unavailable, please check with the supervisor on duty for a “secure” location to place the weapon until it can be delivered to the property room. Leave an email or a note in the property officer’s mailbox identifying the temporary storage location of the firearm.

802.19 FLAMMABLES, FIREWORKS AND EXPLOSIVES

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802.19.1 FLAMMABLES

- (a) All substances suspected of being flammable should be packaged in either glass or metal airtight containers to prevent evaporation of flammable substances. Consult with evidence officer or Fire Department for containers.
- (b) Plastic should not be used as the chemicals in the substances may melt or otherwise react with the plastic.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (d) Place container in bag and seal with evidence tape being sure to initial and date the sealed area.
- (e) Affix the Evidence onQ label to the front of the bag on the upper right hand side.
- (f) Place evidence on top of the yellow Haz mat locker.

802.19.2 FIREWORKS

- (a) At no time should fireworks be booked into evidence.
- (b) Photograph all fireworks held as evidence prior to packaging and upload to the City of Selma "F" drive.
- (c) Contact the Fire Department for pickup of fireworks.
- (d) If the Fire Department is not available for immediate pickup, place the fireworks in a bucket or container of water for temporary storage. Place the bucket or container on top of the yellow Haz Mat locker.
- (e) All fireworks will be disposed of via the Fire Department or the Fresno Police Department Bomb Squad on an as needed basis.

802.19.3 EXPLOSIVES

Explosives may not at any time, under any condition be submitted in evidence.

Explosives, pipe bombs, suspicious packages etc. should be referred to the Fresno Police Department Bomb Squad or to another location at the discretion of your supervisor. The on-duty watch commander will assist with specific directives.

802.20 FOOD AND BEVERAGES

Food items are perishable. They attract ants and rodents. They also become stale, and lose resale value during the time held by the police department. To better serve the victim and the court system, the police department will photo and then release food and beverage items.

- (a) Photograph all items recovered.
- (b) Upload photographs to the City of Selma "F" drive under the appropriate case number.
- (c) Contact owner for pickup

If it is absolutely necessary to submit liquids or perishable food items due to the seriousness of the crime (poisoning, suspicious death, etc), and/or needed for forensic analysis, the following procedures will be followed:

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802.20.1 LIQUID

- (a) Do not open the container unless necessary, to minimize evaporation and contamination.
- (b) Photo the container and upload photographs to the City of Selma "F" drive.
- (c) Seal the container to prevent leaks.
- (d) Complete an entry in Evidence onQ and print out an Evidence onQ label. Indicate in the notes section of Evidence onQ why the liquid is being retained and what services are needed by lab personnel.
- (e) Place container in bag or envelope and seal with evidence tape being sure to initial and date the sealed area. Mark the bag or envelope to indicate that liquids are inside.
- (f) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (g) Place the properly packaged item into the evidence refrigerator being certain to lock.

802.20.2 PERISHABLES

- (a) Photograph the food items and upload photographs to the City of Selma "F" drive.
- (b) Place items in plastic bag and heat seal.
- (c) Complete an entry in Evidence onQ and print out an Evidence onQ label. Indicate in the notes section of Evidence onQ why the perishables are being retained and what services are needed by lab personnel.
- (d) Place in bag or envelope and seal with evidence tape being sure to initial and date the sealed area. Mark the bag or envelope to indicate that perishable items are inside.
- (e) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (f) Place the properly packaged item into the evidence refrigerator being certain to lock.

802.21 JEWELRY (PRECIOUS METALS/STONES/COSTUME)

Jewelry should be packaged individually, with no more than one item of jewelry per envelope. Each item must be described fully.

- (a) Photograph jewelry and upload photographs to the City of Selma "F" drive.
- (b) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (c) Place in bag or envelope and seal with evidence tape being sure to initial and date the sealed area.
- (d) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (e) Place the properly packaged item into an evidence locker.

802.22 LARGE ITEMS

Some large items need only an Evidence onQ label affixed to a property tag. For example: lawn mowers, television sets, tires, computers, etc.

All serialized property will need to be entered into the automated property system.

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Consider photo releasing large items back to the owner when feasible. Use the photo to book in as evidence.

Use common sense when attaching the property tag to the evidence. Do not use excess evidence tape and if needed, secure with a zip tie. Remember that most of these items will be returned back to the owner. Damaging the item will result in citizen complaints and claims against the City.

802.23 LATENT PRINT CARDS

- (a) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (b) Place latent print cards inside of envelope and seal with evidence tape being sure to initial and date the sealed area(s).
- (c) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (d) Place the properly packaged item into the drop slot.

802.24 LICENSE PLATES

The Department of Motor Vehicles is the actual owner of the license plate(s). The public is permitted use provided the yearly fees are paid. License plates are normally seized for Infractions or Misdemeanors. It is difficult to store every plate for potential court action. The following guidelines have been established to provide maximum success in court prosecutions with minimal use of storage facilities:

802.24.1 INFRACTION AND MISDEMEANOR

- (a) Photocopy the license plate using a clear plastic bag as a barrier between the metal and the surface glass of the copy machine. (Submit the license plate copy with the report) OR Photograph the license plate and upload the photo on the City of Selma "F" drive.
- (b) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (c) Affix the Evidence onQ label to a property tag and attach the tag to the upper left hand portion of the license plate. It is not necessary to package the license plate since it will be returned to the department of Motor Vehicles.
- (d) Place license plate in a locker.

802.24.2 FELONY

- (a) Photocopy the license plate using a clear plastic bag as a barrier between the metal and the surface glass of the copy machine. (Submit the license plate copy with the report) OR Photograph the license plate and upload the photo on the City of Selma "F" drive.
- (b) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (c) Place license plate inside an envelope and seal with evidence tape making sure to initial and date the seal.

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- (d) Affix the Evidence onQ label to the envelope in the upper right hand corner and clearly mark on envelope "FELONY HOLD."
- (e) Place the envelope in a locker.

802.25 MARIJUANA AND NARCOTICS

Drug hazards include, but are not limited to, marijuana, cocaine, heroin, hash, LSD, methamphetamine, PCP, etc. Prior to handling any drug substance or container, take the general protective measures. Drugs encountered in the work place generally have an effect on the central nervous system. Many drugs can be absorbed through the skin or mucous membranes - eyes, nose, mouth and ears. Use gloves when packaging and cleaning up. Be sensitive to the health hazards and do not package materials on an open table in briefing and thoroughly clean the booking area when done. Make every effort to identify (tentatively) narcotics before packaging.

802.25.1 MARIJUANA

Marijuana is a natural vegetation and, while illegal contraband, is not considered in the same storage classification as narcotics. Marijuana should not be sealed in plastic because it will turn to a toxic liquid substance. Bulk marijuana must be properly dried. Shredding or stuffing marijuana into a box can create "compost type conditions."

- (a) Do not package marijuana and paraphernalia together.
- (b) It is not necessary to use a separate envelope for each type of drug, so long as, the drugs are booked under the same case number and each item is clearly marked in reference to the item number listed.
- (c) Weigh the marijuana on the scale and notate, on the FSO drug envelope, the amount packaged.
- (d) Place package in a FSO drug envelope that has been filled out with the appropriate information. Seal the envelope with evidence tape making certain that you initial and date the sealed areas.
- (e) Complete an entry in Mark 43 and print out an Evidence Mark 43 label.
- (f) Paperclip the MARK 43 label to the drug envelope.
- (g) Place the evidence in the drug slot.
- (h) If marijuana is not going to be tested, package in a plain large envelope instead of a FSO envelope. Follow steps 1 – 6 and place evidence in the drug slot.

802.25.2 NARCOTICS

Narcotics sealed in 4 mil thick polyethylene bags keep the narcotics in and prevent packaging penetration. Heat seal non-liquid narcotics in the appropriate size 4 mil thick Kapak bags. This ensures complete closure. Liquid narcotics should be placed in a barrier proof vial then heat sealed in a 4 mil Kapak bag. Place the heat sealed bag into a second bag and heat seal again to avoid any possibility of a small hole or improper seal releasing the liquid. Extreme care should be used with liquids because they can be absorbed through the skin on contact.

- (a) Do not package narcotics and paraphernalia together.

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- (b) It is not necessary to use a separate envelope for each type of drug, so long as, the drugs are booked under the same case number and each item is clearly marked in reference to the item number listed.
- (c) Weigh the drug on the scale and notate, on the FSO drug envelope, the amount packaged.
- (d) If a syringe contains narcotics, eject contents into a vial and submit for testing. Be sure to heat seal the vial into a bag. Photograph syringe before placing in Biohazard container. Upload the photograph in the Mark 43 system under the appropriate case number.
- (e) Place the package in a FSO drug envelope that has been filled out with the appropriate information. Seal the envelope with evidence tape making certain that you initial and date the sealed areas.
- (f) Complete an entry in Mark 43 and print out an Evidence Mark 43 label.
- (g) Paperclip the Marl 43 label to the drug envelope.
- (h) Place the evidence in the drug slot.

802.26 MEDIA (DVD/CD/VIDEO/AUDIO RECORDINGS)

Protect disks from extreme temperature and humidity. Handle disks so as to minimize fingerprints and scratches to the surface which may impede readability. Several disks or tapes from the same case should be labeled to distinguish them apart. A master envelope may be used to hold multiple disks if necessary.

Be aware that biological evidence could potentially be on CDs/DVDs (i.e. semen, etc) and should be properly packaged.

802.26.1 VIDEO/AUDIO RECORDINGS

- (a) Upload DVD/CD/Audio recording to the City of Selma "F" drive under the appropriate case number.
- (b) Place disk into sleeve or case and place in an envelope.
- (c) Complete an entry into Evidence onQ and print out an Evidence onQ label.
- (d) Affix the Evidence onQ label to the front of the appropriate packaging on the upper right hand side.
- (e) Place in appropriate locker.

802.27 PARAPHERNALIA

Package the marijuana or narcotics and paraphernalia separately. Due to the infectious nature and potential health problems associated with hypodermic syringes and needles, residue from syringes will not be analyzed. Residue and paraphernalia will not be analyzed by DOJ lab, since it is insufficient to file possession of narcotics charge unless prior approval is obtained from an Assistant Laboratory Director or the Laboratory Director.

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If a large amount of paraphernalia is seized in one location (e.g. a toolbox, jewelry box, etc.) the entire contents can be listed as one item (one tool box containing miscellaneous bongs and pipes.) If an individual item of evidence is particularly important to a case, it should be packaged and identified separately on the property form. Hypodermic needles should be photographed before being placed in the disposal unit. Upload the photograph(s) to the City of Selma "F" drive under the appropriate case number. If the needle contains narcotics see narcotic section or hypodermic needles/syringes/razor blade section.

- (a) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (b) Affix the Evidence onQ label to the front of the appropriate packaging on the upper right hand side.
- (c) If paraphernalia is made of glass, ensure that it is protected with bubble wrap before being placed in package.
- (d) Place item in smallest package possible and seal with evidence tape making certain to initial and date the sealed areas.
- (e) Place evidence in a locker or drop slot.

802.28 SHARP INSTRUMENTS

Sharp instruments should never be packaged in paper bags or envelopes without first taking precaution to render the cutting edge or point safe for handling. Common sense should be exercised in packaging for the safety of the evidence officer and/or laboratory personnel.

802.28.1 KNIVES/SWORDS

- (a) Knives or swords with open blades must be submitted in a knife box. (If the knife or sword is too large for a knife box be sure to cover the blade with a protective cardboard covering and wrap with bubble wrap. Place in an evidence bag).
- (b) Measure total blade length and list in the Evidence onQ entry.
- (c) Secure knife inside box with security ties being sure to cut off the excess ties.
- (d) Knives with closed blades (such as a switchblade or pocketknife) may be packaged in an envelope.
- (e) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (f) Seal knife in box or envelope with evidence tape making sure to initial and date the seals.
- (g) Affix the Evidence onQ label to the front of the box on the upper right hand side.
- (h) Place the properly packaged item into an evidence locker.

802.28.2 SHARP INSTRUMENTS

Some examples of sharp instruments include but are not limited to:

- Scissors
- Screwdriver

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- Ice Pick
- Crow Bar
- (a) Use bubble wrap and/or cardboard to render the cutting edge or point safe for handling.
- (b) Complete an entry in Evidence onQ and print out an Evidence onQ label.
- (c) Package instrument in smallest package possible, seal with evidence tape making sure to initial and date the seals.
- (d) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (e) Place the properly packaged item into an evidence locker.

802.28.3 HYPODERMIC NEEDLES/SYRINGES/RAZOR BLADES

- (a) Unless it is evidence in a major crime (i.e. homicide, rape, ADW, etc.), these items are not to be booked into evidence. Photograph and discard in a red Sharps container. Upload the photograph(s) to the City of Selma "F" drive under the appropriate case number.
- (b) If it is evidence in a major crime, place the item in a biohazard tube and seal securely with packing tape. Place tube inside an envelope and seal with evidence tape being sure to initial and date the sealed areas.
- (c) If there is liquid in the syringe that should be kept for evidentiary purposes, transfer the liquid to a vial before disposing of the syringe. If the liquid requires testing, place the vial in a CVT envelope and fill out accordingly. If the liquid does not require testing, place the vial in a regular envelope and seal with evidence tape being certain to initial and date the sealed areas.

802.29 FOUND PROPERTY, SAFEKEEPING AND OWNER DESTRUCT

802.29.1 FOUND PROPERTY

Items that have been intentionally abandoned by their owners do not fall within the definition of found property. Abandoned property is not found property. Property positively determined to be abandoned should be disposed of. The California Civil Code Section of Found Property reads "The provisions of this article (lost and unclaimed property) have no application to things which have been intentionally abandoned by their owner." Discarded items are not found property. Please dispose of - do not submit to evidence.

Civil Code § 2080.1 provides that whenever a person saves or finds property that is \$100 or more, the property shall be turned over to a Sheriff or Police Department.

- (a) The finder is also required to sign an affidavit stating from what and how the property was saved, whether the owner of the property is known to the finder, and a statement that the finder has not withheld or disposed of any part of the property.
- (b) The law enforcement agency is required to notify the owner, if his identity is reasonably ascertainable, that it possesses the property and where it may be claimed. The agency may require payment by the owner of a reasonable charge to defray the costs of storage and care of property.

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The finder will complete the Found Property Affidavit form and receive the yellow copy. The original will be included with the RMS report and the blue copy will be submitted along with the found property.

Follow directions for the Collection, Preservation, and Packaging of Evidence section according to the type of property found. If the found property has a serial number, it must be checked in the automated property system to see if it has been reported stolen. The officer must have dispatch enter the serialized item.

The officer shall inform the finder that they may claim the property (90) days after it is deposited with the property section (with the exception of firearms) unless the owner claims it first. Found property valued at over \$250 requires the publication in the classified section of the local newspaper before it can be claimed by the finder.

Found Property by Public Employees:

Property found by public employees in the course of employment shall be processed in the same manner as property found by a private citizen, with the exception that such property cannot be claimed by the finder or used for departmental purposes. If the owner is not found or the property is unclaimed by the owner within the specified time, the property belongs to the employing agency and will be destroyed. Money remains as an exception, as it is diverted directly to the general fund of the City of Selma.

Civil Code § 2080 - Any person who finds a thing lost is not bound to take charge of it, unless the person is otherwise required to do so by contract or law, but when the person does take charge of it he or she is thenceforward a depositary for the owner, with the rights and obligations of a depositary for hire. Any person or any public or private entity that finds and takes possession of any money, goods, things in action, or other personal property, or saves any domestic animal from harm, neglect, drowning, or starvation, shall, within a reasonable time, inform the owner, if known, and make restitution without compensation, except a reasonable charge for saving and taking care of the property. Any person who takes possession of a live domestic animal shall provide for humane treatment of the animal.

Civil Code § 2080.1 (a) - If the owner is unknown or has not claimed the property, the person saving or finding the property shall, if the property is of the value of one hundred dollars (\$100) or more, within a reasonable time turn the property over to the police department of the city or county, if found therein, or to the sheriff's department of the county if found outside of city limits, and shall make an affidavit, stating when and where he or she found or saved the property, particularly describing it.

If the property was saved, the affidavit shall state:

- (a) From what and how it was saved.
- (b) Whether the owner of the property is known to the affiant.
- (c) That the affiant has not secreted, withheld, or disposed of any part of the property.

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Civil Code § 2080.1 (b) - The police department or the sheriff's department shall notify the owner, if his or her identity is reasonably ascertainable, that it possesses the property and where it may be claimed. The police department or sheriff's department may require payment by the owner of a reasonable charge to defray costs of storage and care of the property.

Civil Code § 2080.2 - If the owner appears within 90 days, after receipt of the property by the police department or sheriff's department, proves his ownership of the property, and pays all reasonable charges, the police department or sheriff's department shall restore the property to him.

Civil Code § 2080.3(a) - If the reported value of the property is two hundred fifty dollars (\$250) or more and no owner appears and proves his or her ownership of the property within 90 days, the police department or sheriff's department shall cause notice of the property to be published at least once in a newspaper of general circulation. If, after seven days following the first publication of the notice, no owner appears and proves his or her ownership of the property and the person who found or saved the property pays the cost of the publication, the title shall vest in the person who found or saved the property unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold at public auction. Title to the property shall not vest in the person who found or saved the property or in the successful bidder at the public auction unless the cost of publication is first paid to the city, county or city and county who police or sheriff's department caused the notice to be published.

802.29.2 SAFEKEEPING

Property for safekeeping is any property not related to a crime, primarily placed in the custody of a law enforcement agency for temporary protection, or in an effort to determine legal ownership pursuant to the Penal Code § 1412. Firearms can also be held pursuant to Penal Code § 12028.5 or Welfare and Institutions Code § 8102-8203. Personal property or any other item that is seized pursuant to a detention for W&I 5150 may also be held for safekeeping.

When booking property for safekeeping, the officer must provide the owner with a receipt and instructions for the retrieval of the property. If the officer has knowledge that the person from whom the property was taken is not the owner, the officer shall make reasonable efforts to identify the owner.

- (a) Complete the Property for Safekeeping Receipt form.
- (b) Provide the owner the yellow copy.
- (c) Submit the original copy with the case report.
- (d) Complete an entry (or entries) in Evidence onQ and print out an Evidence onQ label(s).
- (e) Affix the Evidence onQ label(s) to the appropriate packaging on the upper right hand side.
- (f) Place the properly packaged item(s) into an evidence locker along with the blue copy of the Property for Safekeeping Receipt form.

Civil Code Section 2080.10(a) - When a public agency obtains possession of personal property from a person for temporary safekeeping, the public agency shall do all of the following:

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- (a) Take responsibility for the storage, documentation, and disposition of the property.
- (b) Provide the person from whom the property was taken with a receipt and instructions for the retrieval of the property. The receipt and instructions shall either be given to the person from whom the property was taken at the time the public agency obtains the property or immediately mailed, by first-class mail, to the person from whom the property was taken.
- (c) If the public agency had knowledge that the person from whom the property was taken is not the owner, the agency shall make reasonable efforts to identify the owner. If the owner is identified, the public agency shall mail, by first-class mail, a receipt and instructions for the retrieval of the property.

Civil Code Section 20801.10(b) - The receipt and instructions shall notify the person from whom the property was taken that the property must be claimed within 60 days after the public agency obtains possession or the property will be disposed of in accordance with the disposal provisions of this article. Within 60 days, the person may do one of the following:

- (a) Retrieve the property.
- (b) Authorize in writing another person to retrieve the property.
- (c) Notify the public agency in writing that he or she is unable to retrieve the property, because he or she is in custody, and request the public agency to hold the property. If a person notifies the public agency that he or she is unable to retrieve the property within 60 days, or have an authorized person retrieve the property, the public agency shall hold the property for not longer than 10 additional months.

Civil Code Section 2080.10(c) - The public agency shall not be liable for damages caused by any official action performed with due care regarding the disposition of personal property pursuant to this section and the disposal provisions of this article.

Civil Code Section 2080.10(d) - As used in this section, "public agency" means any state agency, any city, county, city and county, special district, or other political subdivision.

802.29.3 OWNER DESTRUCT

Owner destruct is any property voluntarily turned in by its owner for destruction. This does not include property found or property seized. Any property booked in for destruction must include an owner request for property destruction.

- (a) Complete the Property Destruction Owner Request form.
- (b) Make certain that you, the officer, signs the form and most importantly that the owner signs the form.
- (c) Provide owner the yellow copy.
- (d) Submit the original copy with the case report.
- (e) Complete an entry (or entries) in Evidence onQ and print out an Evidence onQ label.
- (f) Place property in an envelope or bag and seal with evidence tape making certain that you initial and date the sealed areas.

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- (g) Affix the Evidence onQ label to the front of the package on the upper right hand side.
- (h) Place the property for destruction, along with the blue copy of the property destruction form in an evidence locker.

802.29.4 SEARCH WARRANT

Property seized pursuant to a search warrant includes not only property seized pursuant to a court ordered search warrant, but all items ordered seized by a judicial court with appropriate jurisdiction. Applicable to this section are the Penal Code § 1535 and § 1536. Items seized under the jurisdiction of the court issuing the warrant shall be held indefinitely until the court orders the items released, destroyed, or turned over to the court.

All property seized is subject to booking and must be accurately identified. Follow regular procedures for booking in the property but you must make certain that you mark that the property was taken by Search Warrant in the Evidence OnQ system for each item and you must submit a copy of the signed search warrant along with the evidence.

Chapter 9 - Custody

Custodial Searches

901.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for handling custodial searches.

901.2 STRIP SEARCHES

No individual in temporary custody at any Selma Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.3 STRIP SEARCH PROCEDURES

Strip searches at Selma Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

- (a) Authorization from a Division Commander shall be obtained prior to the strip search.
- (b) Whenever possible, all members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

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- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The authorization for the search, obtained from a Division Commander.
 - 4. The name of the individual who was searched.
 - 5. The name and sex of the members who conducted the search.
 - 6. The name, sex and role of any person present during the search.
 - 7. The time and date of the search.
 - 8. The place at which the search was conducted.
 - 9. A list of the items, if any, that were recovered.
 - 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) If the individual has been arrested for a misdemeanor or infraction offense, the authorization from the Division Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.
- (i) A copy of the report containing the authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

901.4 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Division Commander authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there

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is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy.

901.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (Penal Code § 4030):

- (a) No individual shall be subjected to a physical body cavity search without approval of a Division Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.
- (c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. A Division Commander's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date and location of the search.
 - 6. The medical personnel present.
 - 7. The names, sex and roles of any department members present.
 - 8. Any contraband or weapons discovered by the search.
- (f) Copies of the report containing the authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.

Chapter 10 - Personnel

Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the preparation of employee performance evaluations.

Employee performance evaluations will be written based on job related factors specific to the position occupied by the employee without regard to race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, marital status, veteran status, or sex.

1001.2 ANNUAL EVALUATION DUE DATES

Performance evaluations are required annually or quarterly for all Selma Police Department members. Performance evaluations shall be completed by the member's supervisor and submitted to the Division Commander within 30 days of the due date. The due dates for evaluations are as follow:

- (a) Probationary - All sworn and non-sworn members shall have quarterly evaluations
- (b) Non-Sworn – Non-sworn members shall have annual evaluations due upon the ending date of the January – July patrol Matrix period
- (c) Sworn – All sworn members, except staff, shall have annual evaluations due upon the ending date of the January – July Matrix period
- (d) Management – All sworn staff shall have annual evaluations due after May 31st and must be completed prior to June 30th

Reserve officer evaluations are required annually or quarterly for probationary reserve officers.

1001.3 EXIT EVALUATIONS

When a member changes assignment resulting in a new supervisor more than 90 days before the end of a rating period, that member's current supervisor shall complete an exit evaluation for the partial rating period. Similarly, when a supervisor changes assignment more than 90 days before the end of a rating period, the supervisor is required to complete exit evaluations on all personnel assigned to him/her at the time of his/her reassignment. Complete annual evaluations shall be completed by the assigned supervisor for all assigned personnel when a change of assignment occurs 90 days or less from the end of the rating period. All required exit evaluations shall be completed by the member's supervisor within 30 days of the member's or supervisor's change in assignment.

1001.4 RATER RESPONSIBILITIES

All raters shall receive initial training in performance evaluations, as provided within Departmental supervisory orientations, formalized training courses, and/or in-service training, prior to completing their first performance evaluation. Once the training is received, the rater shall:

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- (a) Conduct a driver's license status check via CLETS for those members where driving is a requirement of their job (as allowed in Section 1.6.1(B) of the CLETS Policies, Practices, and Procedures)
- (b) Review the performance evaluation with the member being evaluated. This review should include, but is not limited to, the following:
 - 1. Results of the performance evaluation
 - 2. Performance expectations and rating goals and/or objectives for the next rating period
 - 3. Where appropriate or requested, career counseling to include individual career plans for advancement, specialization, and training
- (c) Provide the member being rated an opportunity to sign the performance evaluation and to make comments as part of the official record of the evaluation
- (d) Ensure all performance evaluations are reviewed and signed, at a minimum, by the rater's immediate supervisor
- (e) Provide the evaluated member with a copy of the completed, signed, and reviewed evaluation

1001.5 EVALUATION FORMAT

Evaluation formats are based upon the member's job classification. The criteria used for performance evaluations shall be specific to the assignment(s) of the member during the rating period. Copies of the proper evaluation forms may be accessed through the Department's electronic library.

1001.5.1 EXPLANATORY COMMENTS

The rater shall provide explanatory comments to substantiate performance ratings which are unsatisfactory or outstanding. The explanatory comments should include specific examples of observed or reported behavior of the member being rated during the period covered by the evaluation.

1001.6 PRE-EVALUATION REQUIRED NOTIFICATIONS

Less than satisfactory performances by a member should be brought to the attention of that member. Where a member's performance could result in a less than satisfactory rating on their performance evaluation, a written notice of the unsatisfactory or needs improvement performance shall be given to the member. This written notice shall describe the less than satisfactory performance and what actions should be taken to improve the member's performance. The written notice may be in the form of a memorandum, Supervisor's Observation Log, formal discipline, or other appropriate means. Less than satisfactory performance ratings may only be included in a performance evaluation when:

- (a) The member receiving the less than satisfactory performance rating was given written notice, as defined above, of the deficiency at least 90 days prior to the rated member's evaluation date, or

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- (b) The less than satisfactory performance occurs less than 90 days from when an evaluation is due and would result in an unsatisfactory/needs improvement rating for the rating period. Under these circumstances, the required written notice shall be delivered to the member as soon as possible after the less than satisfactory performance is identified.

Supervisors shall be responsible for knowing the annual evaluation dates for all subordinates and for calculating the 90 day notice date for each member.

1001.7 PERFORMANCE EVALUATION APPEAL PROCESS

When a member disagrees with the performance evaluation, that member may prepare and attach to the evaluation a written memorandum outlining the reason(s) for the disagreement. This attachment shall be submitted by the member to the rater within 30 calendar days of the member receiving the evaluation. This memorandum will be forwarded through the chain of command to the Division Commander for consideration.

1001.8 RATER EVALUATIONS

Supervisors and management staff shall be evaluated on the objectivity, accuracy, timeliness, and overall quality of ratings for performance evaluations they prepare. This information shall be included in their performance evaluation under supervisory performance.

1001.9 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the City of Selma's Personnel Department office for the tenure of the employee's employment. A copy will be given to the employee and a copy will be placed in the member's department personnel file.

Personnel Complaints

1010.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidelines for the handling of personnel complaints.

1010.2 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows:

1010.2.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Division Commander of the accused member, who will take appropriate action and/ or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint, whenever possible.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Division Commander.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Watch Division Commander and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the the Division Commander for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

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- (f) Forwarding unresolved personnel complaints to the Division Commander, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.2.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor, an outside agency investigator, or a staff member, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Selma Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the officer in charge of the investigation, the interviewing officers and all other persons to be present during the interview.
- (e) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
- (g) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (h) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not

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consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

- (i) All members shall provide complete and truthful responses to questions posed during interviews.
- (j) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any officer solely because the officer has been placed on a prosecutor's Brady list or the name of the officer may otherwise be subject to disclosure pursuant to Brady v. Maryland. However, an investigation may be based on the underlying acts or omissions for which the officer has been placed on a Brady list or may otherwise be subject to disclosure pursuant to Brady v. Maryland (Government Code § 3305.5).

1010.2.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.3 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

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1010.4 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties
- (c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

1010.5 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.5.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.5.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a pre-disciplinary procedural due process hearing (Skelly) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The Chief of Police shall also provide the member with:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

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- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
 - 2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

Line-of-Duty Deaths

1030.1 PURPOSE AND SCOPE

The purpose of this procedure is to provide guidance to members of the Selma Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police or the authorized designee may also apply some or all of these procedures in situations where members are injured in the line of duty and the injuries are life-threatening.

1030.2 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Chief of Police and both Division Commanders.
 - 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others.
- (b) The Operations Commander or his designee should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable
- (c) If the member has been transported to the hospital, the Support Division Commander or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1030.3 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member.

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Information that is not verified should not be provided until an investigation has been completed.

- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Support Division Commander or the authorized designee over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Support Division Commander or the authorized designee.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Selma Police Department members may be apprised that survivor notifications are complete.

1030.4 OUT-OF-AREA-NOTIFICATIONS

The Support Division Commander or the authorized designee should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

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- (a) The Support Division Commander or the authorized designee should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Support Division Commander or the authorized designee may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1030.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1030.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CSIM) coordinator

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

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1030.7 DEPARTMENT LIAISON

The Department Liaison should be the Support Division Commander or the authorized designee who is able to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1030.8 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Selma Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.

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1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1030.9 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Supervisor. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

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- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 - 1. Items should not be delivered to the survivors until they are ready to receive the items.
 - 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 - 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 - 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
 - 1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Chief of Police or his authorized designee to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes. (see the News Media Relations section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The

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department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1030.10 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
 - 1. Members involved in the incident.
 - 2. Members who witnessed the incident.
 - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

1030.11 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
 - 1. Honor Guard
 - 2. Casket watch
 - 3. Color guard
 - 4. Pallbearers

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5. Bell/rifle salute
 6. Bagpipers/bugler
 7. Uniform for burial
 8. Flag presentation
 9. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
 - (e) Assigning an officer to remain at the family home during the viewing and funeral.
 - (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1030.12 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Selma Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.

1030.13 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 1. Public Safety Officers' Benefits (PSOB) Programs.
 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 3. Social Security Administration.
 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 1. Education benefits (Education Code § 68120)
 2. Health benefits (Labor Code § 4856)

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3. Worker's compensation death benefit (Labor Code § 4702)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 1. Private foundation survivor benefits programs.
 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by [police/sheriff's] associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1030.14 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 1. Paying survivors' travel costs if authorized.
 2. Transportation costs for the deceased.
 3. Funeral and memorial costs.
 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1030.15 PRESS INFORMATION OFFICER

In the event of a line-of-duty death, the Chief of Police shall designate a department member to act as a Press Information Officer (PIO) who shall be the point of contact for the media. As such, the PIO should coordinate with the Department Liaison to

- (a) Collect and maintain the most current incident information and determine what information should be released.

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- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1030.16 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

Attachments

Pre-Flight Checklist.pdf

Pre-Flight Checklist

Pilot In Command:	FAA Reg. No.:	Date:
--------------------------	----------------------	--------------

Observer (Optional):	Location:
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UAS Model:	
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Purpose of Flight (Check 1): **Recreation** **Commercial** ⁽¹⁾ **SAR**⁽²⁾ **Other** (Describe):

NOTES: (1) - Commercial sUAS license required (2) – Authorization by applicable authority required

Authorization for flight in restricted airspace: (Required for flight in restricted airspace only, otherwise NA)

Authorized by: _____ **Title:** _____

A. Pre-Start Checklist

Important: Complete all check list items in the order they are presented. If you cannot check off an item **STOP!** and correct the problem before continuing.

No.	Item	Acceptable Condition	Sat
1	Airspace	Unrestricted airspace or flight authorized	
		Potential obstructions near intended flight path identified	
2	Weather	Visibility >=3 miles/500 ft., Wind <=15mph, Precip. - None	
3	sUAS Airframe/Props	No structural defects visible	
4	sUAS Battery	Sufficient for intended flight, not less than 75%	
5	Controller Battery	Sufficient for intended flight, not less than 75%	
6	Display Device Battery	Sufficient for intended flight	
7	Memory Card	Installed, sufficient memory space available for flight	
8	Observer	Present, briefed and ready (Only if designated, otherwise NA)	
9	Camera Gimbal Lock	Removed	
10	Display Device	On	
11	Controller Power	On	
12	sUAS Power	On	
13	sUAS Status Lights	Flashing GREEN	
14	Camera Check	FPV camera view normal	
15	Compass Calibration	Compass calibrated for current location	
16	Flight Limits Set	Alt. <=120 meters, Dist. <=500 meters	
17	Flight Mode Set to GPS	Controller mode switch in "P", display status GREEN - RTF	
18	Take-Off Location	Clear for >=25ft. radius, no overhead obstructions	

B. Motor Start Checklist

No.	Item	Acceptable Condition	Sat
1	sUAS Motor Start	sUAS motors start and run at idle, no abnormal noise	
2	Home Point	Home Point Set	
3	Hover Check	Flight and Camera Gimbal control responses normal	
4	Flight Telemetry	Telemetry normal (Bat, Alt, Dist., etc.)	

READY FOR FLIGHT

Notes:

Landing/Post Flight Check List

A. Landing Checklist

No.	Item	Acceptable Condition	Sat
1	Landing Location	Clear for ≥ 25 ft. radius, no overhead obstructions	

B. Post-Flight Checklist

No.	Item	Acceptable Condition	Sat
1	sUAS Power	Off	
2	Controller Power	Off	
3	Display Device Power	Off	
4	Camera Gimbal Lock	Installed	
5	Memory Card	Removed if image download desired. If flying in support of an incident response or SAR effort, ensure imagery is presented to the designated individual.	

Notes:

Request to Deploy UAS.PDF

CASE # _____

REQUEST TO DEPLOY UAS

Date of Request: _____

Date of Use: _____

Time of Use: _____

Location of Use: _____

Approx. Amount of Time Needed: _____

Reason for Deployment: _____

Requesting Officer(s): _____

Notes: _____

Emergency Requests for Deployment.pdf

Emergency Requests for Deployment

Type of Incident:

Location of the Incident:

When the Incident Started:

Objective of Using the UAS:

Is there an Active Search Warrant:

If a Suspect is known, is the Suspect on Probation:

Notes:

**Domestic Violence Lethality Risk
Assessment For First Responders.pdf**

**DOMESTIC VIOLENCE LETHALITY RISK
ASSESSMENT FOR FIRST RESPONDERS**

1. OFFICER	2. DATE	3. CASE#	4. ARRESTED <input type="checkbox"/> YES <input type="checkbox"/> NO
VICTIM INFORMATION		ABUSER INFORMATION	
5. VICTIM NAME	9. ABUSER NAME		
6. DOB	10. DOB		
7. ADDRESS	11. ADDRESS		
8. PHONE () -	12. PHONE () -		

To the first responders: The Lethality Assessment should be administered to all victims of domestic violence to assess the level of danger and/or the severity of the situation. Law enforcement personnel or victim advocates should use their judgement to interpret the information which the victim provides. More “yes” answers to the Lethality Assessment questions indicate that the victim is more likely to experience continued violence, be severely injured, and/or killed. It is important to use the results of this assessment in a constructive way to help the victim plan for her/his safety and to make referrals to resources matching to the specific circumstances of the victim’s situation. We recommend this completed assessment be attached to the incident or crime report.

To be read to the victim of domestic violence: “Domestic violence (DV) has many forms including physical, sexual, emotional and psychological abuse, stalking, and financial abuse. DV can be inflicted by a current or former partner. We are concerned about you because DV can affect your and your loved ones’ (including your children) immediate safety, as well as short and long term physical and mental health. Furthermore, several risk factors have been associated with serious injury and homicide. We would like to ask you some questions about your current risks and history of abuse with the person who has abused you today. The goal of this assessment is to help us learn more about your current risk of future serious harm by your abuser.”

Check here if the victim refused to participate in the assessment.

1. Has the abuser ever been arrested or convicted of domestic violence, hostage taking, stalking or abduction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
2. Does the abuser have a history of domestic violence, hostage-taking, stalking, or abduction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
3. Do you know whether the abuser has any violent history towards others?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
4. Has the abuser expressed thoughts or threats to harm or kill you, children, a loved one (family, friend, new partner, etc), or himself/herself?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
5. Does the abuser have access to firearms or ever used or threatened to use a firearm against you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
6. Has the abuser ever threatened to use or used another weapon or object to harm you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
7. Does the abuser have a criminal history of the use of weapons (guns, knives, etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
8. Has the abuser ever used his/her hands or an object to choke, strangle, or suffocate you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
9. Does the abuser have a history of arson or threats of arson?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
10. Does the abuser express jealousy or ownership over you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered

**DOMESTIC VIOLENCE LETHALITY RISK
ASSESSMENT FOR FIRST RESPONDERS**

11. Does the abuser accuse you of infidelity?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
12. Does the abuser monitor or control your activities, where you go, who you interact with, or what you do? ("If I can't have you no one else can," "Death before divorce," etc.)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
13. Does the abuser isolate you from family, friends and community life?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
14. Is the abuser severely depressed, (seeing little hope to live life)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
15. Is the abuser unemployed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
16. Has there been a recent escalation of the abuser's violence or risk behavior?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
17. Does the use of alcohol or drugs by the abuser exacerbate the violence or abuse?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
18. Has the abuser ever threatened or tried to commit suicide?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
19. Has the abuser been violent outside the home or in a public place?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Answered
After advising the victim of the "high danger" assessment, was the victim offered assistance, referred to a victim advocate, or other resources (i.e. alternative shelter)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown

Note: *The questions above and the criteria for determining the level of risk a victim faces are based on the best available factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence the risk for lethal violence that are not captured by this assessment. Most domestic violence victims who are assessed as being involved in a "high danger" situation would not be expected to be killed. However, these victims face a much higher risk than that of other victims of intimate partner domestic violence.*

Mission Documentation.pdf

Mission Documentation

Date:

Location:

Time:

Weather:

Case #:

Type of Crime:

Flight Crew:

Operator:

Observer:

Special Equipment Used:

Special Problems Observed:

Flight Time:

Results of the Mission:

INDEX / TOPICS