MESSAGE FROM THE CHIEF OF POLICE

As Chief of Police, it gives me great pleasure to present the Police and Parking Services Policy Manual. This revised policy manual includes all updated case law to date and is in full compliance with statutory, California State University Executive Orders and University Policies.

The implementation of these guiding principles and adherence thereto, completes what we deemed as the first phase of the CALEA (Commission on the Accreditation of Law Enforcement Agencies) accreditation program. This Manual is designed to facilitate efficiency and improve proficiency in our department. It is the responsibility of each of our department members to review and understand the provisions outlined herein. I encourage you to share your thoughts or suggestions you might have related to this manual and possible operational enhancements. This manual is intended to better assist you in performing your duties and stay current with best practices and operating standards. Future updates of this manual will include digital copies as well.

Our department strives to maintain a safe learning environment. We do so by having a committed and dedicated staff, such as yourselves, who subscribe to our basic tenets and who often sacrifice so much for the success and fulfillment of our mission. Thank all of you for your contributions to our shared endeavors of the past, present and those to come. I would like to especially thank those who offered their expertise in selected areas by reviewing specific policies. Special thanks to Ms. Missy Brunetta, our CALEA manager for the many hours spent in drafting, modifying and preparing this document. Special thanks also to CFO Laurence Furukawa-Schlereth, whose support has made this accreditation process possible.

As you know, I expect nothing less than your full adherence to this manual and your continued drive for professional excellence. Thank you.
LAW ENFORCEMENT CODE OF ETHICS

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

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

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.
MISSION & VALUES STATEMENT

Mission Statement

Police & Parking Services is dedicated to ensuring a safe learning environment in support of the campus community. We accomplish this by:

• Treating individuals with respect and dignity
• Being dynamic, innovative and responsive to campus needs
• Working in collaboration with the campus community
• Providing safety and educational program and services in support of campus life
• By promoting professional development through on-going education and training

Values Statement

This organization will show respect to our campus community and visitors alike. We believe that individuals under our care should always be treated with utmost professionalism, dignity, and in a manner that promotes safety of the individual and encourages positive outcomes. Best solutions are often obtained by working collaboratively on complex problems and in manner that instills trust from our community partners. We understand the importance of preventive activities and encourage the participation in campus life activities and educational programs. These values are best supported by employees who subscribe to them, and therefore will support their efforts through training and professional development opportunities.
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Chapter 1 - Law Enforcement Role and Authority
Chief Executive Officer

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

102.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS
Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment.

102.1.2 CHIEF EXECUTIVE OFFICER RESPONSIBILITIES
California State University Executive Order No. 787 stipulates that Directors of Public Safety are specialized managers within their particular communities of higher education and as such have responsibilities to their specific programs as well as to the general campus administration. They provide resources and expertise to their Presidents/designees in the area of technical law enforcement activities and advise and assist in administrative decision making to prevent community jeopardy wherever and whenever possible. They remain current in the prevention of areas of law enforcement services and communicate this technology to other campus administrators as appropriate.
Oath of Office

104.1 PURPOSE AND SCOPE
Officers of this department are sworn to uphold the federal and state constitutions and to enforce federal, state and local laws.

104.1.1 OATH OF OFFICE
Upon employment, all sworn employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer.
Written Directives

106.1 PURPOSE AND SCOPE
Written directives will be issued by the California State University, Sonoma State University or the Department as needed to communicate policies, procedures, rules and regulations and expectations of employees. Written directives may be issued in the Policy Manual, general orders, special orders, CSU Executive Orders, University Policy or other official means.

106.2 RESPONSIBILITIES
The ultimate responsibility for the contents and communication of the written directives rests with the Chief of Police. Since it is not practical for the Chief of Police to prepare and maintain all directives, the following delegations have been made:

106.2.1 CHIEF OF POLICE
The Chief of Police shall be considered the final authority for the issuance and/or communication of all written directives and shall issue general and special orders as needed to modify existing directives.

The Chief of Police will strive to ensure that directives issued by non-departmental entities are communicated to the department as appropriate (e.g.: Systemwide policies, county-wide protocols, etc). Nothing in this section relinquishes a member from his/her responsibility to be knowledgeable about applicable non-departmental directives.

106.2.2 POLICY DEVELOPMENT TEAM
The Policy Development Team shall consist of the following:

• Chief of Police
• The Section Manager from each section
• The CALEA Accreditation Manager

The team shall review all recommendations regarding proposed written directives at Policy Development Team meetings or as otherwise requested.

106.2.3 OTHER PERSONNEL
All Department employees suggesting revision or issuance of written directives shall forward their suggestion, in writing, to their assigned supervisor who will consider the recommendation and forward to the Policy Development Team.

106.2.4 ACCEPTANCE OF WRITTEN DIRECTIVES
As a condition of employment, all employees are required to read and obtain necessary clarification of this department's written directives. All employees are required to sign a statement of receipt acknowledging that they have received a copy, or have been provided access to the Policy Manual and other written directives and understand they are responsible to read and become familiar with its contents.
Written Directives

106.2.5 ISSUANCE AND REVISION OF WRITTEN DIRECTIVES
All employees are responsible for being knowledgeable of the issuance or revision of written directives. All employees will be notified of written directives by memo and/or e-mail and directives will be posted in the department "All Users" electronic folder. Each employee shall review the directives and seek clarification as needed, acknowledge receipt by return email or written statement of receipt. The Chief of Police shall designate for each issued directive the appropriate means of acknowledgment.

Each Appropriate Administrator will ensure that employees under his/her command are aware of any revised or new directives.

106.3 POLICY MANUAL
The manual of Sonoma State University Police & Parking Services is hereby established and shall be referred to as "The Policy Manual." The Policy Manual is a statement of the current policies, procedures, rules, and guidelines of this department. All employees are to conform to the provisions of this manual. The use of the term "Policy Manual" does not imply that this manual supersedes or overrides any other policy manuals issued by the CSU or the University.

All prior and existing manuals, general orders, and regulations which are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders, and other regulations which have not been included herein may remain in effect where they do not conflict with the provisions of this manual. Excepting the following:

• Special orders relating to areas of department procedure that are not specified in the manual
• Policies of the California State University and Sonoma State University that are not directly referenced in this manual, but are still in effect
• Prior manuals, general orders or regulations are the orders on record for actions taken by members prior to the effective date of this manual

Members should consult with his/her Appropriate Administrator before observing prior directives or policies.

It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

106.3.1 ACCEPTABLE ABBREVIATIONS
The following abbreviations are acceptable substitutions in the manual:

• General Orders may be abbreviated as "GO"
• Special Orders may be abbreviated as "SO"
• Policy Manual sections may be abbreviated as "Section 106.X" or "§ 106.X"

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

Adult - Shall mean any person 18 years of age or older
Appropriate Administrator - Shall refer to the designated manager for each member who has been assigned responsibility for that member’s performance and all personnel matters.

CHP - Shall refer to the California Highway Patrol

State - Shall mean the State of California

Department - Shall mean Sonoma State University Police & Parking Services

DMV - Shall mean the Department of Motor Vehicles

Employee/Personnel - Shall apply to any person employed by the Department

Juvenile - Shall mean any person under the age of 18 years

Manual - Shall refer to the Sonoma State University Police & Parking Services Policy Manual

Member - Term applied to all persons who are employed by the Police Department and shall include sworn officers and non-sworn employees. This includes volunteers.

Officer/Sworn - Applies to those employees, regardless of rank, who are sworn employees of Sonoma State University Police & Parking Services.

On-Duty - Employee status during the period when he/she is actually engaged in the performance of his or her assigned duties

Order - An instruction either written or verbal issued by a superior

POST - Shall mean the California Commission on Peace Officer Standards and Training

Rank - Shall mean the title of the classification held by an officer

Shall - Indicates a mandatory action

Section Manager - Member who is assigned command authority for the operational direction and oversight for a section of the department.

SSU PPS - Shall mean Sonoma State University Police & Parking Services

Superior - A person holding a higher supervisory or command rank or position.

Supervisor - The member within each Section assigned oversight and responsibility for personnel and operational needs.

106.3.3 DISTRIBUTION OF MANUAL
Copies of the Policy Manual shall be distributed to the following:

- Chief of Police
- Section Managers
- Sergeants
- Officer’s Workstation
- Communications Center
- Office of the Vice President for Administration & Finance
Written Directives

- Office of Employee Relations and Compliance

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

106.4 GENERAL ORDERS
General Orders may be issued by the Chief of Police to make intermediate changes to policy and procedure consistent with current Collective Bargaining Units, Memorandums of Understanding and as permitted by Government Code §3500 et seq. General Orders will immediately modify or change and supersede sections of this manual to which they pertain.

106.4.1 GENERAL ORDER PROTOCOL
General Orders will be incorporated into the manual as required upon approval of the Policy Development Team. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the Policy Manual.

General Orders have now been incorporated in the Policy Manual as of the below revision date.

Any General Orders issued after publication of the Policy Manual shall be titled "General Order" and numbered consecutively starting with the four digit year, followed by the number "01". For example, General Order 2008-01 signifies the first General Order for the year 2008.

106.5 SPECIAL ORDERS
Special Orders may be issued by Section Managers with the approval of the Chief of Police to the department or specific Sections or members as appropriate to make immediate changes to policy or procedure consistent with Collective Bargaining Agreements, Memorandums of Understanding and as permitted by Government Code §3500 et set. Special orders will immediately modify or change and supersede sections of this manual to which they pertain. Special Orders may be temporary or limited in affect to department members.

106.5.1 SPECIAL ORDER PROTOCOL
Special Orders will be incorporated into the manual as appropriate upon approval of the Policy Development Team. Special Orders incorporated into the Policy Manual will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the Policy Manual. Special Orders that are temporary in effect or related to limited members may be excluded from publication in the Policy Manual upon decision of the Policy Development Team.

All appropriate Special Orders have now been incorporated in the Policy Manual as of the below revision date.

Any Special Orders issued after publication of the Policy Manual or those excluded from publication shall be titled "Special Order" and numbered consecutively starting with the four digit year, followed by the number "01". For example, Special Order 2008-01 signifies the first Special Order for the year 2008.
Written Directives

106.6 UNIVERSITY POLICIES
University policies are issued by the University President or his or her designee and apply to all members. University policies may include procedures, rules or regulations.

106.6.1 UNIVERSITY POLICY PROTOCOL
University policies are distributed by the Office of University Affairs or by Divisions as appropriate. Policies may be distributed in memos or other written form, although campus e-mail is most common. It is the responsibility of all members to read, seek clarification and understand all University policies that are distributed by the Chief of Police or any executive officer of Sonoma State University, including the University President or Division Vice Presidents.

106.7 CSU SYSTEMWIDE POLICIES
California State University systemwide policies and certain administrative procedures emanate from the Office of the Chancellor; however, the operational programs and the implementation of policies are administered locally by each campus. Systemwide policies may consist of coded memorandum issued by divisions of the Chancellor’s Office, executive orders issued by the Chancellor, systemwide police guidelines updated by the Systemwide Police Advisory Committee, various sections of the State University Administrative Manual (SUAM) and, where applicable, the State Administrative Manual (SAM).

106.7.1 CSU SYSTEMWIDE POLICY PROTOCOL
Systemwide policies are disseminated to campus executive officers as appropriate. In the Division of Administration and Finance, the Vice President is responsible for notifying Police & Parking Services of policies which directly affect operations, personnel or other systemwide issues. These may be forwarded directly to the Chief of Police for department distribution or to the campus at large. It is the responsibility of all members to read, seek clarification and understand all systemwide policies that are distributed by the Chief of Police or any executive officer of Sonoma State University, including the University President or Division Vice Presidents.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

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

200.2 SECTIONS
The Chief of Police is responsible for administering and managing Sonoma State University Police & Parking Services. There are three sections in the Police Department as follows:

- Administration Section
- Operations Section
- Emergency Management Section

200.2.1 ADMINISTRATION SECTION
The Administration Section is commanded by the Chief of Police, who plans, organizes and directs the Department and all assigned functions. The Chief of Police shall have the authority to issue, modify and/or approve agency written directives. The Administration Division consists of Technical Services, Administrative Services and Parking and Transportation Services.

200.2.2 OPERATIONS SECTION
The Operations Section is commanded by the Deputy Chief of Police whose primary responsibility is to provide general management direction and control for the Section. The Operations Section consists of Uniformed Patrol and Special Operations, which includes Traffic, Investigations, Crime Prevention and Campus Oriented Partnership Policing Program.

200.2.3 EMERGENCY MANAGEMENT SECTION
The Emergency Management Section is commanded by the Director for Emergency Services whose primary responsibility is to provide general management direction and control for the Communications Center and University emergency management and operations.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND
The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police may designate the Deputy Chief to serve as the acting Chief of Police.

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

(a) Deputy Chief of Police
(b) Director of Emergency Services
Organizational Structure and Responsibility

(c) Manager for Systems Administration & Support Programs

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

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

200.4  SUPERVISION/MANAGEMENT OF EMPLOYEES
Upon appointment, following a change in assignment or a change in reporting assignment, all employees shall be notified in writing of his/her Appropriate Administrator. The Appropriate Administrator may designate a supervisor(s) for that employee. Although an employee may receive work direction from other employees in the department, the assigned Appropriate Administrator is ultimately accountable for the actions and work product of his/her assigned employee(s) and shall be available to that employee for matters relating to his/her employment.

Supervision or work direction on patrol shifts is designated pursuant to §444.2.
Emergency Plan

206.1 PURPOSE AND SCOPE
Sonoma State University Police & Parking Services has prepared an Emergency Plan for use by all employees in the event of a major disaster or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

206.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Plan can be activated in a number of ways. For the Police Department, the Chief of Police or the highest ranking member on duty may activate the Emergency Plan in response to a major emergency.

206.3 LOCATION OF THE EMERGENCY PLAN
The Emergency Plan is available for the employees in the Officer’s Workstation and the Communications Center. All members should familiarize themselves with the Emergency Plan and what roles department personnel will play when the plan is implemented.
Training Policy

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

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

208.3 OBJECTIVES
The objectives of the Training Program are to:

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

208.3.1 TRAINING COMMITTEE
The training committee will consist of a minimum of three members, including, but not limited to:

(a) Training Coordinator
(b) Operations Section Manager
(c) Emergency Management Section Manager

208.3.2 TRAINING COMMITTEE RESPONSIBILITIES
The training committee is responsible for:

(a) evaluating the overall training provided and needed for all members
(b) planning, developing and coordinating, scheduling and implementing training programs
(c) updating the department training plan each fiscal year
(d) meeting at least once annually and providing a written report to the Chief of Police

208.3.3 TRAINING COORDINATOR RESPONSIBILITIES
The training coordinator is required to:

(a) maintain, review and update the department Training Plan
(b) maintain test scores, attendance, certificates and other records of employees
(c) coordinate in-service training programs and legal updates with qualified trainers
Training Policy

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

- Legislative Changes
- State Mandated Training
- Critical Issues Training

208.5 Lesson Plans
Lesson plans will be submitted to the relevant Section Manager for approval prior to instruction conducted by Sonoma State University Police & Parking Services. Lesson plans must be prepared in compliance with all POST requirements (if applicable) and include the following minimum information:

(a) A statement of performance and job related objectives
(b) The content of training and specifications of the appropriate instructional techniques
(c) Identification of any tests used in the training process

208.6 Training Assignments
Employees will be notified by the training coordinator of training assignments. Employees shall attend all assigned training assignments and provide documentation of completion to the Training Coordinator.

Employees who do not complete assigned training due to excused or unexcused absences must coordinate completion of the assigned training with the Training Coordinator.

208.7 Remedial Training
Remedial training is directed at solving a particular problem and/or improving an area of performance.

Remedial training will be provided to any employee who has been identified by his/her supervisor to be deficient in any required area of performance. It can be provided through additional training provided by department supervisors or Field Training Officers or through required attendance at POST in-service training courses.

Remedial training must be completed within a time and in a manner designated by the employee’s supervisor and the training coordinator. The timeframe should be determined based on the nature of the skill deficiency and the ability of the employee to continue to perform the functions of their position in a deficient state. Training must be clearly defined to include expected results. Officers who are assigned to any remedial training must attend and successfully complete the training within the assigned timeframe. Failure to do so may result in disciplinary action or temporary reassignment of duties.
Electronic Mail

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

212.2 E-MAIL RIGHT OF PRIVACY
All e-mail messages, including attachments, transmitted over the Department computer network are considered Department records and, therefore, are the property of the Department. The Department reserves the right to access, audit, and disclose for whatever reason, all messages, including attachments, transmitted over its e-mail system or placed into its storage.

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

212.3 PROHIBITED USE OF E-MAIL
Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the e-mail system is prohibited and may result in discipline.

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

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

212.4 MANAGEMENT OF E-MAIL
Each member is responsible for checking e-mail at the beginning of each shift.

Because the e-mail system is not designed for long-term retention of messages, e-mail that the employee desires to save or that becomes part of an official record should be printed and/or stored in another database. Users of e-mail are solely responsible for the management of their mailboxes.
Administrative Communications

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

214.2 DEPARTMENT E-MAIL
Department E-mail may be issued periodically by the Chief of Police or his or her designee to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

214.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. Personnel should use Department letterhead only for official business. Members should prepare correspondence using the Sonoma State University Business Correspondence Guide to ensure professional and consistent communications.

214.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police.

214.5 VOICE MAIL/TELEPHONE MESSAGES
Members will check their telephonic voice mail or their mailbox for telephone messages at the beginning of every shift.

214.6 OPERATIONAL ORDERS
Operational orders may be issued by supervisors in an effort to plan and prepare department response to planned or expected events.
Administrative Management

215.1 PURPOSE AND SCOPE
The administrative responsibilities of this department are outlined and delegated by the following policies.

215.2 DEPARTMENT DOCUMENTS
It is the responsibility of all members to be aware of forms, documents, brochures, pamphlets and/or other documents that are necessary in the fulfillment of department responsibilities, regulations or practices. New statutes, policies or other directives may regularly influence the documents that must be maintained by the department.

Members must notify his/her supervisor as soon as possible when it is necessary to acquire or develop new documents; reorder, reprint or revise existing documents; or acquire other documentary resources from other agencies. If supervisors are unable to obtain the needed documents or if there is an expense associated with acquisition, the Section Manager should be consulted.

215.3 MANDATED ACTIVITIES
Federal, state, CSU and University laws, regulations and policies mandate the reporting of statistics, incidents or other information on specific schedules. Reporting requirements mandated by those listed above will be assigned to the appropriate section by the Chief of Police by special order. It is the policy of this department to meet all mandated reporting requirements and deadlines and to report statistics and activities accurately and completely.

In addition, the department participation in the Commission on Accreditation of Law Enforcement Agencies (CALEA) program mandates periodic reports, reviews and other activities in order to meet accreditation standards. The CALEA Accreditation Manager is responsible for ensuring such mandates are met in order to ensure continued success within the CALEA program.
Staffing Levels

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

216.2 MINIMUM STAFFING LEVELS
Minimum staffing levels should result in the scheduling of at least two sworn officers whenever possible. A minimum of one member is required in the Communications Center for each shift.
Fiscal Management

217.1 PURPOSE AND SCOPE
It is the policy of this department to ensure the appropriate management of all funds allocated for department use and to ensure responsible planning and monitoring of all fiscal operations and other assets.

217.2 RESPONSIBILITIES
The Chief of Police has the overall final authority and responsibility to plan, manage and approve all expenditures of the funds allocated to the department. The management of all funds shall be done in accordance with applicable University regulations, state and federal laws. The Chief of Police may delegate budget activities as appropriate.

The department’s role in fiscal management includes:

- Monitoring all fiscal transactions, including expenditures, revenues, grant awards, contracts, etc.
- Ensuring payments to vendors are processed in accordance with applicable laws and University procedures
- Monitoring annual budget allocations to ensure spending within allowed amounts
- Procuring resources in a manner that is consistent with University policies and procedures and state and federal laws.
- Analyzing department budget to ensure the department has funding for necessary resources
- Ensuring the following are used and processed in accordance with University procedures:
  - University-issued credit cards
  - Employee travel claims
  - Petty cash
- Ensuring appropriate collection and processing the deposits of revenues, including Livescan fees, restitution payments, grant awards, cost recovery from third-party or University auxiliaries, POST reimbursement and parking fines and fees.

217.3 PROCUREMENT & PURCHASING
The University strives to permit the purchase of needed equipment and services by departments in the most efficient and equitable manner available. Purchases or services may be acquired using department credit cards, direct pay invoicing, purchase order or directly by employees with prior approval for reimbursement.

When selecting vendors for equipment and services, members should be knowledgeable about the product or service being purchased, the conditions of purchase or service provided by the vendor, alternatives and other factors that may influence selection of vendors. Members should attempt to utilize existing government contracts when possible.

Employees who are issued University credit cards are required to follow all purchasing policies. Credit cards will be issued to department managers and other members designated by the Chief of Police.
Fiscal Management

Credit limits on department credit cards and invoice signing authority limits are approved by the Chief of Police.

Employees who wish to acquire equipment or services will coordinate approval and acquisition with his/her supervisor and the department budget coordinator. Invoices or reimbursement requests for unapproved purchases may not be paid.

Emergency circumstances may arise that do not permit the full approval and consultation process for procurement to occur. In such cases, members must use sound judgment in purchases, keep all receipts and document the purchase(s) to his/her supervisor as soon as possible. If emergency purchases are needed and the employee requires access to University funds to make purchases, he/she should contact an authorized department manager to use a department credit card.

Current procurement procedures, published by University Financial Services, may be found at http://www.sonoma.edu/finance/BPG/bp_procurement_overview.doc.

217.3.1 CAPITAL PURCHASES
Capital purchases are defined as purchases of commodities (products) or services with a cost in excess of $5,000. Capital purchases must be made using purchase orders and may not be awarded until the department makes a good-faith effort to obtain a minimum of three quotes for equal products or services. Generally, the vendor who presents the lowest cost should be awarded the purchase or service contract. In cases where the use of an alternative vendor is required, the department must articulate the reason for the preference and approval must be granted by the Chief of Police and University Financial Services.

Capital commodity (product) purchases exceeding $25,000 and service contracts exceeding $50,000 require the University to conform with formal bidding requirements defined by the State of California, unless a state or other established contract exists (in the case of commodities only). All capital purchases must be coordinated with the Chief of Police.

217.4 BUDGET DEVELOPMENT & MANAGEMENT
The Chief of Police is responsible for the development and management of all funds allocated or awarded for department operations. He/she will coordinate and consult with the Vice President for Administration and Finance on matters relating to the department budget. The Chief of Police may delegate budgetary duties as appropriate. Members who are delegated responsibility for budgetary matters must comply with all University policies and state and federal laws and regulations and must consult on these matters with the Chief of Police as needed.

217.5 PETTY CASH
The department does not maintain a petty cash supply for employee use. Employees who make approved purchases on behalf of the University may request reimbursement in cash for purchases less than $50.00. Approved purchases in excess of $50.00 will be reimbursed with a University check. The employee must submit an approved Employee Business Reimbursement Request form to Customer Services to receive reimbursements. Emergency purchases must be made in accordance with §217.3.

217.5.1 PARKING CHANGE FUND
Parking Services maintains a cash fund for use in the Parking Information Centers. This cash shall be managed in accordance with University policies and state and federal
laws. The change fund may only be accessed for alternate uses in emergencies with the expressed approval of the Chief of Police.

217.6  FISCAL AUDITING

The University Office of Internal Audit Services coordinates and conducts regular audits of all department fiscal activities as required by the California State University, State of California and federal standards. The Chief of Police may order additional audits as appropriate.

217.7  UNIVERSITY PROPERTY

University property is managed by University Financial Services and coordinated by the department property manager. Most equipment purchased for $500 or more must have a property management tag provided by the University that allows for the tracking and identification of the equipment as University property.

The property manager is responsible for coordinating the acquisition of qualifying equipment and for conducting the annual property inventory. Members who are assigned qualifying equipment are responsible for ensuring the care and maintenance of that property and for reporting to the property manager any loss, theft or damage that renders the equipment unusable.

The full University policy relating to property can be found at http://www.sonoma.edu/finance/forms/property_management.
Concealed Weapon License

218.1 PURPOSE AND SCOPE
Per agreement with Sonoma County Law Enforcement Chiefs’ Association, concealed weapon (CCW) licenses are issued to qualified residents by municipal Chiefs of Police or by the Sheriff.

218.1.1 APPLICATION OF POLICY
Pursuant to the SCLECA Protocol 85-6, Sonoma State University Police & Parking Services will not issue Concealed Weapons Licenses.

Officers should refer to the referenced protocol for information regarding licenses issued in the county.
Retired Officer CCW Endorsements

220.1 PURPOSE AND SCOPE
The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of a concealed weapons (CCW) endorsement for retired officers of this department.

The authority to issue, revoke or deny concealed weapons endorsements for retired officers is established by California State University Executive Order 873.

220.2 QUALIFIED RETIREES
Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of their employment shall be issued an identification card with a "CCW Approved" endorsement upon honorable retirement (Penal Code § 12027(a)(1)(D)).

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

(b) No "CCW Approved" endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code 12027.1(b)(3)(e)).

220.3 MAINTAINING A CCW ENDORSEMENT
In order to maintain a "CCW Approved" endorsement on an identification card, the retired officer shall:

(a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer’s expense. Upon verification by this department that all annual requirements have been met by an otherwise qualified retired officer, the "CCW Approved" endorsement shall be renewed and dated on the identification card (18 United States Code 926C).

(b) Remain subject to all department rules and policies as well as all federal, state and local laws, if such violation by an officer on active duty, would result in that officer’s arrest, suspension, or removal from the agency. (Penal Code § 12027.1(a)(2)).

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

220.4 CARRYING FIREARMS OUT OF STATE
Subject to 18 United States Code 926C and Policy Manual § 312.8, qualified retired officers of this department may be authorized to carry a concealed weapon in other states.

220.5 IDENTIFICATION CARD FORMAT
The identification card issued to any qualified and honorably retired officer shall be two inches by three inches and minimally contain the following (Penal Code § 12027(a)(1)(D)):

(a) Photograph of the retiree.

(b) Retiree’s name and date of birth.

(c) Date of retirement.
Retired Officer CCW Endorsements

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

220.6 DENIAL OR REVOCATION OF CCW ENDORSEMENT
The CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause.

No peace officer who is retired after January 1, 1989, because of a psychological disability shall be issued an endorsement to carry a concealed and loaded firearm pursuant to this section. (Penal Code 12027.1(e)).

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

(a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right (Penal Code § 12027.1(b)(3)).

(b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 12027.1(b)(2)).
   1. The retiree shall have 15 days from the Department’s verification of service to file a written request for a hearing.
   2. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) If timely requested, the hearing for the denial or revocation of any CCW endorsement shall be composed of three members - one selected by the Department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 12027.1(d)).
   1. The decision of such hearing board shall be binding on the Department and the retiree.
   2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege".
Chapter 3 - General Operations
Use of Force Review

302.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a process to review the use of force by employees of this department.

302.2 ADMINISTRATIVE REVIEW
Sonoma State University Police & Parking Services is charged with the important responsibility of objectively evaluating the use of force by it's members. It is the policy of this department to conduct a Use of Force administrative review of all incidents which require the completion of a use of form report pursuant to §300.4.

An administrative review will also occur to investigate and/or review the circumstances surrounding every accidental or intentional discharge of a firearm, whether the employee is on or off duty, excluding range training or off-duty recreational use. The Chief of Police or Operations Section Manager may order an administrative review of any use of force incident.

A use of force administrative review may be conducted informally by the Operations Section Manager depending on the circumstances and the seriousness of the incident. In such cases, the Section Manager will indicate his/her finding on the Use of Force Report form and notify the involved officer of the finding.

In cases where serious injuries result from the incident or when the employee may be subject to formal discipline as a result of the review, the Chief of Police or the Operations Section Manager may convene a Review Board.

302.2.1 COMPOSITION OF THE BOARD
The Use of Force Review Board shall be comprised of the following persons:

- Command representative of each section
- Training Coordinator
- Non-administrative supervisor

The senior ranking member not of the same section of the involved employee will serve as chairperson.

302.2.2 REVIEW BOARD PROCEDURES
The Use of Force Review Board is empowered to conduct an administrative investigation into the circumstances of an incident. The Board membership may request further investigation, call persons to present information, and may request that the involved employees appear before the Board. The involved employees will be notified of the meeting of the Board and may be represented by legal counsel and/or other representation through all phases of the review process.

Absent an expressed waiver from the employee, no more than two members of the Board may ask questions of the involved employee.

If it appears that the actions of the employee(s) may result in criminal charges or disciplinary action by the Department, the Board will conduct the interviews in accordance
Use of Force Review

with department disciplinary procedures. The Board does not have the authority to recommend discipline. The Board shall make a finding and such finding will be limited to one of the following:

(a) The employee’s actions were within department policy and procedures.
(b) The employee’s actions were in violation of department policy and procedure.

A finding will be the consensus of the Board. After the board has concluded, the board chairman will submit written findings of the board to the Chief of Police. After review by the Chief of Police, a copy of the findings will be forwarded to the involved employee’s Appropriate Administrator for review and appropriate action.

At the conclusion of the review process, a copy of all relevant reports and information will be filed with the Chief of Police.

Once the Board has reached its specific finding, the Training Coordinator may convene the separate training committee to address training needs and recommendations for this department without specific reference to the facts of the incident considered by the Board.
Shooting Policy

304.1 PURPOSE AND SCOPE
The purpose of the shooting policy is to establish procedures for the use and reporting of incidents involving the discharge of firearms. This policy is for internal use only and does not increase the Department’s and/or an officer’s civil or criminal liability in any way. Violations of this policy can only form the basis for departmental administrative actions.

304.1.1 POLICY
It is the policy of this department to resort to the use of a firearm, when it reasonably appears to be necessary, and generally:

(a) An officer may use deadly force to protect himself/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.

(b) An officer may use deadly force to effect the arrest or prevent the escape of a suspected felon when the officer has probable cause to believe that the suspect has committed or intends to commit a felony involving the inflicting of serious bodily injury or death and the officer reasonably believes that there is an imminent or future potential risk of serious bodily injury or death to others if the suspect is not immediately apprehended. Under such circumstances, a warning should precede the use of deadly force where feasible.

(c) To stop a dangerous animal.
   1. In circumstances where officers encounter an unexpected dangerous animal or are surprised by an animal which reasonably appears to pose an imminent threat to the safety of officers or others, officers are authorized to use deadly force to neutralize such a threat.
   2. In circumstances in which officers have sufficient advanced notice that a potentially dangerous domestic animal (e.g. dog) may be encountered, such as in the serving of a search warrant, officers should develop reasonable contingency plans for dealing with the animal without the use of deadly force (e.g. fire extinguisher, OC Spray, animal control officer). Nothing in this policy shall prohibit any officer from resorting to deadly force to control a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

(d) With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)). Injured animals may only be euthanized after a reasonable effort to locate the owner has been made (Penal Code § 597.1(b)).

(e) For target practice at an approved range.

When possible, a verbal warning should be given before an officer resorts to deadly force as outlined (a) and (b) above. A specific warning that deadly force will be used is not required by this policy; only that a verbal warning be given if possible.
Shooting Policy

304.1.2 WARNING SHOTS
Warning shots are not permitted. A firearm may be used for the purpose of summoning aid under life threatening conditions, when no other means are available and doing so is reasonably safe.

304.1.3 MOVING VEHICLES
Shots fired at or from a moving vehicle are rarely effective and are generally discouraged.

(a) Unless it reasonably appears that it would endanger officers or the public, officers are expected to move out of the path of any approaching vehicle.

(b) This is not intended to restrict an officer’s right to use deadly force directed at the operator of a vehicle when it is reasonably perceived that the vehicle is being used as a weapon against the officer or others.

304.1.4 REPORT OF WEAPON DISCHARGE
Except during training or off-duty recreational use, any member who discharges a weapon accidentally or intentionally, on or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. The member shall submit a written memo with his/her Section Manager prior to the end of shift. If off-duty the written memo shall be submitted at a time directed by the supervisor but no later than the end of the next regularly scheduled shift.

304.1.5 REVIEW OF WEAPON DISCHARGE
The Chief of Police will review all reports of weapons discharges not associated with training or recreation within 30 days of the discharge report, with the exception of discharges associated with the application of deadly force, which shall be investigated pursuant to Policy Manual §302.

Employees who discharge weapons in a negligent manner or in a manner not authorized by department policy may be subject to discipline.
Control Devices and Techniques

308.1 PURPOSE AND SCOPE
To reduce and minimize altercation-related injuries to officers and suspects, the Department authorizes the use of selected control devices. Certain control devices are provided in order to control violent or potentially violent suspects. It is anticipated that the use of these devices will generally result in fewer altercation-related injuries to officers and suspects. The below procedures are for the use and maintenance of control devices (e.g., baton, oleoresin capsicum (OC) spray and tear gas). Only those control devices that have been approved by the Chief of Police or his/her designee are authorized to be carried by members of this department.

308.1.1 WHEN DEVICES MAY BE USED
When a decision has been made to restrain or arrest a violent or threatening suspect, an approved control device may only be used when its use appears reasonable under the circumstances and the officer has been trained in its use.

308.1.2 REVIEW, INSPECTION AND APPROVAL
Every control device will be periodically inspected by the department Armorer or Rangemaster, or the designated instructor for a particular control device.

308.1.3 TRAINING FOR CONTROL DEVICES
(a) Only officers trained and having shown adequate proficiency in the use of any control device and this agency’s Use of Force policy are authorized to carry the device. Proficiency training must be monitored and documented by a certified weapons or tactics instructor.

(b) Training for the use and application of all approved lethal weapons and electronically controlled weapons at least annually. All other control devices and techniques should occur every two years at a minimum.

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

(d) Officers failing to demonstrate proficiency with the weapon or knowledge of this agency’s Use of Force policy will be provided remedial training.

308.2 BATON/ASP GUIDELINES
The baton and the ASP are authorized for use when, based upon the circumstances perceived by the officer, lesser force would not reasonably appear to result in the safe control of the suspect. The ASP is the standard issue impact weapon, although batons are authorized for use when available and the officer has received appropriate training.

308.3 CHEMICAL AGENTS SPRAY GUIDELINES
Only authorized personnel may possess and maintain department issued oleoresin capsicum spray. Chemical agents are weapons used to minimize the potential for injury to officers, offenders, or other persons. They should be used only in situations where such force reasonably appears justified and necessary.
Control Devices and Techniques

308.3.1 REQUIRED INSTRUCTION FOR USE
All personnel authorized to carry oleoresin capsicum spray, shall complete the required course of instruction prior to possessing and using the oleoresin capsicum spray.

308.3.2 CARRYING OF OLEORESIN CAPSICUM (OC) SPRAY
Uniformed field personnel carrying the oleoresin capsicum spray shall carry the device in a holster on the equipment belt. Plainclothes and non-field personnel may carry the oleoresin capsicum spray as authorized, consistent with the needs of their assignment or at the direction of their supervisor.

Canisters involved in any type of malfunction or damage shall be turned in to the Rangemaster for exchange.

308.3.3 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been affected by the use of chemical agents should be promptly provided with water or a solution to cleanse the affected areas. Those persons who complain of further severe effects shall be afforded a medical examination by medical personnel defined in §300.4.2.

308.3.4 REPORT OF USE
All uses of chemical agents shall be documented in the Use of Force report and in the related incident/case report.

308.4 KINETIC ENERGY PROJECTILES
This department is committed to reducing the potential for violent confrontations when suspects are encountered. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury.

Kinetic energy projectiles are approved by the Department and are fired from 12 gauge shotguns launchers. Certain munitions can be used in an attempt to deescalate a potentially deadly situation, with a reduced potential for death or serious physical injury. Kinetic energy projectiles are only to be fired from the department shotgun marked and designated for this type of ammunition.

308.4.1 DEPLOYMENT
Approved munitions are justified and may be used to compel an individual to cease his or her actions when such munitions present a reasonable option for resolving the situation at hand.

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

308.4.2 EXAMPLES OF CIRCUMSTANCES APPROPRIATE FOR DEPLOYMENT
Examples include, but are not limited to, the following types of situations where the subject:

(a) Is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions
(b) Has made credible threats to harm himself or others
Control Devices and Techniques

(c) Is engaged in riotous behavior or is throwing rocks, bottles, or other dangerous projectiles at people and/or officers

308.4.3 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider the following factors:

(a) Severity of the crime or incident.
(b) Subject's capability to pose an imminent threat to the safety of officers or others.
(c) If the subject is actively resisting arrest or attempting to evade arrest by flight.
(d) The credibility of the subject's threat as evaluated by the officers present, and physical capacity/capability.
(e) The proximity of weapons available to the subject.
(f) The officer's versus the subject's physical factors (e.g., age, size relative strength, skill level, injury/exhaustion, the number of officer(s) versus subject(s)).
(g) The availability of other force options and their possible effectiveness.
(h) Distance and angle to target.
(i) Type of munitions employed.
(j) Type and thickness of subject's clothing.
(k) The subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

308.4.4 DEPLOYMENT DISTANCES
Officers should keep in mind the manufacturer's recommendations regarding deployment when using control devices, but are not solely restricted to use according to these manufacturer recommendations. Each tactical situation must be evaluated on the totality of circumstances at the time of deployment.

308.4.5 SHOT PLACEMENT
The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck will not be intentionally targeted when deadly force is not reasonably justified.

Officers should generally follow the manufacturer’s recommendations regarding minimum deployment distances and target areas however any target area or distance may be considered when it reasonably appears necessary to accomplish immediate incapacitation in order to prevent serious injury or death and other reasonable methods have failed or reasonably appear ineffective.

308.4.6 APPROVED MUNITIONS
Only department approved kinetic energy munitions shall be carried and deployed.

308.4.7 USE OF KINETIC ENERGY PROJECTILES BY SUPERVISORS
A specially marked shotgun, designated for the use of 12-gauge projectiles, is stored in the armory closet.

Supervisors will inspect this shotgun prior to deployment to ensure that it is in proper working order and loaded with approved projectiles only.
Control Devices and Techniques

308.5 TRAINING REQUIRED FOR USE
Personnel who have successfully completed an approved departmental training course shall be authorized to use kinetic energy projectiles. Officers deploying kinetic energy projectiles will complete a recertification course at least every two years.

308.6 RESPONSIBILITIES

308.6.1 SUPERVISOR RESPONSIBILITIES
The supervisor shall monitor the use of control devices in the same manner as all other use of force incidents.

(a) The supervisor may authorize the use of a control device by selected personnel or members of specialized units provided the person(s) authorized has/have the required training.

(b) The Chief of Police, or his/her designee, shall review each use of control devices by any member.

(c) The Training Coordinator shall ensure training on the use of control devices is provided as needed.

308.6.2 RANGEMASTER RESPONSIBILITIES
The Rangemaster shall control the inventory and shall issue all control devices listed in Policy §308. All damaged, inoperative and/or expended control devices shall be returned to the Rangemaster for disposition, repair or replacement.

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

308.7 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device and/or technique listed within this section shall be documented pursuant to § 300.4 and 300.5.
Fatal Officer-Involved Incidents

310.1 PURPOSE AND SCOPE
To establish policy and procedures for the investigation fatal incidents involving members of the department.

This department follows the Sonoma County Law Enforcement Chiefs’ Association (SCLECA) County-wide protocol 93-1 (Law Enforcement Employee-Involved Fatal Incident Protocol).

Officers should familiarize themselves with this protocol.

310.2 INVOKING PROTOCOL PROVISIONS
The Chief of Police, or his/her designee, is responsible for invoking the provisions of the county protocol in the event of an officer-involved fatality. The supervisor shall contact the Chief of Police as soon as possible when a fatal incident occurs.

310.3 NOTIFICATIONS
The following person(s) shall be notified as soon as possible:

- Chief of Police
- Operations Section Manager
- Appropriate Administrator(s) of involved employee(s)
- Officer representative (if requested)

The Chief of Police, or his/her designee, is responsible for the following additional notifications:

- University Executive(s)
- University Affairs/Public Information Officer
- Sonoma County Sheriff’s Office (to invoke protocol provisions)
- Coroner (if necessary)
- Psychological/Peer Support
Firearms

312.1 PURPOSE AND SCOPE
This policy establishes procedures for the acquisition, use, and documentation of training in the use of firearms. The Chief of Police or his or her designee shall approve all Department firearms before they are acquired and utilized by any member of this department.

The California State University authorizes the use and describes the types of weapons that may be used by CSU officers in Executive Order 756.

312.2 AUTHORIZED WEAPONS
No firearms will be carried that have not been thoroughly inspected by the Rangemaster during a regularly scheduled range date. Except in an emergency, or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that weapon at an authorized department range.

The following weapons are approved for use by sworn officers of this department:

312.2.1 DUTY WEAPONS
Sworn officers must be armed at all times when on duty except:

• Administrative details
• Communications Section assignments
• Training (non-uniformed)
• Court appearances
• With approval of Appropriate Administrator

The authorized departmental issued handgun is the Glock 23 or the Glock 19.

Other high quality pistols in .40 caliber or 9mm, approved by the Rangemaster and the Chief of Police, may be carried on-duty, in lieu of the issued firearm.

312.2.2 AUTHORIZED SECONDARY WEAPONS
Officers desiring to carry a secondary weapon are subject to the following restrictions:

(a) The weapon shall be of good quality and workmanship
(b) Only one secondary weapon may be carried at a time
(c) The purchase of the weapon shall be the responsibility of the officer
(d) The department will provide ammunition for secondary firearms of the same caliber of those firearms issued by the department. Ammunition for other caliber firearms must be purchased by the officer from a licensed retailer and must meet the specifications of ammunition in §312.2.4.
(e) The weapon shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control
(f) The weapon shall be subject to inspection whenever deemed necessary and must be inspected by a qualified gunsmith at least annually at the expense of the officer. Certificates of inspection must be presented to the Rangemaster.
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(g) Ammunition shall be the same as Department issue. If the caliber of the weapon is other than Department issue, the Chief of Police shall approve ammunition.

(h) Personnel shall qualify with the secondary weapon under range supervision. Officers must demonstrate their proficiency, safe handling and serviceability of the weapon.

(i) Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second weapon to the Rangemaster and proof of annual inspection by an approved gunsmith.

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

(a) The firearm shall meet the requirements of §312.2.2(a).

(b) The purchase of the weapon shall be the responsibility of the officer.

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

(d) It will be the responsibility of the officer to submit the weapon to the Rangemaster for inspection prior to being carried off-duty. The Rangemaster shall assure that the officer is proficient in handling and firing that weapon and it will be carried in a safe manner. The weapon shall be subject to inspection whenever deemed necessary. The officer will successfully qualify with the weapon prior to it being carried and thereafter annually. The range qualification dates will be specified by the Rangemaster.

(e) A complete description of the weapon(s) shall be contained on the qualification record approved by the Rangemaster.

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

(g) The department will provide ammunition for off-duty firearms of the same caliber of those firearms issued by the department. Ammunition for other caliber firearms must be purchased by the officer from a licensed retailer and must meet the specifications of ammunition in §312.2.4.

(h) Off-duty weapons must be inspected by a qualified gunsmith at least annually at the expense of the officer. Certificates of inspection must be presented to the Rangemaster.

(i) When armed, whether on or off duty, officers shall carry their badge and department identification.

312.2.4 AMMUNITION
Officers shall carry only department-authorized ammunition. Officers shall be issued ammunition in the specified quantity for all department issue and non-department issued firearms that are of the same caliber as department issued firearms upon issuance or approval of the firearm. Frangible ammunition for those weapons described above will be provided for each required qualification.

Officers carrying personally owned authorized firearms of a caliber differing from department issued firearms shall be responsible for purchasing ammunition in accordance with the
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above at their own expense. The officer is also responsible for the purchase of frangible ammunition for use during range qualifications.

Replacements for serviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed in accordance with established policy.

312.2.5 ALCOHOL & DRUGS

Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any medication that would tend to adversely affect the officer’s senses or judgment.

312.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

312.3.1 SAFETY CONSIDERATIONS

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

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

(c) Any member who discharges his/her weapon accidentally or intentionally, on or off-duty, except during training or off-duty recreational use, shall make a verbal report to his/her supervisor as soon as circumstances permit and, shall file a written report with his/her Appropriate Administrator prior to the end of shift, if on-duty, or as soon as possible, if off-duty.

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

(e) Shotguns or rifles removed from vehicles or the Armory closet shall be loaded and unloaded outside of the vehicle.

(f) Officers shall not place or store any firearm or other weapon on Department premises except in a secure location. No one shall carry firearms into the interview room or any other location when securing or processing a prisoner. It shall be the responsibility of the arresting officer to make sure that persons from outside agencies do not enter such locations with any firearm.

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

312.3.2 STORAGE OF FIREARMS AT HOME

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes in a manner that will keep them inaccessible to children and irresponsible adults.

Officers shall be aware that negligent storage of a firearm could result in criminal prosecution under Penal Code § 12035.
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312.4 FIREARMS QUALIFICATIONS
All sworn personnel are required to qualify annually with their duty weapon on an approved range course. The Rangemaster shall keep accurate records of annual qualifications, repairs, maintenance, training or as directed by the Training Coordinator. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all sworn personnel with additional practical training designed to simulate field situations. At least annually, all personnel carrying a firearm will receive training on the department Use of Force policy and demonstrate their knowledge and understanding.

312.4.1 NON QUALIFICATION
If any officer is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to his or her immediate supervisor prior to the end of the required shooting period.

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

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

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated
(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained
(c) No range credit will be given for the following
   1. Unauthorized range make-up
   2. Failure to qualify after remedial training

312.5 RANGEMASTER DUTIES
The Rangemaster will select a private or public firearms range for department training and/or qualification. During training, the range will be under the exclusive control of the Rangemaster. The Rangemaster is responsible for ensuring all personnel, including him/herself follow all regulations of the firearms range. All members attending will follow the directions of the Rangemaster.

The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Coordinator after each range date. Failure of any officer to sign in and out with the Rangemaster may result in non-qualification.

The Rangemaster is responsible for scheduling and coordinating an annual inspection and/or service of all department owned duty weapons. Such inspections shall be performed by a qualified gunsmith.

The Rangemaster may perform periodic inspections of all duty weapons carried by officers of this department to verify proper operation. The Rangemaster has the authority to deem any privately owned weapon unfit for service. The Rangemaster is also responsible for reporting any weapon deemed unfit to the Chief of Police and the Operations Section Manager. The officer will be responsible for all repairs to his or her personal weapon and it will not be returned to service until inspected by the Rangemaster.
Firearms

The Rangemaster shall maintain a file of all department approved and/or issued firearms. The file shall include, at minimum, the firearm description, serial number and assigned officer.

312.6 MAINTENANCE AND REPAIR

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

312.6.1 REPAIR OR MODIFICATIONS OF DUTY WEAPONS

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

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

312.7 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.217):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for personal reasons.
(b) Officers must carry their Department identification card and California driver’s license. Additionally, officer(s) must present their Identification to airline officials when requested.
(c) All required notifications must be transmitted in accordance with TSA regulations.
(d) TSA regulations require that law enforcement officers (LEOs) approved by the chief of police to travel armed must send an NLETS administrative message to the LEO flying armed ORI: VAFAM0199. A receipt, with unique alphanumeric identifier will be returned from TSA to the employing agency. This identifier shall then be verified at the airport on the day of travel. It is that such NLETS messages be sent to the ORI at least 5 days prior to travel to allow for returned receipt, using the exact entry format instructed by DOJ and on file in the Communications Center. Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department appointed instructor.
(e) It is the officer’s responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier’s check-in counter.
(f) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. Officers must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
(g) Officers should not surrender their firearm but try to resolve any problems through the flight captain, ground security manager or other management representative of the air carrier.
(h) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.
Firearms

312.8 CARRYING FIREARMS OUT OF STATE
Qualified active full-time [officers/deputies] and qualified retired officers (see Policy Manual § 220) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 United States Code 926B and C):

(a) The officer shall carry his/her Department identification card whenever carrying such weapon.

(b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.

(c) The officer is not the subject of any current disciplinary action.

(d) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(e) The officer will remain subject to this and all other Department policies (including qualifying and training).

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

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 United States Code 926B and C.
Officer Response to Calls

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

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

Officers who initiate a "Code-3" response must advise dispatch of his/her response status as soon as possible. Dispatchers must enter the officer’s "Code-3" response status in the incident log. The officer must notify dispatch if the "Code-3" response is terminated.

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

Any call that is not dispatched as "Code-3" is a routine call. Officers not authorized to respond Code-3 or who have not initiated a "Code-3" response shall observe all traffic laws and proceed without the use of emergency lights and siren.

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

If circumstances permit and emergency assistance is needed, the requesting officer should give the following information:

- The number of suspects or persons involved, if known
- The location
- The reason for the request and type of emergency
- The number of units required

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

316.4 INITIATING CODE 3 RESPONSE
If an officer believes a Code-3 response to any call is appropriate, the officer shall immediately notify Dispatch. Generally, only one unit should respond Code-3 to any
situation. Should another officer believe a Code-3 response is appropriate, Dispatch shall be notified and the supervisor will make a determination as to whether one or more officers driving Code-3 is appropriate.

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

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

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

316.6 COMMUNICATIONS RESPONSIBILITIES
A dispatcher shall assign a Code-3 response when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance
(b) Confirm the location from which the unit is responding
(c) Notify and coordinate allied emergency services, if appropriate (e.g., fire and ambulance)
(d) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated
(e) Control all radio communications during the emergency and coordinate assistance under the direction of the patrol supervisor as needed

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

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

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

It is the supervisor’s responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.
Officer Response to Calls

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

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

316.8 FAILURE OF EMERGENCY EQUIPMENT

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

322.1 PURPOSE AND SCOPE
Case law regarding search and seizure is ever changing and frequently subject to interpretation under the varying facts of each situation. This policy is intended to provide a few of the basic guidelines that may assist an officer in evaluating search and seizure issues. Specific situations should be handled according to current training and an officer’s familiarity with clearly established case law.

322.2 REASONABLE EXPECTATION OF PRIVACY
Both the United States and the California Constitutions provide every individual with the right to be free from unreasonable governmental intrusion. As a general rule, members of this department should not physically enter any area where an individual has a reasonable expectation of privacy in order to conduct a search or seizure without one or more of the following:

- A valid search warrant
- Exigent circumstances
- Valid consent

322.2.1 SEARCH PROTOCOL
(a) Members of this department will conduct person searches with dignity and courtesy.

(b) Members of this department will conduct property searches in a manner that returns the condition of the property to its pre-search status as nearly as reasonably practical.

(c) Members of this department should attempt to gain keys to locked property when a search is anticipated and the time and effort required to gain the keys makes it a practical option.

(d) When the person to be searched is of the opposite sex of the officer, an officer of the like sex should be summoned to the scene to conduct the search, if one is reasonably available.

(e) A search may be undertaken of a member of the opposite sex when it is not practical to summon an officer of the like sex. In these instances the officers will adhere to the following guidelines:
   1. A supervisor and/or one other officer should witness the search, if practical.
   2. Officers will use the back side of their hands and fingers to search sensitive areas of the opposite sex to include the breast, crotch and buttocks areas.

(f) The officer will explain to the person being searched the reason for the search and how the officer will conduct the search.

(g) Members of this department shall not conduct strip searches or body cavity searches on any person.
Search & Seizure

322.3 SPECIFIC SITUATIONS

322.3.1 RESIDENCE
Absent a valid search warrant, exigent circumstances, probation or parole authorization, or valid consent, every person has a reasonable expectation of privacy inside his/her home. Individuals do not, however, generally have a reasonable expectation of privacy in areas around their home, including University resident halls where the general public (e.g., mail carriers & solicitors) would reasonably be permitted to go.

322.3.2 PLAIN VIEW
Because an individual does not have an expectation of privacy as to items that are in plain view, no "search" has taken place in a constitutional sense when an object is viewed from a location where the officer has a right to be.

An item in plain view may generally be seized when all of the following conditions exist:

(a) It was viewed from a lawful location
(b) There is probable cause to believe that the item is linked to criminal activity
(c) The location of the item can be legally accessed

It is important to note that the so-called "Nexus Rule" requires that even items in plain view must not be seized unless there is probable cause to believe that the item will aid in an investigation. Such a nexus should be included in any related reports.

322.3.3 EXIGENT CIRCUMSTANCES
Exigent circumstances permitting entry into premises without a warrant or valid consent generally include any of the following:

(a) Imminent danger of injury or death
(b) Serious damage to property
(c) Imminent escape of a suspect
(d) The destruction of evidence

An exigency created by the officer’s own conduct as an excuse for a warrantless entry is not generally permitted.

322.4 CONSENT
Entry into a location for the purpose of conducting a search for any item reasonably believed relevant to any investigation is permitted once valid consent has been obtained. A search by consent is only valid if the following criteria are met:

• Voluntary (i.e., clear, specific, and unequivocal).
• Obtained from a person with authority to give the consent.
• Does not exceed the scope of the consent given.

While there is no requirement that an individual be told of their right to refuse consent, such a warning and clear communication by the officer provide support for the validity of any consent.

Consent must be obtained as the product of free will. It cannot be obtained through submission to authority, expressed or implied.
**Search & Seizure**

A person with authority to consent to search should be present or otherwise in a position to communicate a withdrawal of consent should they so desire. Absent other legal justification, any related search should be discontinued at any point that consent is withdrawn.

**322.5 VEHICLE SEARCH**

Searches of vehicles or trailers attached to vehicles, in the absence of a search warrant, based on probable cause that the vehicle contains contraband or evidence of a crime, have been upheld by courts and are permissible under the following conditions:

(a) A search subject to the "brightline" search standard

(b) When the probable cause is based on what is inside a closed container and not to the motor vehicle in general, the container should be seized and a search warrant obtained for the container

(c) With expressed consent of the person in control of the vehicle

Vehicles that are being towed for any reason may be searched by officers for the purpose of documenting the inventory of the vehicle. In such cases, the inventory will be documented on a CHP-180 form.
Interview & Interrogation

323.1 PURPOSE AND SCOPE
The purpose of this policy is to specify legal and constitutional requirements for interview and interrogation of suspects, victims, witnesses or other parties involved in a criminal investigation to ensure that the rights of all individuals are protected.

323.2 DEFINITIONS
- Interview: A meeting for obtaining information by questions a person. The goal of an interview is to develop information, build rapport and detect deception.
- Interrogation: A focused formal examination of a person by questioning. The goal of an interrogation is a confession or the acquisition of information to be used in the investigation of a criminal act.
- Custodial Interrogation: The questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his/her freedom of action in any significant way.

323.3 MIRANDA
The "Miranda" decision requiring police to advise an individual of his/her rights only applies to a situation in which the person is in custody and is being interrogated.

Since both factors, custody and interrogation, must be present to trigger Miranda, a person who is in custody but not being interrogated need not be advised of his/her rights. Similarly, a person who is being interrogated but is not in custody need not be advised under Miranda.

When "Miranda" applies, officers must advise the person of "Miranda" in it's entirety. Miranda shall never be given in a bifurcated format.

323.3.1 JUVENILES
All juveniles must be advised of their rights whether or not they are going to be questioned or interrogated.

323.4 BEHELER ADMONISHMENT
The focus of whether or not to Mirandize a suspect before questioning is the presence or perception of custody. In cases where there is no custody and/or no reason for the suspect to believe they are in custody, it is not necessary to give the Miranda warning, even if the person to be questioned has been identified as the suspect, when any of the following conditions occur:

(a) the person willingly comes to the station or other designated location for the interview voluntarily
(b) the person is interviewed in neutral surroundings, ie: a coffee shop
(c) questioning occurs at the scene, even if there is there is probable cause to arrest the person from the moment he/she is first seen
(d) in cases (a) - (c), the person is advised that they do not have to answer questions and they are free to leave
Interview & Interrogation

Never tell a suspect you are not going to arrest him/her. This could be viewed as a promise of leniency that would make the statement involuntary and, thereby, inadmissible.

323.5 ACCESS TO COUNSEL
When a suspect invokes his/her Miranda rights to remain silent or have an attorney present during custodial interrogation, the police must immediately cease questioning.

If the suspect in any way indicates during questioning the desire to have an attorney present during subsequent questioning, the police must honor the request. An officer shall not resume questioning at a later time without an attorney present, whether or not the suspect has consulted with an attorney in the interim.

After the arrest, any attorney entitled to practice in the courts of records of California may, at the request of the prisoner, visit the arrestee.

323.6 ACCESS TO TELEPHONE CALLS
Under most circumstances phone calls by prisoners will be made from the Sonoma County Jail after booking.

Juveniles will be allowed to make a call or the arresting officer will make a call to a parent or guardian from the station, prior to transport to the Juvenile Detention Facility.

323.7 INTERROGATION OF SUSPECTS
Suspects interrogated at the police station will be interrogated in the interview room specifically designated for that purpose, if available. If the room is not available or is deemed not suitable by the questioning officer or a supervisor, officer’s may utilize the EOC/Training Room or another suitable location or, if the suspect is arrested, may transport the suspect to the Sonoma County Jail for interrogation and booking.

Officers are permitted to use audio recordings during interrogations pursuant to Policy Manual §450.

Policies relating to the use of the interview room and can be found in Policy §325.
Temporary Custody of Juveniles

324.1 PURPOSE AND SCOPE
This policy provides guidelines and requirements for the detention and disposition of juveniles taken into temporary custody by members of Sonoma State University Police & Parking Services.

324.2 AUTHORITY TO DETAIN
Legal authority for taking custody of juvenile offenders is found in Welfare and Institutions Code § 625.

324.2.1 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 (Welfare & Institutions Code § 625).

324.3 TEMPORARY CUSTODY
No juvenile may be held in temporary custody at the station without authorization of the arresting officer’s supervisor or the Operations Section Manager. An individual taken into custody for Welfare and Institutions Code § 300 or § 601 shall be processed as soon as practical. Juveniles detained under Welfare and Institutions Code § 602 may not be held at this facility for more than six hours from the time of arrival at the station. When a juvenile is taken into custody, the following steps shall be taken by the arresting officer assigned to the case:

(a) 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 (Welfare and Institutions Code § 627)

(b) Submit a completed case report for approval

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

324.3.1 TEMPORARY CUSTODY REQUIREMENTS
All 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,
Temporary Custody of Juveniles

the detaining officer shall advise and provide the juvenile an opportunity to make at least three telephone calls. The telephone calls must be made to a parent, guardian, responsible relative, employer, or an attorney. (Welfare & Institutions Code § 627 and Penal Code § 851.5)

324.3.2 NON-CONTACT REQUIREMENTS
There shall be no contact between juveniles held in temporary custody and adult prisoners.

324.4 TYPES OF CUSTODY
The following provisions apply to types of custody, and detentions of juveniles brought to the station.

324.4.1 NON-SECURE CUSTODY
All 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. 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 shall receive constant personal visual supervision by law enforcement personnel. Monitoring a juvenile using audio, video or other electronic devices does not replace constant personal visual supervision.

324.4.2 SECURE CUSTODY
A juvenile may be held in secure detention in the jail 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 (Welfare and Institutions Code § 602, Title 15 California Code of Regulations § 1545).

(a) 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:
1. Age, maturity, and delinquent history of the juvenile
2. Severity of the offense(s) for which the juvenile was taken into custody
3. Juvenile’s behavior, including the degree to which the minor appears to be cooperative or non-cooperative
4. The availability of staff to provide adequate supervision or protection of the juvenile
5. The age, type, and number of other individuals who are detained in the facility.

(b) A juvenile may be locked in a room or secured in a detention room subject to the following conditions:
1. Juvenile is 14-years of age or older
2. Juvenile is taken into custody on the basis of having committed a criminal law violation as defined in Welfare and Institutions Code § 602
3. 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.
Temporary Custody of Juveniles

4. 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 Juvenile Hall.

5. The officer apprehending the juvenile has reasonable belief that the juvenile presents a "serious security risk of harm to self or others." Factors to consider include:
   (a) Age, maturity, and delinquent history of juvenile
   (b) Severity of offense for which taken into custody
   (c) Juvenile’s behavior
   (d) Availability of staff to provide adequate supervision or protection of the juvenile
   (e) Age, type, and number of other individuals detained at the facility

324.4.3 SECURE DETENTION OF JUVENILES
While in secure detention, minors may be locked in a room or other secure enclosure, secured to a cuffing rail, or otherwise reasonably restrained as necessary to prevent escape and protect the juvenile and others from harm.

   (a) Minors 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:
      1. A Department employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object.
      2. Juveniles who are secured to a stationary object are moved to a detention room as soon as one becomes available.
      3. 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.

   (b) In the event a juvenile is held inside a locked enclosure, the juvenile shall receive adequate supervision which, at a minimum, includes:
      1. Constant auditory access to staff by the juvenile;
      2. Unscheduled personal visual supervision of the juvenile by department staff, no less than every 30 minutes. These jail checks shall be documented.

   (c) Males and females shall not be placed in the same locked room unless under direct visual supervision.

324.4.4 JUVENILE’S PERSONAL PROPERTY
The officer placing a juvenile into a detention room must make a thorough search of the juvenile’s property. This will ensure all items likely to cause injury to the juvenile or the facility are confiscated and placed in a property bag. The property shall be inventoried in the juvenile’s presence and sealed into the bag. The property will be locked in a property locker until the juvenile is released from the custody of the department.

324.4.5 MONITORING OF JUVENILES
An in-person visual inspection shall be done to ensure the welfare of the juvenile and shall be conducted at least once each half-hour, on an unscheduled basis, until the juvenile is released. This inspection shall not be replaced by video monitoring. This inspection shall
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be conducted by a designee of the supervisor, and the visual inspection shall be logged in the case report.

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. In such instances the supervisor shall be fully informed about the special circumstances in order to evaluate continued detention of such a juvenile.

324.4.6 MANDATED JUVENILE PROVISIONS
While a juvenile is being detained in the detention room, he/she shall be provided with the following provisions:

(a) Reasonable access to toilets and washing facilities
(b) Food, if the juvenile has not eaten within the past four hours, or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
(c) Reasonable access to drinking water
(d) Privacy during family, guardian, and/or lawyer visits
(e) Blankets and clothing necessary to ensure the comfort of the juvenile

324.4.7 FORMAL BOOKING
No juvenile shall be formally booked (Welfare and Institutions Code § 602 only) without the authorization of the arresting officer’s supervisor, or in his or her absence, the Operations Section Manager.

Any juvenile, 14-years of age or older, who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted, and photographed at Juvenile Hall.

For all other acts defined as crimes, juveniles may be booked, fingerprinted, or photographed at Juvenile Hall 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

324.4.8 DISPOSITIONS
(a) Any juvenile not transferred to a juvenile facility shall be released to one of the following:
   1. Parent or legal guardian
   2. An adult member of his/her immediate family
   3. An adult person specified by the parent/guardian
   4. An adult person willing to accept responsibility, when the juvenile’s parents are unavailable as approved by a supervisor

(b) If the six hour time limit has expired, the juvenile should be transported to the juvenile hall to accept custody

(c) After an officer has taken a juvenile into temporary custody for a violation of law, the following dispositions are authorized:
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1. The arresting officer may counsel or admonish the juvenile and recommend no further action be taken.

2. If the arresting officer or the supervisor believes that further action is needed, the juvenile will be released to a responsible person as listed above, and such juvenile will be advised that follow-up action will be taken. The officer assigned to the case will then determine the best course of action, such as diversion or referral to court. The officer will contact the parents and advise them of the course of action.

3. The arresting officer may complete an Application for Petition form on behalf of the juvenile.

4. The juvenile may be transferred to Juvenile Hall with authorization of the supervisor or when the violation falls within the provisions of Welfare and Institutions Code § 602.

(d) If a juvenile is to be transported to Juvenile Hall, the following forms shall accompany the juvenile:

1. Application for Petition.

2. Any personal property taken from the juvenile at the time of detention

324.5 JUVENILE CONTACTS AT SCHOOL FACILITIES

Absent exigent circumstances, officers should make every reasonable effort to notify responsible school officials prior to contacting a student on campus while school is in session.

(a) 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.

(b) Whenever circumstances warrant the temporary detention or formal interview of a juvenile student on campus, the officer should:

1. 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.

2. If efforts to contact a parent, guardian or responsible adult are unsuccessful or not attempted, a formal interview with the juvenile may proceed without them. Upon the request of the juvenile, a school official or lawyer may be present during the interview in lieu of a parent.

3. If contacted, the selected parent, other responsible adult or school official may be permitted to be present during any interview.

(a) 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.

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

324.6 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Officers of this department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

324.6.1 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 in Records. Such releases are authorized by Welfare and Institutions Code § 827.

324.6.2 RELEASE OF INFORMATION TO OTHER AGENCIES

Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Records Supervisor and the appropriate Section Manager to ensure that personnel of those bureaus act within legal guidelines.

324.7 ADDITIONAL CONSIDERATIONS PERTAINING TO JUVENILES

324.7.1 EMERGENCY MEDICAL CARE OF JUVENILES

When emergency medical attention is required for a juvenile, the paramedics will be called. The supervisor shall be notified of the need for medical attention for the juvenile.

In cases where injury or illness is life threatening and where lost minutes may be the deciding factor, the arresting officer or the discovering officer should administer first aid prior to the arrival of the paramedics. The juvenile will then be transported 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

324.7.2 SUICIDE PREVENTION OF JUVENILES

The arresting officer 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 himself/herself, or any unusual behavior which may indicate the juvenile may harm himself/herself.

The detaining or transporting officer is responsible to notify the supervisor if he/she believes the juvenile may be a suicide risk and to advise Juvenile Hall staff upon arrival. The juvenile shall be under constant personal supervision until the transfer is completed to Juvenile Hall staff.
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324.7.3 USE OF RESTRAINT DEVICES
The use of a restraint is an extreme measure and only for a temporary measure pending transportation to another facility.

The use of restraints shall only be used when the juvenile:

(a) Displays behavior that results in the destruction of property or shows intent to cause physical harm to self or others
(b) Is a serious and immediate danger to himself/herself or others
(c) Otherwise falls under the provisions of Welfare and Institutions Code § 5150

Restraint devices include devices which immobilize a juvenile’s extremities and/or prevent the juvenile from being ambulatory. Restraints shall only be used after less restrictive measures have failed and with the approval of the supervisor.

Restraints shall only be used so long as it reasonably appears necessary for the juvenile’s protection or the protection of others pending transport to Juvenile Hall.

324.7.4 DISCIPLINE OF JUVENILES
Police personnel are prohibited from administering discipline to any juvenile.

324.7.5 DEATH OF A JUVENILE WHILE DETAINED
The District Attorney’s Office and the Sheriff-Coroner’s Office will conduct the investigation of the circumstances surrounding the death of any juvenile being detained at this department. The Chief of Police or his/her designee will conduct an administrative review of the incident.

324.7.6 CURFEW VIOLATIONS
Juveniles detained for curfew violations may be released in the field or brought to the station but should only be released to their parent, legal guardian, or responsible adult.

324.8 INTOXICATED AND SUBSTANCE ABUSING MINORS
Juveniles who are arrested while intoxicated may be at risk for serious medical consequences, including death. Examples include acute alcohol poisoning, seizures and cardiac complications of cocaine, markedly disordered behavior related to amphetamines or hallucinogenic drugs, and others.

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

- Known history of ingestion or sequestration of a balloon containing drugs in a body cavity
- Minor is known or suspected to have ingested any substance that could result in a medical emergency
- A juvenile who is intoxicated to the level of being unable to care for him or herself
- An intoxicated juvenile whose symptoms of intoxication are not showing signs of improvement
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Juveniles with lower levels of alcohol in their system may not need to be evaluated. An example is a juvenile who has ingested one or two beers would not normally meet this criterion.

(a) A juvenile detained and brought to the station who displays symptoms of intoxication as a result of alcohol or drugs shall be handled as follows:

1. Observation of juvenile's breathing to determine that breathing is regular. Breathing should not be erratic or indicate that the juvenile is having difficulty breathing.
2. Observation of the juvenile to ensure that there has not been any vomiting while sleeping and ensuring that intoxicated juveniles remain on their sides rather than their backs to prevent the aspiration of stomach contents.
3. An arousal attempt to ensure that the juvenile will respond to verbal or pressure stimulation (shaking to awaken). This is the most important monitoring procedure.

(b) Personal observation shall be conducted on a frequent basis while the juvenile is in the custody, and no less than once every 15 minutes until such time as the symptoms are no longer present.

(c) Any juvenile who displays symptoms suggestive of a deepening comatose state (increasing difficulty or inability to arouse, irregular breathing patterns, or convulsions), shall be considered an emergency. Paramedics should be called and the juvenile taken to a medical treatment facility.

(d) Juveniles undergoing acute withdrawal reactions shall immediately be transported to a medical facility for examination by a physician.

(e) A medical clearance is required before the juvenile is transported to Juvenile Hall if it is known that the juvenile ingested any intoxicating substances or appears to be under the severe influence of alcohol.

Once the juvenile no longer displays symptoms of intoxication, the requirements in section (a) above will no longer be required. The juvenile will still be monitored on a 30-minute basis as outlined in this policy.
Interview Room

325.1 PURPOSE AND SCOPE

325.2 POLICY

Interrogations and/or processing of potentially violent suspects and persons in-custody are subject to the following, unless any of the following may endanger the safety of the officer(s) or the individual:

(a) Potentially violent suspects and in-custody interrogations shall be interrogated in the interview room. All suspects interrogated in the interview room will be "pat searched" for weapons prior to interrogation to protect the safety of the interrogating officer.

(b) Officers shall secure their firearms in the gun locker outside the interview room prior to beginning interrogations in the interview room.

(c) When suspect/arrestee is in the interview room, the east door into dispatch shall be locked. Officers may pick up teletype printouts and other paperwork from the front window.

(d) In-custody adult suspects may be handcuffed to the eye bolts in the interview room. Juveniles shall not be handcuffed to the eye bolts or otherwise secured to a fixed object at any time.

(e) When the officer leaves the room for any reason, the door shall be shut and secure.

(f) Booking forms and an EPAS unit should be stored in the interview room to reduce the movement of the suspect/arrestee and the officer.

(g) No person may be fingerprinted at the Livescan station while an interrogation is in progress or a suspect is being questioned in the interview room.

If these conditions cannot be accommodated using the department interview room, officers may transport an arrestee to the Sonoma County Jail for processing and interrogation in jail facilities or request assistance from neighboring law enforcement agencies.
Elder Abuse

326.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of this department with direction and understanding of their role in the prevention, detection, and intervention in incidents of elder abuse. It is the policy of this department to treat reports of violence against elderly persons as high priority criminal activity that is to be fully investigated regardless of the relationship between the victim and the suspect(s).

326.2 DEFINITIONS
For purposes of this policy, the following definitions are provided (Welfare and Institutions Code § 15610; et seq. and Penal Code § 368).

Dependent Adult - means any person residing in this state, between the ages of 18 and 64-years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. Dependent Adult includes any person between the ages of 18 and 64-years who is admitted as an inpatient to a 24-hour health facility, as defined in Health and Safety Code §§ 1250, 1250.2, and 1250.3.

Elder - means any person residing in this state, 65-years of age or older.

Fiduciary Abuse - means a situation in which any person who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates their money or property to any use or purposes not in the due and lawful execution of his or her trust.

Abuse of an Elder or a Dependent Adult - means physical abuse, neglect, fiduciary abuse, abandonment, isolation or other treatment with resulting physical harm, pain, mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

Adult Protective Services Agency - means a county welfare department, except persons who do not work directly with elders or dependent adults as part of their official duties, including members of support staff and maintenance staff.

Neglect - means the negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care which a reasonable person in a like position would exercise. Neglect includes, but is not limited to, all of the following:

(a) Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter;
(b) Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone instead of medical treatment.

326.3 MANDATORY REPORTING REQUIREMENTS
Pursuant to Welfare and Institutions Code § 15630, this department is considered a mandated reporter. "Any employee who has observed an incident that reasonably appears to be physical abuse, observed a physical injury where the nature of the injury,
Elder Abuse

its location on the body, or the repetition of the injury clearly indicates that physical abuse has occurred or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse shall report the known or suspected instance of abuse by telephone immediately or as soon as possible, and by written report sent within two working days."

326.3.1 RECORDS SECTION RESPONSIBILITY
The Records Section is responsible for the following:

(a) Provide a copy of the elder/dependent abuse report to Adult Protective Services. This requirement is applicable even if the initial call was received from Adult Protective Services.

(b) Retain the original elder/dependent abuse report with the initial case file.

326.4 OFFICER’S RESPONSE
All incidents involving actual or suspected elder and dependent abuse shall be fully investigated and appropriately documented.

326.4.1 INITIAL RESPONSE
Officers may be called upon to effect a forced entry as the first responder to the scene of a suspected elder abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel, if not already present.

326.4.2 STABILIZE THE SITUATION
Officers must quickly assess the situation in an effort to ensure the immediate safety of all persons. Officers shall also consider the following:

(a) Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible. Frequently it is wrongfully assumed that elderly persons are incapable of accurately reporting the incident. Do not automatically discount the statement of an elderly person

(b) Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence such as injuries that may change in appearance should be photographed immediately

(c) Assess and define the nature of the problem. Officers should assess the available information to determine the type(s) of abuse that may have taken place or the potential for abuse in the future that may be eliminated by our intervention

(d) Make on-scene arrests when appropriate. Immediate arrest of an abuser (especially when the abuser is a family member or caretaker) may leave the elderly victim without necessary support and could result in institutionalization. The effect of an arrest on the victim should be considered and weighed against the assessed risk and the competent victim’s desires. The present and future safety of the victim is of utmost importance.

326.4.3 SUPPORT PERSONNEL
The following person(s) should be considered if it appears an in-depth investigation is appropriate:
Elder Abuse

- Patrol Supervisor
- Operations Section Manager
- Ombudsman shall be called if the abuse is in a long-term care facility

326.4.4 EMERGENCY PROTECTIVE ORDERS
In any situation which an officer reasonably believes that an elder or dependant 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)).

326.5 ELDER ABUSE REPORTING
Every allegation of elder abuse shall be documented. When documenting elder/dependent abuse cases the following information should also be included in the report:

- Current location of the victim
- Victim’s condition/nature and extent of injuries, neglect or loss
- Names of agencies and personnel requested and on scene

Reporting of cases of elder/dependent abuse is confidential and will only be released as per Policy Manual § 810.

Officers investigating elder/dependent abuse shall complete State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).
Discriminatory Harassment

328.1 PURPOSE AND SCOPE
To prevent Department members from being subjected to discrimination or sexual harassment and to ensure full equal employment opportunity, in conformance with Title VII of the Civil Rights Act of 1964, the guidelines issued by the Equal Employment Opportunity Commission, the California Fair Employment and Housing Act and the guidelines issued by the California Fair Employment and Housing Commission.

The purpose of this policy is also to affirm the intent of the department to maintain a working and learning environment free from sexual harassment for students, employees and those who apply for student and employee status.

328.2 POLICY
Sonoma State University Police & Parking Services is committed to creating and maintaining a work environment that is free of all forms of discrimination and intimidation, including sexual harassment. The Department follows Sonoma State University Discrimination Policy 2003-1.
Child Abuse Reporting

330.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines and procedures for reports of suspected child abuse and the taking of minors into protective custody.

330.2 DEFINITIONS
For purposes of this section the following definitions are provided:

Child - means a person under the age of 18-years.

Child Abuse - means a physical injury which is inflicted by other than accidental means on a child by another person. Child abuse also means the sexual abuse or any act or omission proscribed by Penal Code § 273a (willful cruelty or unjustifiable punishment of a child) or Penal Code § 273d (unlawful corporal punishment or injury). Child abuse also means the neglect of a child or abuse in out-of-home care. Child abuse does not include a mutual affray between children. Child abuse does not include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer. (Penal Code § 11165.6).

Child Protective Agency - means a police or sheriff’s department, a county probation department or a county welfare department. This section does not include school district police or security department.

330.3 CHILD ABUSE REPORTING
Pursuant to Penal Code § 11165.9, this department is defined as a "child protective agency". All employees of this department are responsible for the proper reporting of child abuse. Any employee 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 case report pursuant to Penal Code § 11166.

330.3.1 MANDATORY NOTIFICATION
Pursuant to Penal Code § 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 facility licensed to care for children by the State Department of Social Services
• 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.
330.3.2 POLICE REPORTS
Employees responding to incidents of suspected child abuse where it cannot initially be shown that a crime occurred shall document the incident in a general report. No suspected child abuse report is required if the incident is documented in a general or miscellaneous report.

330.3.3 RELEASE OF REPORTS
Reports of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to PenCode § 11167.5 and Policy Manual § 810.

330.4 INVESTIGATION RESPONSIBILITY
The duties of the officer(s) assigned to investigate child abuse cases include but are not limited to:

(a) Responsibility for the investigation, collection of evidence, and preliminary preparation for prosecution of all cases of child abuse and molestation
(b) Investigation into the deaths of children that could be attributed to abuse, molest, or Sudden Infant Death Syndrome (SIDS)
(c) Investigate reports of unfit homes, child abandonment, child endangering, or neglect
(d) Provide follow-up on suspected child abuse reports (compliance calls)
(e) Coordinate with other enforcement agencies, social service agencies, and school administrators in the application and enforcement of the laws regarding child abuse cases

330.5 PHYSICAL EXAMINATIONS
If the child has been the victim of sexual abuse requiring a medical examination, the officer should arrange for transportation of the victim to the appropriate hospital. The officer will need to fill out the Medical Report - Suspected Child Sexual Abuse form, (OCJP form 925) prior to the doctor doing the examination. In cases of sexual abuse, the victim shall be transported for a forensic examination at the Redwood Children’s Center.

330.6 TEMPORARY CUSTODY OF JUVENILES
Pursuant to Welfare and Institutions Code § 300 et seq., a child may be taken into protective custody if he/she is the victim of suspected child abuse.
AMBER Alerts

334.1 PURPOSE AND SCOPE
AMBER Alert, is the recruitment of public assistance to locate an abducted child via a widespread media alert. Utilizing the assistance of local radio, television and press affiliates, the public will be notified of the circumstances of a child’s abduction and how they can assist law enforcement in the child’s recovery. The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media, and law enforcement.

334.1.1 DEFINITIONS
Abduction - is any child under the age of 18-years, who has been unwillingly removed from their environment without permission from the child’s legal guardian or a designated legal representative.

334.2 CHILD ABDUCTION CRITERIA
The following conditions must be met before activating an AMBER ALERT (Government Code 8594(a)):
• Abduction has been determined to have occurred.
• The victim is 17 years of age or younger, or has a proven mental or physical disability.
• The victim is in imminent danger of serious injury or death.
• There is information available that, if provided to the public, could assist in the child’s safe recovery.

334.3 ALERT RESPONSIBILITY
The employee receiving the abduction report shall notify the Operations Section Manager as soon as practical. The Operations Section Manager will then determine whether or not to then inform the media and other allied resources of the child abduction via an AMBER Alert. The Operations Section Manager shall promptly notify the Chief of Police, the Division of University Affairs and other appropriate executive level administrators.

334.4 PROCEDURE
In the event of a confirmed child abduction the following procedures designed to alert the media shall be followed.

(a) The Operations Section Manager or his/her designee will prepare an initial press release that includes all available information which might aid in locating the child, such as:
   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, etc., if known
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6. Name and phone number of the Public Information Officer or other authorized individual to handle media liaison
7. A telephone number for the public to call in with leads/information

(b) Fax the press release to the local television and radio stations.
(c) The information in the press release should also be forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.
(d) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
   1. Emergency Alert System sites (EAS)
   2. California Highway Patrol (CHP)
   3. CLETS message to activate the Emergency Digital Information System (EDIS)
   4. Federal Bureau of Investigation (FBI Local Office)
   5. Prompt entry of information into the Department of Justice Missing Person System (MUPS/NCIC)
   6. National Center for Missing and Exploited Children (800) 843-5678

(e) The officer investigating the abduction or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the abducted child.

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

The Sheriff’s Department Emergency Communications Bureau facilities and staff can be made available as call takers in the event of high call volume.

If the Operations Section Manager or investigating officer elects to use the services of the Sheriff’s Department, the following will apply:

(a) Notify the Sheriff’s Department of the incident and 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;
(c) The Division of University Affairs 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 division.

Sonoma State University Police & Parking Services shall assign a minimum of one officer to respond to the Sheriff’s Department Emergency Communications Bureau to screen and relay information and clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the Emergency Communications Bureau.
Victim’s Bill of Rights/Marsy’s Law

335.1 PURPOSE AND SCOPE
The expressed purpose of Marsy’s Law is to:

- Provide victims with rights to justice and due process.
- Eliminate parole hearings in which there is no likelihood a murderer will be paroled, and to provide that a convicted murderer can receive a parole hearing no more frequently than every three years, and can be denied a follow-up parole hearing for as long as 15 years.

335.1.1 VICTIM’S BILL OF RIGHTS
Marsy’s Law significantly expands the rights of victims in California. Under Marsy’s Law, the California Constitution article I, § 28, section (b) now provides victims with the following enumerated rights:

- To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
- To be reasonably protected from the defendant and persons acting on behalf of the defendant.
- To have the safety of the victim and the victim’s family considered in fixing the amount of bail and release conditions for the defendant.
- To prevent the disclosure of confidential information or records to the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim’s family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
- To refuse an interview, deposition, or discovery request by the defendant, the defendant’s attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
- To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
- To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
- To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
- To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
Victim’s Bill of Rights/Marsy’s Law

• To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim’s family and any sentencing recommendations before the sentencing of the defendant.
• To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
• To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
• To restitution.
  – It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
  – Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
  – All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
• To the prompt return of property when no longer needed as evidence.
• To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
• To have the safety of the victim, the victim’s family, and the general public considered before any parole or other post-judgment release decision is made.
• To be informed of the rights enumerated in paragraphs (1) through (16).

335.2 DEFINITION OF VICTIM
Prior to the passage of Proposition 9, "Victim" was defined under the Penal Code "as the person against whom a crime had been committed." With the passage of Proposition 9, "victim" as used in the California Constitution article I, § 28 is defined as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term ‘victim’ also includes the person’s spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is deceased, a minor, or physically or psychologically incapacitated. The term ‘victim’ does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim." (Cal. Const., art. I, § 28(e).)

335.3 MARSY’S CARD
Penal Code section 679.026 (c)(1) mandates that every law enforcement agency investigating a criminal act and every agency prosecuting a criminal act shall, as provided herein, at the time of initial contact with a crime victim, during a follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys, provide or make available to each victim of the criminal act without cost or charge a "Marsy’s Rights" card.

The department will print Marsy’s cards. Alternatively, the cards may be obtained from the Attorney General’s webpage at: http://ag.ca.gov/victimservices/marsy.php.
Victim Witness Assistance Program

336.1 PURPOSE AND SCOPE
Persons who have sustained a physical injury as a direct result of a crime of violence, those persons who are legally dependent for support upon such persons who have sustained physical injury or death and those persons who legally or voluntarily assume the medical or burial expenses of such persons may be indemnified by the State of California. These provisions are contained in Government Code, § 13959 et seq. Law enforcement agencies are charged with the responsibility of notifying the victims of violent crimes of their right to indemnification.

336.2 DEFINITIONS
Government Code § 13951 provides definitions for the following:

336.2.1 VICTIM DEFINED
"Victim" shall mean a California resident or military person who is:

(a) A person who sustains injury or death as a direct result of a crime
(b) Legally dependent for support upon a person who sustains injury or death as a direct result of a crime
(c) A family member or any person in close relationship to a victim who was present during the commission of the crime and whose treatment or presence during treatment of the victim is required for successful medical treatment
(d) Any individual who legally assumes the obligation, or who voluntarily pays the medical or burial expenses incurred as a direct result of a death caused by a crime

336.2.2 CRIME DEFINED
Crime shall mean a crime or public offense as defined in Penal Code § 15, which results in injury to a resident of this state, including such a crime or public offense, wherever it may take place, when such resident is temporarily absent from the state. No act involving the operation of a motor vehicle, aircraft, or water vehicle which results in injury or death shall constitute a crime of violence for the purposes of this article, unless one or more of the following are present:

(a) Injury or death intentionally inflicted through the use of a motor vehicle, aircraft, or water vehicle
(b) Injury or death sustained in an accident caused by a driver in violation of Vehicle Code §§ 20001, 23152, or 23153
(c) Injury or death caused by a driver of a motor vehicle in the immediate act of fleeing the scene of a crime in which he/she knowingly and willingly participated
(d) Injury or death caused by a person fleeing from law enforcement in a vehicle (Government Code § 13955(e)(2)(F))

336.3 ADVISEMENT RESPONSIBILITY
Every employee reporting or investigating a crime where a victim has suffered injury as a direct or proximate cause of that crime will ensure the victim has been provided with information about the existence of the local victim centers. This advisement shall include
presenting the victim with a Victim of Violent Crime pamphlet, which should include the case number for the specific case report.

336.3.1 REPORTING OFFICER RESPONSIBILITY
It shall be the primary responsibility of the reporting officer to make the required advisement as set forth in Policy Manual § 336.3. The officer shall not attempt advisement when the circumstances are such that the advisement would add to the grief and suffering of victim or dependent. Such advisement shall be made at a time and place where the victim is able to understand and appreciate its meaning.

Whenever there is an alleged violation of Penal Code §§ 243(e), 261, 261.5, 262, 273.5, 286, 288a, or 289, the assigned officer shall accomplish the following:

(a) Immediately provide the victim with the "Victims of Domestic Violence" card containing the names and locations of rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2(a)).

(b) If victim is transported to a hospital for any medical evidentiary or physical examination the officer shall immediately have the local rape victim counseling center to be notified (Penal Code § 264.2(b)(1)).
   1. Prior to any such examination the assigned officer shall ensure that the victim has been properly informed of their right to have a sexual assault victim counselor and at least one other support person present (Penal Code § 264.2(b)(2)).
   2. A support person may be excluded from the examination by the officer or the medical provider if their presence would be detrimental to the purpose of the examination (Penal Code § 264.2(b)(4)).

336.3.2 VICTIM CONFIDENTIALITY
Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that their name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim’s parent or guardian (Penal Code § 293 (a) and (b)).

Except as authorized by law, members of this department shall not publicly disclose the name or address of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293 (c) and (d)).

336.3.3 INVESTIGATING OFFICER RESPONSIBILITY
In the event the victim cannot be identified or due to the nature of the injury cannot be advised, the investigating officer who later contacts or identifies the victim and/or dependents shall make the necessary advisement. The investigating officer shall use discretion and tact in making such advisement.

336.3.4 SUPERVISOR RESPONSIBILITY
It is the responsibility of any supervisor approving a written report where the victim of a crime has sustained injury to ensure that information is included to document the proper advisement being made or the fact that such advisement could not be accomplished. The supervisor is then responsible to ensure that the proper advisement is accomplished and properly documented as the follow-up investigation is conducted.
Victim Witness Assistance Program

336.4 RECORDS SECTION RESPONSIBILITY
The Records Supervisor shall be the liaison officer to the Victim-Witness Assistance Program office. It shall be his/her responsibility to forward copies of police reports requested by personnel at the local victim centers to verify the criminal activity upon which the application for assistance is based. Policy Manual § 810 regarding release of reports shall be followed in all cases.
Hate Crimes

338.1 PURPOSE AND SCOPE
This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of Penal Code § 13519.6(c) and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

338.2 DEFINITIONS
Hate Crimes - Penal Code § 422.55(a) defines a hate crime as either a violation of Penal Code § 422.6 or a criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(a) Disability
(b) Gender
(c) Nationality
(d) Race or ethnicity
(e) Religion
(f) Sexual orientation
(g) Association with a person or group with one or more of these actual or perceived characteristics

338.3 CRIMINAL STATUTES
Penal Code § 422 - Prohibits verbal, written or electronically transmitted threats to commit great bodily injury or death to another or his/her immediate family.

Penal Code § 422.6 (a) - Prohibits the use of force or threats of force to willfully injure, intimidate, interfere with, oppress, or threaten any person in the free exercise or enjoyment of rights and privileges secured by the Constitution or law because of the person’s real or perceived characteristics listed in Penal Code § 422.55(a). Speech alone does not constitute a violation of this section except when the speech itself threatened violence and the defendant had the apparent ability to carry out the threat.

Penal Code § 422.6(b) - Prohibits knowingly defacing, damaging or destroying the real or personal property of any person for any of the purposes set forth in Penal Code § 422.6(a).

Penal Code § 422.7 - Provides for other criminal offenses involving threats, violence or property damage in excess of $400 to become felonies if committed for any of the purposes set forth in Penal Code 422.6.

Penal Code § 422.76 - Defines gender for purposes of various hate crime statutes to mean the victim’s actual sex or the defendant’s perception of the victim’s sex and includes the defendant’s perception of the victim’s identity, appearance, or behavior, whether or not that identity, appearance or behavior is different from that traditionally associated with the victim’s sex at birth.
Hate Crimes

Penal Code § 422.9 - Provides for the criminal enforcement of any order issued pursuant to Civil Code § 52.1

Penal Code § 11411 - Prohibits terrorizing by placing or displaying any unauthorized sign, mark, symbol, emblem or other physical impression (including Nazi swastika or burning cross) on another person's private property

Penal Code § 11412 - Prohibits terrorizing threats of injury or property damage to interfere with the exercise of religious beliefs

Penal Code § 594.3 - Prohibits vandalism to religious buildings or places of worship

Penal Code § 11413 - Prohibits use of explosives or other destructive devices for terrorizing another at health facilities, places of religion, group facilities and other specified locations

338.4 CIVIL STATUTES

Civil Code § 51.7 - Except for statements made during otherwise lawful labor picketing, all persons in this state have the right to be free from any violence or intimidation by threat of violence against their person or property because of actual or perceived race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, disability or position in a labor dispute.

Civil Code § 52 - Provides for civil suit by individual, Attorney General, District Attorney or University Counsel for violation of Civil Code § 51.7, including damages, Temporary Restraining Order and injunctive relief.

Civil Code § 52.1 - Provides for Temporary Restraining Order and injunctions for violations of individual and Constitutional rights enforceable as criminal conduct under Penal Code § 422.9.

338.5 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) Members 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 Department of Justice hate crime rapid response protocol when necessary

(c) Providing victim assistance and follow-up as outlined below, including community follow-up

338.6 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
Hate Crimes

(c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), 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, Operations Section Manager may assign additional assistance from the department 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 University Counsel Pen Code § 136.2 or Civil Code § 52.1 as indicated).

338.6.1 INVESTIGATING OFFICER RESPONSIBILITY
The investigating officer 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.

338.6.2 RECORDS RESPONSIBILITIES
The Records Section will 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.

338.7 TRAINING
All members of this department will receive POST approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6.
Disciplinary Policy

340.1 PURPOSE AND SCOPE
To provide employees of this department with guidelines for their conduct in order that they may participate in meeting the goals of this department in serving the community. This policy shall apply to all sworn and non-sworn members of this department (including part-time and reserve employees). This policy is intended for internal use only and shall not be construed to increase or establish an employee’s civil or criminal liability. Nor shall it be construed to create or establish a higher standard of safety or care. A violation of any portion of this policy may only serve as the basis for internal disciplinary and/or administrative action.

340.2 DISCIPLINE POLICY
The continued employment of every employee of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

An employee’s off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee’s ability to perform official duties or to the extent that it may be indicative of unfitness for his/her position.

340.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE
The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service:

340.3.1 ATTENDANCE
(a) Leaving job to which assigned during duty hours without reasonable excuse and proper permission and approval.
(b) Unexcused or unauthorized absence or tardiness on scheduled day(s) of work.
(c) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.
(d) Failure to notify the Department within 24 hours of any change in residence address or contact phone number.

340.3.2 CONDUCT
(a) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.
(b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Chief of Police of such action.
(c) Using departmental resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
(d) Engaging in "horseplay" resulting in injury or property damage or the reasonable possibility thereof.
Disciplinary Policy

(e) Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through unreasonable carelessness or maliciousness.

(f) Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution or discipline under this policy.

(g) Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency, while on-duty or off-duty.

(h) Using or disclosing one’s status as an employee with the Department in any way that could reasonably be perceived as an attempt gain influence or authority for non-departmental business or activity.

(i) Disclosing or soliciting for financial or personal gain any information, photograph or video obtained or accessed as a result of employment with the Department (Penal Code § 146g).

(j) Seeking restraining orders against individuals encountered in the line of duty without the expressed permission of the Chief of Police.

(k) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department.

(l) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of official capacity.

(m) Engaging in on-duty sexual relations including, but not limited to sexual intercourse, excessive displays of public affection or other sexual contact.

340.3.3 DISCRIMINATION

(a) Discriminate against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

340.3.4 INTOXICANTS

(a) Reporting for work or being at work following the use of intoxicants where such use may impair the employee’s ability to perform assigned duties or where there is an immediate suspicion of ineffectiveness during public contact resulting from the use of intoxicants

(b) Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance

(c) Reporting for work or being at work following the use of a "controlled substance" or any drug (whether legally prescribed or otherwise) where such use may impair the employee’s ability to perform assigned duties

(d) Unauthorized possession, use of, or attempting to bring controlled substance or other illegal drug to any work site

340.3.5 PERFORMANCE

(a) Unauthorized sleeping during on-duty time or assignments.

(b) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
Disciplinary Policy

(c) Unsatisfactory work performance, including but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without reasonable and bona fide excuse.

(d) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.

(e) Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in position of authority.

(f) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.

(g) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the Department or subverts the good order, efficiency and discipline of the Department or which would tend to discredit any member thereof.

(h) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.

(i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.

(j) Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person(s).

(k) The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.

(l) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee’s duties (lawful subpoena fees and authorized work permits excepted).

(m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. Employees shall familiarize themselves with and be responsible for compliance with each of the above and the Department shall make each available to the employees.

(n) Any knowing or negligent violation of policies of Sonoma State University, the California State University or other applicable state or federal laws, rules or policies.

(o) Work-related dishonesty, including attempted or actual theft of department property, services or the property of others, or the unauthorized removal or possession of departmental property or the property of another person.

(p) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on or off duty.

(q) Failure to disclose, or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation or other assignment.

(r) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved Department practices or procedures.

(s) Substantiated, active, continuing association with or membership in organized crime and/or criminal syndicates with knowledge thereof, except as specifically directed and authorized by the Department.

(t) Offer or acceptance of a bribe or gratuity.
Disciplinary Policy

(u) Misappropriation or misuse of public funds.
(v) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
(w) Unlawful gambling or unlawful betting on department premises or at any work site.
(x) Substantiated, active, continuing association on a personal rather than official basis with a person or persons who engage in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department.
(y) Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this agency, except as expressly authorized by the Chief of Police.
(z) Engaging in political activities during assigned working hours except as expressly authorized by the Chief of Police.
(aa) Violating any misdemeanor or felony statute.
(ab) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.
(ac) Any failure or refusal of an employee to properly perform the function and duties of an assigned position.
(ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

340.3.6 SAFETY

(a) Failure to observe posted rules, signs and written or oral safety instructions while on duty and/or within department facilities or failure to use required protective clothing or equipment.
(b) Knowingly failing to report any on-the-job or work-related accident or injury within 24 hours.
(c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.
(d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
(e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.
(f) Violating departmental safety standards or safe working practices.

340.3.7 SECURITY

(a) Unauthorized, intentional release of designated confidential information, materials, data, forms or reports
340.3.8 SUPERVISION RESPONSIBILITY

(a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and that the actions of all personnel comply with all laws

(b) Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor or to document such misconduct appropriately or as required by policy

(c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for a malicious or other improper purpose

340.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS

Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Citizen Complaint and Commendation Procedure Policy Manual § 1020. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions.

Investigations for all employees will be directed by the Appropriate Administrator of the employee or the Managing Director of Employee Relations and Compliance. Employees will be notified of the individual responsible for the investigation.

340.4.1 COUNSELING

A counseling is any written or documented oral communication from an Appropriate Administrator or supervisor to an employee that criticizes or otherwise comments negatively upon the personal/professional conduct and/or job performance of the employee where documentation of that communication is not placed in the official personnel file. Supervisors who provide formal counseling to an employee must notify or copy the counseled employee’s Appropriate Administrator of the counseling as soon as possible.

Counseling is not considered a disciplinary action and is not subject to appeal or formal response by the effected employee.

340.5 POST INVESTIGATION PROCEDURES

340.5.1 APPROPRIATE ADMINISTRATOR RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Appropriate Administrator of the involved employee and/or the Managing Director shall review the entire investigative file, the employee’s personnel file and any other relevant materials.

The Appropriate Administrator and/or the Managing Director may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

(a) Prior to forwarding recommendations to the Chief of Police, the Appropriate Administrator or Managing Director may return the entire investigation to the assigned investigator for further investigation or action

(b) When forwarding any recommendation to the Chief of Police, the Appropriate Administrator and/or Managing Director shall include all relevant materials supporting the recommendation. Actual copies of an employee’s existing personnel file need not be provided and may be incorporated by reference.
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340.5.2 RESPONSIBILITIES OF THE CHIEF OF POLICE
Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials.

The Chief of Police may modify any recommendations and/or may return the file to the Operations Section Manager and/or the Managing Director for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required, the Chief of Police, in consultation with the Managing Director, shall determine the amount of discipline, if any, to be imposed.

In the event disciplinary action is recommended, the Chief of Police and/or the Managing Director shall provide the employee with written (Skelly) notice of the following information:

(a) Specific charges set forth in separate counts, describing the conduct underlying each count
(b) A separate recommendation of proposed discipline for each charge
(c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline
(d) An opportunity to respond orally or in writing to the Chief of Police and/or the Managing Director within five days of receiving the Skelly notice
   1. Upon a showing of good cause by the employee, the Chief of Police and/or the Managing Director may grant a reasonable extension of time for the employee to respond.
   2. If the employee elects to respond orally, the presentation shall be recorded. Upon request, the employee shall be provided with a copy of the recording.

340.6 EMPLOYEE RESPONSE
The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police and/or the Managing Director after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) This Skelly response is not intended to be an adversarial or formal hearing.
(b) Although the employee may be represented by an uninvolved representative or legal counsel, the Skelly response is not designed to accommodate the presentation of testimony or witnesses.
(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police and/or the Managing Director to consider.
(d) In the event that the Chief of Police and/or the Managing Director elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police and/or the Managing Director on the limited issue(s) of information raised in any subsequent materials.
(f) Once the employee has completed his/her Skelly response or, if the employee has elected to waive any such response, the Chief of Police and/or the Managing Director shall consider all information received in regard to the recommended
Disciplinary Policy

discipline. The Chief of Police shall thereafter render a timely written decision to the employee imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reason(s) for termination and the process to receive all remaining fringe and retirement benefits.

(g) Once the Chief of Police or the Managing Director has issued a written decision, the discipline shall become effective

340.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

340.8 POST SKELLY PROCEDURE
In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police’s imposition of discipline pursuant to the operative Collective Bargaining (CBA) and personnel rules.

340.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES
In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

(a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee’s personnel file

(b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the Skelly procedure as set forth above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline

(c) At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies

(d) A probationary employee’s appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee’s continuation of employment

(e) The burden of proof for any probationary employee’s appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence

(f) In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee’s personnel file

(g) In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police
Disciplinary Policy

340.10  COLLECTIVE BARGAINING AGREEMENTS
Collective Bargaining Agreements (CBA’s) may include additional procedures or limitations on discipline. No section of this policy is intended to supersede CBA stipulations for represented employees.

340.11  UNREPRESENTED EMPLOYEES
Non-represented employees, including MPP’s, may be terminated or disciplined for misconduct, unsatisfactory performance or failure to meet department standards at any time during their appointment.
Department Computer Use

342.1 PURPOSE AND SCOPE
This policy describes the use of department computers, software and systems.

342.1.1 PRIVACY POLICY
Any employee utilizing any computer, electronic storage device or media, Internet service, phone service, information conduit, system or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Department also expressly reserves the right to access and audit any and all communications, including content that is sent, received and/or stored through the use of such service.

342.2 DEFINITIONS
The following definitions relate to terms used within this policy:

Computer System - Shall mean all computers (on-site and portable), hardware, software, and resources owned, leased, rented, or licensed by Sonoma State University, which are provided for official use by agency employees. This shall include all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the agency or agency funding.

Hardware - Shall include, but is not limited to, computers, computer terminals, network equipment, modems or any other tangible computer device generally understood to comprise hardware.

Software - Shall include, but is not limited to, all computer programs and applications including "shareware." This does not include files created by the individual user.

Temporary File or Permanent File or File - Shall mean any electronic document, information or data residing or located, in whole or in part, whether temporarily or permanently, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports or messages.

342.3 SYSTEM INSPECTION OR REVIEW
An employee’s supervisor has the express authority to inspect or review the system, any and all temporary or permanent files and related electronic systems or devices, and any contents thereof when such inspection or review is in the ordinary course of his/her supervisory duties, or based on cause.

When requested by an employee’s supervisor, or during the course of regular duties requiring such information, a member(s) of the agency’s information systems staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the system.

Reasons for inspection or review may include, but are not limited to system malfunctions, problems or general system failure, a lawsuit against the agency involving the employee, or
related to the employee’s duties, an alleged or suspected violation of a department policy, or a need to perform or provide a service when the employee is unavailable.

342.4 AGENCY PROPERTY
All information, data, documents, communications, and other entries initiated on, sent to or from, or accessed on any department computer, or through the department computer system on any other computer, whether downloaded or transferred from the original department computer, shall remain the exclusive property of the Department and shall not be available for personal or non-departmental use without the expressed authorization of an employee’s supervisor.

342.5 UNAUTHORIZED USE OF SOFTWARE
Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement. Employees shall not install any software or hardware on any department computer without the authorization of the Information Technology Department and/or the designated department workstation administrator. Administrator access to workstations will be provided only to persons authorized by the Information Technology Department and the Chief of Police.

No employee shall knowingly make, acquire or use unauthorized copies of computer software not licensed to the agency while on agency premises or on an agency computer system. Such unauthorized use of software exposes the agency and involved employees to severe civil and criminal penalties.

342.6 INTERNET USE
Internet access provided by or through the Department shall be limited to department-related business activities. Occasional personal use of the internet, pursuant to Government Code 8314, is permissible but should be limited in nature and may not disrupt the employee’s ability to perform their assigned functions.

An Internet site containing information that is not appropriate or applicable to departmental use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, chat rooms and similar or related Web sites. Certain exceptions may be permitted with the approval of a supervisor as a function of an assignment.

Downloaded information shall be limited to messages, mail and data files, which shall be subject to audit and review by the Department without notice. No copyrighted and/or unlicensed software program files may be downloaded.

Employees may not use department provided internet access or computers to play games or for other entertainment purposes while on-duty.

Employees shall report any unauthorized access to the system or suspected intrusion from outside sources (including the Internet) to a supervisor.

342.7 PROTECTION OF AGENCY SYSTEMS AND FILES
All employees have a duty to protect the system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the system.

It is expressly prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason.
Report Preparation

344.1 PURPOSE AND SCOPE
Report preparation is a major part of each officer’s job. The purpose of reports is to document sufficient information to refresh the officer’s memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

344.1.1 REPORT PREPARATION
It is the primary responsibility of the assigned officer to ensure that reports are fully prepared or that supervisory approval has been obtained to delay the report before going off duty. The preparing officer must determine whether the report will be available in time for appropriate action to be taken, such as investigative leads or a suspect is in custody.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the officer will be required by the supervisor to promptly correct the report. All reports must be reviewed by the officer for proper spelling and grammar prior to submittal for approval. Officers who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Employees shall not repress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing.

344.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

344.2.1 CRIMINAL ACTIVITY REPORTING
When an employee responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documenting a report. The following are examples of required documentation:

(a) In every instance where an officer has reasonable cause to believe a felony or misdemeanor has occurred the documentation shall take the form of a written case report.

(b) In every instance where a misdemeanor crime has occurred outside the officer’s presence and the officer has reasonable cause to believe that such a crime has occurred, whether or not the victim desires a report, the documentation shall take the form of a written case report.

(c) In instances where a crime is reported and, through the course of an investigation, it is determined that the report is unfounded, the documentation should take the form of a written crime report when adequate information has been obtained to complete the report. If adequate information is not available, officers must document his/her activity in the form of an incident report.

(d) In every case where any force is used against any person by police personnel

(e) All incidents involving domestic violence
344.2.2 NON-CRIMINAL ACTIVITY
The following incidents shall be documented using the appropriate approved report:

(a) When an officer points a firearm at any person (Use of Force Report and case report)
(b) Reported missing persons (regardless of jurisdiction) (Case report)
(c) Found property and found evidence (Property form and case report, if applicable)
(d) All incidents involving the death of a human being (see Policy Manual § 360 Death Investigations) (Case report)
(e) Accidents involving interaction with University facilities (Form 268 - Accident Report)
(f) Traffic collisions (non-state vehicle) above minimum reporting level (see Policy Manual § 502 Traffic Accident Reporting) (Traffic Accident form (CHP 555) and case report if the accident involved a crime)
(g) State Vehicle Accident/Collision (Form 270)

344.2.3 SUICIDES
Cases of obvious suicide may be investigated and completed by the officer. If the officer is unable to determine the manner of death, he/she shall proceed as though it is a homicide.

344.2.4 INJURY OR DAMAGE BY STATE PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a State employee. Additionally, reports shall be taken involving damage to State property or State equipment.

344.2.5 MISCELLANEOUS INJURIES
Any injury or illness that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose
(b) Attempted suicide
(c) The injury or illness is major/serious, whereas death could result
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event
(e) An officer responds to a medical aid call for service when the victim became injured or ill as a direct result of interaction with University facilities or where the University may be liable for the injury or illness

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

344.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES
A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Records Section shall notify the California State Department of Health Services of the incident, including the nature of the injury, on a form provided by the state. Forms may be obtained from DHS Epidemiology and Prevention for Injury Control (EPIC) Branch, Tel: (910) 552-9849 (Penal Code § 12088.5).
Report Preparation

### 344.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

Generally, all reports shall be completed before the end of the shift.

Reports for "in-custody" and citation arrests shall be completed before the end of shift.

### 344.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed. Handwritten materials should be limited to pre-printed forms filled out in the field or available only in hard copy.

### 344.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

### 344.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the on-duty reviewing supervisor will detail the reasons for rejection. The original report and the noted corrections should be returned to the officer review tray in the patrol area. It shall be the responsibility of the originating officer to ensure that any report returned for correction is completed and submitted on the next working shift.

### 344.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. The Records Supervisor may make changes, in consultation with the Emergency Management Section Manager, to submitted reports. Changes made by the Records Supervisor are generally limited to the non-narrative portions of the report that effect crime classification, location, disposition, statistical information or overall report completeness. The Records Supervisor will strive to notify the reporting officer of the changes for educational and information purposes.

Reports requiring correction that have not been submitted to Records may be corrected pursuant to Policy Manual §344.4.
News Media Relations

346.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

346.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the University Public Information Officer (PIO). The PIO works in consultation with the Chief of Police, or his/her designee, regarding media releases for department-related issues. Other members of the department may not engage in activities surrounding media releases without the approval of the Chief of Police or the PIO.

346.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the PIO or the Chief of Police. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from the Chief of Police or PIO;

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department;

(c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police or PIO.

346.3 MEDIA ACCESS
Authorized and bona fide members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations
   1. In situations where media access would reasonably appear to interfere with emergency operations and/or a criminal investigation, every reasonable effort should be made to provide media representatives with access to a command post at the nearest location that will not interfere with such activities.
   2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for TFR should be routed through the Incident Commander. A TFR, either for a pre-planned operation or an unplanned incident, should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate controlling tower. If the controlling
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tower is not known, the Federal Aviation Administration should be contacted (Federal Aviation Regulations § 91.137).

(c) No member of this department shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the expressed consent of the person in custody.

346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Records Supervisor shall prepare a daily crime log (pursuant to the Jeanne Clery Act) that will also serve as the media log to be made available, upon request, to media representatives through the Communications Center. This log shall also be available on the department website.

This log will generally contain the following information:

- The date, time of occurrence and report, location, type of crime, name of arrestee(s), birth date(s) and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or prosecution.

At no time shall identifying information pertaining to a juvenile arrestee, victim or witness be publicly released without prior approval of a court.

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code § 6254(f) shall be restricted in accordance with applicable statutory provisions.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner’s Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the PIO or Chief of Police, the Records Supervisor, or if unavailable, to the on-duty supervisor. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.)

346.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

(a) Confidential peace officer personnel information (See Policy Manual § 1026)

1. The identities of officers involved in shootings or other major incidents may only be released to the media pursuant to consent of the involved officer or upon a formal request filed and processed in accordance with the Public Records Act.

(b) Copies of traffic collision reports (except to the involved parties and their authorized representatives) (Vehicle Code § 20012)

(c) Criminal history information

(d) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or prosecution.
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(e) Information pertaining to pending litigation involving this department

(f) Information obtained in confidence

(g) Any information that is otherwise privileged or restricted under state or federal law. (Government Code § 6254(k)).
Court Appearance & Subpoenas

348.1 PURPOSE AND SCOPE
This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

348.1.1 DEFINITIONS
On-Call - When an employee has appeared in court, or is at the time on-duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or pager if called back.

Standby - When an employee receives a subpoena of a type which allows him or her to not appear in court, but remain available by phone or pager so that he or she may be directed to appear in court within a reasonable amount of time.

Trailing Status - When an employee remains on standby status for additional court sessions until notified otherwise.

Mandatory Appearance - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

348.2 COURT SUBPOENAS
Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

348.2.1 SERVICE OF SUBPOENA
Service of a subpoena requiring the appearance of any department employee in connection with a matter arising out of the employee’s course and scope of official duties may be accomplished by personal service on the employee or by delivery of two copies of the subpoena on the employee's supervisor or other authorized departmental agent (Government Code § 68097.1 and Penal Code § 1328(c)). Subpoena service is also acceptable by courier or court liaison from the court to this department.

348.2.2 VALID SUBPOENAS
No subpoena shall be accepted for an employee of this department unless it has been properly served and verified to have originated from a recognized legal authority.

348.2.3 ACCEPTANCE OF SUBPOENA
(a) Only the employee named in a subpoena, his/her immediate supervisor or the employee’s Appropriate Administrator shall be authorized to accept service of a subpoena. (Penal Code § 1328(c)). Any authorized employee accepting a subpoena shall immediately provide a copy of the subpoena to the Communications Center.
Court Appearance & Subpoenas

The Communications Center shall maintain a file of all department subpoenas and provide a copy of the subpoena to each involved employee.

(b) Subpoenas received by mail or fax must be routed to the employee’s Appropriate Administrator as soon as possible who will serve the member. The subpoenaed member must ensure that the file copy is signed and faxed to the subpoenaing agency and provided to the Communications Center for filing as soon as possible.

348.2.4 REFUSAL OF SUBPOENA

Except where previous arrangements with the issuing court exist, training, vacations and regularly scheduled days off are not valid reasons for refusing a subpoena or missing court. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, he/she shall, at least one hour before the appointed date and time, inform his/her supervisor and the subpoenaing agency of his/her absence.

If the Appropriate Administrator knows that he/she will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the Appropriate Administrator may refuse to accept service (Penal Code § 1328(d)).

If a subpoena is presented for service to an Appropriate Administrator less than five working days prior to the date listed for an appearance and the supervisor or other authorized individual is not reasonably certain that the service can be completed, he/she may refuse to accept service (Penal Code § 1328(e)).

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

348.2.5 COURT STANDBY

Employees are required to notify the department and the Deputy District Attorney handling the case of any change in a contact phone number so that there is a reasonably reliable means for contacting that employee during court stand-by. The Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

348.2.6 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for actions taken off-duty not related to their employment with Sonoma State University Police & Parking Services shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

348.2.7 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

348.3 CIVIL SUBPOENAS

The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee’s official duties as directed by the current Memorandum
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of Understanding. In such situations, the Department will also reimburse any officer for reasonable and necessary travel expenses.

The Department will receive reimbursement for the officer’s compensation through the civil attorney of record who subpoenaed the officer.

348.3.1 PROCEDURE
To ensure that the officer is able to appear when required, that the officer is compensated for such appearance, and to protect the Department’s right to reimbursement, officers shall follow the established procedures for the receipt of a civil subpoena.

348.3.2 CIVIL SUBPOENA ACCEPTANCE
Subpoenas shall not be accepted in a civil action in which the officer or Department is not a party without properly posted fees pursuant to Government Code § 68097.6.

348.3.3 PARTY MUST DEPOSIT FUNDS
The party in the civil action who seeks to subpoena an officer must deposit the statutory fee of $150 (Government Code § 68097.2) for each appearance before such subpoena will be accepted. Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

348.4 OVERTIME APPEARANCES
If the officer appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee Collective Bargaining Agreement.

The overtime on such appearance will be paid pursuant to University travel reimbursement regulations.

348.5 COURTROOM PROTOCOL
Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

348.5.1 PREPARATION FOR TESTIMONY
Before the date of testifying, the subpoenaed officer shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

348.5.2 COURTROOM ATTIRE
Employees shall dress in uniform or business attire. Suitable business attire for men would consist of a coat, tie, and dress pants. Suitable business attire for women employees would consist of a dress jacket, dress blouse, and skirt or dress or slacks.

348.6 COURTHOUSE DECORUM
Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

348.7 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE
Any member or employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other
than the People of the State of California, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay. The supervisor will then notify the Chief of Police, District Attorney’s Office in criminal cases and the CSU General Counsel, as may be indicated by the case.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding;
(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees; or
(c) Providing testimony or information on behalf of or at the request of any party other than any County, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.
Outside Agency Assistance

352.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to officers in the request of or answering the request for assistance involving another law enforcement agency.

It is the policy of this department to provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of this department, when another law enforcement agency requests assistance with an arrest or detention of any person. This department may also request an outside agency to provide assistance.

352.1.1 ASSISTING OUTSIDE AGENCIES
Generally, calls for assistance from other agencies are routed to the on duty supervisor for approval. When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available officers shall respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer shall notify the on duty supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to other county facilities.

When such assistance is rendered, a case number will be issued to report action taken by Sonoma State University Police & Parking Services personnel. Probation violators temporarily detained by this department will not ordinarily be booked by this department.

352.1.2 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES
Generally, when assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor.

352.2 AGENCY EMERGENCY BROADCAST REQUESTS
Sonoma County agencies broadcast using consistent radio codes in the event of a major emergency to request additional assistance from outside agencies. They are:

- Code 20 - Officer needs urgent assistance
- Code 30 - Officer needs emergency assistance

Upon receipt or knowledge of a Code 20 or 30 request, the supervisor on duty will determine the number of units and level of vehicle response. The supervisor shall consider the following when assigning officers to respond to these calls:

- Nature of emergency situation and call
- Distance of the emergency from campus
- Activity level on campus at the time of the call

352.3 DURATION OF ASSISTANCE
If an officer(s) involvement in an outside agency assistance response requires the officer(s) to be off campus or otherwise unavailable for longer than 1 hour or if the supervisor believes additional staffing is needed to compensate for the officer(s) absence, that
Outside Agency Assistance

supervisor will notify the Appropriate Administrator for overtime authorization for calling in additional personnel.
Handcuff Policy

354.1 PURPOSE AND SCOPE
This procedure provides guidelines for handling situations involving handcuffing during detentions and arrests. This policy is also applicable to Flexcuffs, which will be considered synonymous with handcuffs for purposes of this policy.

354.2 HANDCUFFING POLICY
Although recommended for most arrest situations, handcuffing is a discretionary procedure and not an absolute rule of the Department. The arresting officer should consider the circumstances leading to the arrest, the attitude of the arrested person, and the age, sex, and health of the person before handcuffing. It must be recognized that officer safety is the primary concern.

It is not the intent of the Department to dissuade officers from handcuffing all persons they believe warrant that degree of restraint, nor is it the intent of this policy to create the atmosphere that in order to avoid risk, an officer should handcuff all persons regardless of the circumstances. In most situations handcuffs should be applied with the hands behind the person. Handcuffs should be removed as soon as the arrested person is safely confined within the jail.

354.2.1 IMPROPER USE OF HANDCUFFS
Handcuffing is never done to punish, to display authority, or as a show of force. Persons are handcuffed only to restrain their hands to ensure officer safety. When practical, handcuffs shall be double locked to prevent tightening which may cause undue discomfort or injury to the hands or wrists.

354.2.2 JUVENILES
Juveniles shall only be restrained pursuant to §324.7.3.

354.2.3 HANDCUFFING OF DETAIENEES
Situations may arise where it may be reasonable to handcuff an individual who may, after subsequent investigation, be released prior to arrest. Such a situation is considered a detention, rather than an actual arrest. Unless arrested, the use of handcuffs on detainees at the scene of a search warrant should continue for only as long as is reasonably necessary to assure the safety of officers and others. Handcuffs should be removed as soon as it is determined that the detained person will not be arrested.

When an individual is handcuffed and released without an arrest, a written crime or incident report shall be made to document the details of the detention and need for use of handcuffs.
Megan’s Law

356.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a procedure for the dissemination of information regarding certain registered sex offenders under California’s Megan’s Law. (Penal Code §§ 290 and 290.4).

356.2 DEPARTMENTAL DISSEMINATION OF INFORMATION
Whenever this department determines that it is necessary to provide information to the public regarding a person required to register as a sex offender pursuant to Penal Code § 290 in order to ensure the public safety, such information may only be released by means determined by the Chief of Police to be appropriate (Penal Code § 290.45(a)(1)).

Officers shall obtain approval from a supervisor prior to the public release of any information regarding a registered sex offender. Under exigent circumstances, an officer may release the information without prior supervisory approval, however, a supervisor shall be notified of the information release as soon thereafter as is practical.

Included with all public disclosures of information about any registered sex offender will be a statement that the purpose of the release is to allow members of the public to protect themselves and their children from sex offenders (Penal Code § 290.45(a)(2)).

356.2.1 LIMITATIONS ON EXTENDED RELEASE
Individuals and entities receiving information regarding registered sex offenders may only be authorized to disclose such information to additional persons if the Department determines the appropriate scope and that such disclosure will enhance the public safety.

356.3 RELEASE OF INFORMATION
Information about a specific offender may be publicly disclosed only when the Department determines that such disclosure is necessary to ensure the public safety (Penal Code § 290.46(g)).

356.3.1 USE OF DISCLOSURE FORMS
Whenever information regarding any sex offender is publicly disseminated, the officer shall complete a Megan’s Law Disclosure form which shall be promptly forwarded to the Operations Section Manager.

The release of such information shall also be noted by entering the notification into the comment field on the offender’s Supervised Release File record in CLETS.

356.3.2 LIMITED RELEASE WITHIN CAMPUS COMMUNITY
The following information regarding a registered sex offender on campus as to whom information shall not be made available to the public via the Department of Justice Megan’s Law website as provided in Section 290.46 may be released to members of the campus community the department, as required by Section 1092(f)(1)(I) of Title 20 of the United States Code:

• The offender’s full name.
Megan’s Law

- The offender’s known aliases.
- The offender’s gender.
- The offender’s race.
- The offender’s physical description.
- The offender’s photograph.
- The offender’s date of birth.
- Crimes resulting in registration under Section 290.
- The date of last registration or reregistration.

The authority provided in this sections in addition to the authority of a peace officer or law enforcement agency to provide information about a registered sex offender pursuant to Section 290.45, and exists notwithstanding Section 290.021 or any other provision of law.

Any law enforcement entity and employees of any law enforcement entity listed in Penal Code 290(d)(1)(A) shall be immune from civil or criminal liability for good faith conduct under this section. Nothing in this section shall be construed to authorize the department to make disclosures about registrants intended to reach persons beyond the campus community.

Before being provided any information by the department pursuant to this section, a member of the campus community who requests that information shall sign a statement, on a form provided by the Department of Justice, stating that he or she is not a registered sex offender, that he or she understands the purpose of the release of information is to allow members of the campus community to protect themselves and their children from sex offenders, and that he or she understands it is unlawful to use the information obtained pursuant to this section to commit a crime against any registrant or to engage in illegal discrimination or harassment of any registrant. The signed statement shall be maintained in a file in Records for a minimum of five years.

When the department disseminates printed information pursuant to this section, records of the means and dates of dissemination must be kept for a minimum of five years.

For purposes of this subdivision, “campus community” means those persons present at, and those persons regularly frequenting, any place associated with an institution of higher education, including campuses; administrative and educational offices; laboratories; satellite facilities owned or utilized by the institution for educational instruction, business, or institutional events; and public areas contiguous to any campus or facility that are regularly frequented by students, employees, or volunteers of the campus.

356.4 PUBLIC INQUIRIES

As a general rule information may not be given over the telephone. Members of the public may access detailed sexual offender information by way of their personal computer through the Internet at the Megan’s Law Web site maintained by the Department of Justice (www.meganslaw.ca.gov). They may also submit a list of at least six persons directly to the Department of Justice on a designated form to inquire whether any of those persons are required to register as a sex offender and are subject to public notification (Department of Justice fees may apply) (Penal Code § 290.4(a)).
Major Incident Notification

358.1 PURPOSE AND SCOPE
Incidents that are of significant nature and that fall into listed criteria require notification to certain members of this department. It is critical that staff members are informed of certain incidents in order to apprise their superiors and properly address inquiries from members of the press.

358.2 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police and the Operations Section Manager. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (See Policy Manual § 310.53 for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Sonoma State University official
- Arrest of Department employee or prominent Sonoma State University official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Any incident leading to major damage or destruction of a University building

358.3 SUPERVISOR RESPONSIBILITY
The supervisor is responsible for making the appropriate notifications. If a supervisor is not on duty at the time of the incident, the investigating officer must notify his/her supervisor. If the supervisor cannot be reached within a reasonable amount of time, the investigating officer may proceed with notifications directly.

358.3.1 COMMAND STAFF NOTIFICATION
In the event an incident occurs described in Policy Manual § 358.2, the Appropriate Administrator of the reporting employee shall be notified. The Appropriate Administrator may notify the Chief of Police and/or other affected department or University personnel.

358.3.2 PUBLIC INFORMATION OFFICER (PIO)
The Public Information Officer shall be called by the Chief of Police or Appropriate Administrator if it appears the media may have an interest in the incident.

358.4 CHANCELLOR'S OFFICE NOTIFICATION
All incidents involving the campus, students, faculty and/or staff that may be newsworthy or potentially sensitive shall be reported to the Systemwide Police Coordinator and the Chief Risk Officer as soon as practical. Incidents are to be reported using the Major Incident Report and the procedures established by CSU Human Services Coded Memorandum 2004-03. Reports are generally initiated by the Operations Section Manager, or his/her designee.
Major Incident Notification

Major incidents include crimes such as homicide, rape, robbery, assault, burglary (involving large sums of money or valuables), arson, bombs, bomb threats where buildings need to be closed, riots, disturbances, embezzlement of funds or misuse of funds, serious or fatal injuries or illnesses or suicides. Major incidents also include disasters or emergencies, such as fire, earthquake, power outage or hazardous materials spill.
Death Investigation

360.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

360.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

This department has entered into an Agreement for Investigative Services with the Sonoma County Sheriff’s Department. The Chief of Police may decide any time during an investigation into a death to request the investigative services of that agency. At such time, the Sheriff’s Department will assume the role of "lead agency" pursuant to the Agreement.

360.2.1 CORONER REQUEST
Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities.)
(b) Wherein the deceased has not been attended by a physician in the 20 days prior to death
(c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal deaths when the underlying cause is unknown.
(d) Known or suspected homicide
(e) Known or suspected suicide
(f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse
(g) Related to or following known or suspected self-induced or criminal abortion
(h) Associated with a known or alleged rape or crime against nature
(i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent
(j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration
(k) Accidental poisoning (food, chemical, drug, therapeutic agents)
(l) Occupational diseases or occupational hazards
(m) Known or suspected contagious disease and constituting a public hazard
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(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere

(o) In prison or while under sentence. Includes all in-custody and police involved deaths

(p) All deaths of unidentified persons

(q) All deaths of state hospital patients

(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths

(s) All deaths where the patient is comatose throughout the period of the physician’s attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

360.2.2 SEARCHING DEAD BODIES

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

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. 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 Deputy Coroner, a receipt shall be obtained. This receipt shall be attached to the death report.

360.2.3 DEATH NOTIFICATION

When practical, and if not handled by the Coroner’s Office, notification to the next-of-kin of the deceased person shall be made, in person, by the Chief’s designee and a representative of the Sonoma County Police Chaplains service, whenever possible. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction may 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. Investigating officers may need to talk to the next-of-kin.

360.2.4 UNIDENTIFIED DEAD BODIES

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

360.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

360.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Operations Section Manager shall be notified to determine
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the possible need for additional resources to respond to the scene for further immediate investigation.

360.2.7 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim’s employment shall ensure, in coordination with Employee Services, Environmental Health and Safety and Risk Management that the nearest office of Cal-OSHA may be notified (8 CCR 342(b)).

Notification of families of employment related deaths or injuries shall be handled with great sensitivity and will be made in coordination with the above University departments. When possible, Employee Relations and Compliance are tasked with making these notifications.
Identity Theft

362.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

362.2 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. 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 give the victim the choice to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) Officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from an original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in our 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 report case numbers made by the victim to other law enforcement agencies.

(e) The reporting officer should inform the victim of identity theft of his/her right to obtain court ordered access to the Department of Justice identity theft database pursuant to Penal Code § 530.7.
Private Persons Arrests

364.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the handling of private person’s arrests made pursuant to Penal Code § 837.

364.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS
Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person’s arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person’s arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person’s arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

364.3 ARRESTS BY PRIVATE PERSONS
Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;
(b) When the person arrested has committed a felony, although not in his or her presence;
(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

364.4 OFFICER RESPONSIBILITIES
Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any officer determine that there is no reasonable cause to believe that a private person’s arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

1. Any officer who determines that a private person’s arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b)(1). The officer must include the basis of such a determination in a related report.

2. Absent reasonable cause to support a private person’s arrest or other lawful grounds to support an independent arrest by the officer, the officer should
advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is reasonable cause to believe that a private person’s arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking
2. Release the individual pursuant to a Notice to Appear
3. Release the individual pursuant to Penal Code § 849

364.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person’s Arrest form under penalty of perjury.

In addition to the Private Person’s Arrest Form (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident. In addition, the private person making the arrest must complete a written statement describing the circumstances that led to the arrest.
Anti-Reproductive Rights Crimes Reporting

366.1 PURPOSE AND SCOPE
This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

366.2 DEFINITIONS
Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant
(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant
(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility

366.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL
(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also advise the Records Supervisor so that an ARRC Data Collection Worksheet (BCIA 8371) may be completed by the Records Supervisor in accordance with the instructions contained on such forms.
(b) The ARRC Data Collection Worksheet shall be processed with all related reports.
(c) By the tenth day of each month, it shall be the responsibility of the Records Supervisor to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.
   1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to Department of Justice with an indication that no such crimes were reported.
   2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).
Limited English Proficiency Services

368.1 PURPOSE AND SCOPE
Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is therefore the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 United States Code 2000d).

368.1.1 DEFINITIONS
Limited English Proficient (LEP) - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific: an individual may possess sufficient English language skills to function in one setting, but these skills may be insufficient in other situations.

Interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

Bilingual - The ability to communicate in two languages fluently, including the ability to communicate technical and law enforcement terminology. Bilingual includes a variety of skill levels. For example, some bilingual individuals may be fluent enough to engage in direct communications in a non-English language, but insufficiently fluent to interpret or translate from one language into another. For example, a bilingual individual, depending on his or her skill level, could be utilized to communicate fluently in a non-English language, but not to interpret between two languages if he or she does not possess the specialized skills necessary to interpret between two languages effectively. In order to be utilized to interpret or translate from one language into another an individual must possesses the skill, training and demonstrated competence to do so. For purposes of this policy employees, in order to be identified as bilingual, must initially and periodically demonstrate, through a procedure to be established by the Department, their level of skill and competence such that the Department is able to determine the purposes for which an employee's language skills may be used.

Authorized Interpreter - An employee who is bilingual and has successfully completed department-prescribed interpreter training and is authorized to act as an interpreter or translator.

368.2 FOUR FACTOR ANALYSIS
Since there are potentially hundreds of languages department personnel could encounter, the Department will utilize the four-factor analysis outlined in the Department of Justice LEP Guidance to Federal Financial Assistance Recipients available at the DOJ website in determining which measures will provide reasonable and meaningful access to various rights, obligations, services and programs to everyone. It is recognized that law
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enforcement contacts and circumstances will vary considerably. This analysis therefore, must remain flexible and requires an ongoing balance of the following four factors:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department personnel or who may benefit from programs or services within the Department's jurisdiction or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department personnel, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

As indicated above, the intent of this analysis is to provide a balance that reasonably ensures meaningful access by LEP individuals to critical services while not imposing undue burdens on the Department or on department personnel.

While this department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right, the above analysis will be utilized to determine the availability and level of assistance provided to any LEP individual or group.

368.2.1 IDENTIFICATION OF LEP INDIVIDUAL’S LANGUAGE

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual’s primary language in an effort to avoid misidentifying that language.

368.3 TYPES OF LEP ASSISTANCE AVAILABLE

Depending on the balance of the above four factors, this department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to use interpreter services provided by the Department or some other source. Department provided interpreter services may include, but are not limited to the assistance methods described in this section.

368.3.1 BILINGUAL STAFF

Employees utilized for LEP services need not be certified as interpreters, but must have demonstrated, through established department procedures, a level of competence to ascertain whether the employee's language skills are best suited to monolingual communications, interpretation, translation, or all or none of these functions. All employees used for communication with LEP individuals must demonstrate knowledge of the ethical issues involved when functioning as a language conduit. In addition, employees who serve as interpreters and/or translators must have demonstrated competence in both English and the non-English language involved and knowledge of the functions of an interpreter; including but not limited to the ethics requirements of interpretation. When bilingual employees of this department are not available, employees from other city departments who have the requisite training may be requested.

368.3.2 WRITTEN FORMS AND GUIDELINES

This department will determine the most frequently used and critical forms and guidelines and translate these documents into the languages most likely to be requested. The
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Department will arrange to make these translated forms available to departmental personnel and other appropriate individuals.

368.3.3 AUDIO RECORDINGS
From time to time, the Department may develop audio recordings of important information needed by LEP individuals for broadcast in a language most likely to be understood by involved LEP individuals.

368.3.4 TELEPHONE INTERPRETER SERVICES
The Emergency Management Section Manager will ensure that a list of qualified interpreter services is maintained which, upon approval of a supervisor, can be contacted to assist LEP individuals. Such services shall be available to, among others, department personnel who utilize official cellular telephones.

368.3.5 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF INTERPRETATION
Where competent bilingual departmental personnel or other State-certified staff are unavailable to assist, responsible members of the community who have demonstrated competence in either monolingual (direct) communication and/or in interpretation and translation (as noted in § 368.3.1 above) may be called upon to assist in communication efforts. Sources for these individuals may include neighboring police departments, university languages and linguistics departments, local businesses, banks, churches, neighborhood leaders and school officials. Department personnel should ensure that community members are able to provide unbiased assistance. The nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect).

Except for exigent or very informal and non-confrontational circumstances, the use of an LEP individual's bilingual friends or family members, particularly children, is generally not recommended and departmental personnel shall make case-by-case determinations on the appropriateness of using such individuals (For further guidance see: Section V(3) of the DOJ Final Guidance available at the DOJ website).

368.3.6 UNIVERSITY RESOURCES
Sonoma State University has resources that may be used to accomodate LEP individuals. These resources may only be available during academic hours and have not received any certification or specialized training in law enforcement communications.

- Sonoma State University Language Institute (SSALI) - SSALI is a resource and may be able to provide assistance with LEP individuals. Campus phone - 707-664-2742
- Sonoma State University Language Department - Sonoma State University Foreign Language Department may be able to provide assistance or references to qualified interpreters. Campus phone - 707-664-2351

368.4 LEP CONTACT SITUATIONS AND REPORTING
While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize language services so that they may be targeted where they are most needed.
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Whenever any member of this department is required to complete a report or other documentation and interpretation or translation services are provided to any involved LEP individual such services should be noted in the related report.

368.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

In order to provide LEP individuals with meaningful access to police services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 9-1-1 lines as its top priority for language services. Department personnel will make every reasonable effort to promptly accommodate such LEP individuals utilizing 9-1-1 lines through any or all of the above resources.

While 9-1-1 calls shall receive top priority, it is also important that reasonable efforts be made to accommodate LEP individuals seeking more routine access to services and information from this department by utilizing all the methods listed in § 368.3 above.

368.4.2 EMERGENCY CALLS TO 9-1-1

When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual the call-taker should quickly determine whether or not sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed and the language is known, the call-taker should immediately transfer the LEP caller to an available authorized interpreter to handle the call.

If an appropriate authorized interpreter is not available, the call-taker will promptly contact the contracted telephonic interpretation service directly for assistance in completing the call. Dispatchers will make every reasonable effort to dispatch a bilingual officer to the assignment, if available.

The department will take reasonable steps and will work with the Employee Services to hire and develop in-house language capacity in Dispatch by hiring qualified personnel with specific language skills.

368.4.3 FIELD ENFORCEMENT AND INVESTIGATIONS

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts which may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Department personnel must assess each situation to determine the need and availability for translation services to all involved LEP individuals and utilize the methods outlined in § 368.3 to provide appropriate language assistance.

Although not every situation can be addressed in this policy, it is important that department personnel are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action taken with an LEP individual. It would, for example, be meaningless to request consent to search if the person requesting is unable to effectively communicate with an LEP individual.

368.4.4 INVESTIGATIVE INTERVIEWS

In any situation where the translation of an interview may contain information that might be used in a criminal trial, it is important to take certain steps to improve the chances of admissibility. This includes interviews conducted during an investigation with victims, witnesses, and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identifying and contact information for the interpreter (e.g.,
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name, address) should be documented so that the person can be subpoenaed for trial if necessary.

Any person selected as an interpreter and/or translator must have demonstrated competence in both English and the non-English language involved and knowledge of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the case. The person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation to the court.

368.4.5 CUSTODIAL INTERROGATIONS AND BOOKINGS
In an effort to ensure the rights of LEP individuals are protected during arrest and custodial interrogation, this department places a high priority on providing competent interpretation during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, department personnel providing interpretation services or translated forms in these situations will have demonstrated competence in interpretation/translation and make every reasonable effort to accurately interpret/translate all communications with LEP individuals.

In order to ensure that translations during criminal investigations are documented accurately and admissible as evidence, audio recordings of interrogations, victim interviews and witness interviews should be used whenever reasonably possible.

Employees providing interpretation or translation services shall also be aware of the inherent communication impediments to gathering information from the LEP individual throughout the booking process or any other situation in which an LEP individual is within the control of department personnel. Medical screening questions are commonly used to elicit information on individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, resulting symptoms upon withdrawal from certain medications, or the need to segregate the arrestee from other prisoners, therefore it is important for members of this department to make every reasonable effort to provide effective language services in these situations.

368.4.6 COMPLAINTS
The Department shall ensure access to LEP persons who wish to file a complaint regarding the discharge of departmental duties. The Department may do so by providing interpretation assistance or translated forms to such individuals. If the Department responds to complaints filed by LEP individuals, the Department shall attempt to communicate its response in an accessible manner.

368.4.7 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. As such, this department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services to LEP individuals and groups.

368.5 TRAINING
In an effort to ensure that all employees in public contact positions (or having contact with those in custody) are properly trained, the Department will provide periodic training to personnel about departmental LEP policies and procedures, including how to access
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department-authorized, telephonic and in-person interpreters and other available resources. LEP training will be provided for new employees and refresher training will be provided at least once every two years thereafter.

368.6 INTERPRETERS AND TRANSLATORS

Employees called upon to interpret, translate, or provide other language assistance, will be trained annually on language skills competency (including specialized terminology) and ethical considerations.

(a) Assessment: Department personnel identified as bilingual who are willing to act as authorized interpreters will have their language skills assessed by a professional interpreter using a structured assessment tool established by the Training Coordinator. Those employees found proficient in interpreting into and from the target language will be placed conditionally on the Authorized Interpreters List.

(b) Training: All personnel conditionally placed on the Authorized Interpreter List must successfully complete the prescribed interpreter training within one year. After successful completion of interpreter training, the individual will be unconditionally placed on the Authorized Interpreter List. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language; have knowledge in both languages of any specialized terms or phraseology used by the LEP person; and understand and adhere to the interpreter role without deviating into other roles such as counselor or legal advisor.

(c) Refresher Course for Authorized Interpreters: Those persons who have been unconditionally placed on the Authorized Interpreter List must receive refresher training annually or they will be removed from the Authorized Interpreter List. The Training Bureau shall be responsible for coordinating the annual refresher training and will maintain a record of training that the interpreters have received.

The LEP Coordinator will ensure that the Authorized Interpreters List is kept current and a copy of the current list is forwarded to Dispatch.

368.7 SUPPLEMENTAL MATERIALS PROVIDED TO DEPARTMENT EMPLOYEES

The following materials will be made available to employees to assist in providing access and service to LEP individuals:

(a) Listing of departmental bilingual employees, languages spoken, contact and shift information.

(b) Listing of department-certified interpretation services bilingual interpreters, languages spoken, contact and availability information.

(c) Phone number and access code of telephonic interpretation services.

(d) Language identification card.

(e) Translated *Miranda* warning cards and other frequently-used translated documents.

(f) Any audio recordings/warnings that are developed in non-English languages.
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368.8  MONITORING AND UPDATING LANGUAGE ASSISTANCE EFFORTS

368.8.1  LEP COORDINATOR

The Chief of Police will appoint an LEP Coordinator who is responsible for coordinating and implementing all aspects of the department LEP services to LEP individuals.

The LEP Coordinator shall assess demographic data, review contracted language access services utilization data, and consult with community-based organizations annually in order to determine if there are additional languages into which vital documents should be translated.

The LEP Coordinator will also be responsible for annually reviewing all new documents issued by the department to assess whether they should be considered vital documents and be translated.
Hearing Impaired/Disabled Communications

370.1 PURPOSE AND SCOPE
Individuals who suffer from deafness, hearing impairment, blindness, impaired vision, mental or other disabilities may encounter difficulties in gaining meaningful access to, or an understanding of important rights, obligations and services. In accordance with the Americans with Disabilities Act (ADA) and Civil Code § 54.1, it is therefore the policy of this department to take all reasonable steps to accommodate such individuals in any law enforcement contact.

370.2 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, employees of this department should consider all information reasonably available to them when determining how to communicate with an individual suffering from any disability. These factors may include, but are not limited to:

(a) The extent to which a disability is obvious or otherwise made known to the involved employee. Impaired or disabled individuals may be reluctant to acknowledge their condition and may even feign a complete understanding of a communication despite actual confusion.

(b) The nature of the disability (e.g., total deafness or blindness vs. impairment)

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact, etc.)

(d) Availability of resources to aid in communication

When considering these and other available information, the involved employee(s) should carefully balance all factors in an effort to reasonably ensure meaningful access by individuals suffering from apparent disabilities to critical services while not imposing undue burdens on the Department or its officers.

370.2.1 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, department employees should remain alert to the possibility of communication problems and exercise special care in the use of all gestures, and verbal and written communication in an effort to minimize initial confusion and misunderstanding when dealing with any individual(s) with known or suspected disabilities or communication impairments.

370.3 TYPES OF ASSISTANCE AVAILABLE
Depending on the balance of the factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to disabled individuals through a variety of services, where available. Disabled individuals may elect to accept such assistance at no cost, choose to provide their own communication services at their own expense or any combination thereof. In any situation, the individual’s expressed choice of communication method shall be given primary consideration and honored unless the employee can adequately demonstrate that another effective method of communication exists under the circumstances.
Hearing Impaired/Disabled Communications

Officers should document the type of communication utilized in any related report and whether a disabled or impaired individual elected to use services provided by the Department or some other identified source. Department provided services may include, but are not limited to the following:

370.3.1 FIELD RESOURCES
Individual officers and employees are encouraged to utilize resources immediately available to them in any contact with a known or suspected disabled or impaired person. Examples of this would include such simple methods as:

(a) Hand gestures or written communications exchanged between the employee and a deaf or hearing impaired individual
(b) Facing an individual utilizing lip reading and speaking slowly and clearly
(c) Slowly and clearly speaking or reading simple terms to any visually or mentally impaired individual

370.3.2 AUDIO RECORDINGS AND ENLARGED PRINT
From time to time, the Department may develop audio recordings of important information needed by blind or visually impaired individuals. In the absence of such audio recordings, employees may elect to read aloud a Department form or document such as a citizen complaint form to a visually impaired individual or utilize a photocopier to enlarge printed forms for a visually impaired individual.

370.3.3 TELEPHONE INTERPRETER SERVICES
The Emergency Management Section Manager will ensure a list of qualified interpreter services is maintained to be contacted at department expense to assist deaf or hearing impaired individuals upon approval of a supervisor. When utilized, notification to such interpreters shall be made at the earliest reasonable opportunity and the interpreter should be available to respond within a reasonable time (generally not to exceed three hours).

370.3.4 TTY AND RELAY SERVICES
Individuals who are deaf or hearing impaired must be given the opportunity to use available text telephones (TTY or TDD). All calls placed by such individuals through such services shall be accepted by this department.

370.3.5 COMMUNITY VOLUNTEERS
Depending on the circumstances, location and availability, responsible members of the community may be available to provide qualified interpreter services, such as those who are proficient in American Sign Language (ASL). Sources for these individuals may include local businesses, banks, churches, neighborhood leaders and school officials. In addition to such sources developed by individual officers, the Department will attempt to maintain and update a list of qualified community volunteers who may be available to respond within a reasonable time.

370.3.6 FAMILY AND FRIENDS OF DISABLED OR IMPAIRED INDIVIDUAL
While family and friends of a disabled or impaired individual may frequently offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in emergency or critical situations. Further, the nature of the contact and relationship between the
Hearing Impaired/Disabled Communications

disabled individual and the individual offering services must be carefully considered (e.g., victim/suspect).

370.3.7 UNIVERSITY RESOURCES
The Disability Services for Students office may be able to provide references to individuals who are qualified in American Sign Language to assist in communication with hearing impaired individuals. Campus phone 707-664-2677 (voice) and 707-664-2958(TDD).

370.4 CONTACT SITUATIONS AND REPORTING
While all contacts, services, and individual rights are important, this department will carefully consider reasonably available information in an effort to prioritize services to disabled and impaired individuals so that such services and resources may be targeted where most needed because of the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is otherwise required to complete a report or other documentation, and communication assistance is provided to any involved disabled or impaired individual(s), such services should be noted in the related report.

370.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE
In order to provide disabled and impaired individuals with meaningful access to law enforcement services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 911 lines as its top priority for assistance with such services. Department personnel will make every reasonable effort to promptly accommodate such disabled and impaired individuals utilizing 911 lines through any or all of the above resources.

While 911 calls shall receive top priority, it is also important that reasonable efforts be made to accommodate disabled and impaired individuals seeking more routine access to services and information from this department.

370.4.2 CUSTODIAL INTERROGATIONS AND BOOKINGS
In an effort to ensure the rights of all disabled and impaired individuals are protected during arrest and custodial interrogation, this department places a high priority on providing reasonable communication assistance during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, department personnel providing communication assistance in these situations will make every reasonable effort to accurately and effectively communicate with disabled or impaired individuals.

Employees providing such assistance shall also be aware of the inherent communication impediments to gathering information from disabled or impaired individuals throughout the booking process or any other situation in which a disabled or impaired individual is within the control of department personnel. Medical screening questions are commonly used to elicit information on individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, resulting symptoms upon withdrawal from certain medications, or the need to segregate the arrestee from other prisoners, therefore it is important for this department to make every reasonable effort to provide effective communication assistance in these situations.

(a) Individuals who require communication aids (e.g., hearing aids) should be permitted to retain such devices while in custody.
Hearing Impaired/Disabled Communications

(b) While it may present officer safety or other logistical problems to allow a physically disabled individual to retain devices such as a wheel chair or crutches during a custodial situation, the removal of such items will require that other reasonable accommodations be made to assist such individuals with access to all necessary services.

370.4.3 FIELD ENFORCEMENT AND INVESTIGATIONS

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts which may involve disabled or impaired individuals. The scope and nature of these activities and contacts will inevitably vary, therefore the Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every officer in the field. Each officer and/or supervisor must, however, assess each such situation to determine the need and availability for communication assistance to any and all involved disabled or impaired individuals.

Although not every situation can be addressed within this policy, it is important that employees are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action taken with a disabled or impaired individual. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with a deaf individual.

370.4.4 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. As such, this department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services to disabled individuals and groups.

370.5 TRAINING

In an effort to ensure that all employees in public contact positions (or having contact with those in custody) are properly trained, this department will provide periodic training in the following areas:

(a) Employee awareness of related policies, procedures, forms and available resources

(b) Employees having contact with the public (or those in our custody) are trained to work effectively with in-person and telephone interpreters and related equipment

(c) Training for management staff, even if they may not interact regularly with disabled individuals, in order that they remain fully aware of, and understand this policy, so they can reinforce its importance and ensure its implementation by staff
Mandatory School Employee Reporting

372.1 PURPOSE AND SCOPE
The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

372.2 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING
In the event a school employee is arrested for any controlled substance offense enumerated in Health & Safety Code § 11590, 11364, in so far as that section relates to paragraph (12) of subdivision (d) of Health and Safety Code § 11054, or for any of the offenses enumerated in Penal Code § 290 or in subdivision 1 of Penal Code § 291 or Education Code § 44010, the Chief of Police or his/her designee is required to immediately report the arrest as follows:

372.2.1 ARREST OF PUBLIC SCHOOL TEACHER
Upon arrest for one of the above sections, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed.

372.2.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE
Upon arrest for one of the above sections, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person.

372.2.3 ARREST OF PRIVATE SCHOOL TEACHER
Upon arrest for one of the above sections, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher and to immediately give written notice of the arrest to the private school authority employing the teacher.
DNA Samples

374.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the collection of DNA evidence from those individuals required to provide such samples under the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, and the State of California DNA Data Bank Program (Penal Code § 295, et seq.).

374.2 PERSONS SUBJECT TO DNA COLLECTION
While the courts may order DNA samples taken in a variety of circumstances under the Act, members of this department are only authorized to obtain DNA samples from the following individuals absent other lawful means (e.g., consent or a search warrant).

Only those qualifying individuals whose DNA sample is not currently on file with the Department of Justice may be required to provide samples. Verification of DNA samples on file may be determined by a DNA collection flag on the individual’s criminal history record or, during regular business hours, by calling the Department of Justice designated DNA laboratory at (510) 620-3300. All DNA collection flags should be verified by contacting DOJ prior to the collection of the sample (Penal Code § 298(b)(5)).

It is a misdemeanor for any qualified individual to refuse to give any or all required DNA samples following written notice of the requirement to do so (Penal Code § 298.1(a)).

374.2.1 ARRESTEES
Any adult arrested or charged with any felony offense is required to provide DNA samples. DNA samples should be collected immediately following arrest, or during the booking process, or as soon as administratively practicable after arrest but in any case prior to release on bail or other physical release from custody (Penal Code § 296.1(a)(1)(A)).

374.2.2 SEX AND ARSON REGISTRANTS
Any adult or juvenile who is required to register as a sex offender under Penal Code § 290 or arsonist under Penal Code § 457.1, including those whose registration resulted from a qualifying misdemeanor crime is required to submit a DNA sample. (Penal Code § 296(a)(3)).

At the time that any such registrant registers, updates registration, or is notified by the Department of Justice or other law enforcement officer, an appointment shall be made designating the time and place for the collection of DNA samples if no such sample has already been provided (Penal Code § 296.2(c)).

374.3 PROCEDURE
It is the policy of this department that the arresting officer, upon booking an individual required to provide DNA samples under this Act, shall notify jail staff of the individual’s requirement. The officer’s case report shall reflect this notification.

374.4 RELATED STATUTES
It is a felony for any qualifying individual to knowingly facilitate the collection of a wrongfully attributed DNA sample or identification information, or to knowingly tamper with any DNA
DNA Samples

sample or collection container with the intent to deceive the government as to his or her identity (Penal Code § 298.2).

It is unlawful for any person to knowingly misuse or disclose to an unauthorized entity a DNA sample collected or profile obtained for DNA database purposes (Penal Code § 299.5(i)(1)(A)).
Chaplain Program

376.1 PURPOSE AND SCOPE
Sonoma State University Police & Parking Services values the contributions of the Sonoma County Law Enforcement Chaplaincy Service. The mission of the chaplaincy services is as follows:

It is the mission of the chaplaincy service to respond to requests from law enforcement and provide immediate emotional support and follow up care to them and to the members of our community who have suffered tragedy and loss. We are an interfaith community of compassionate volunteers without religious, political, or legal agendas.

376.2 POLICY
It is the policy of this department that the services of this, or any other, chaplaincy service endorsed, recommended or subscribed to by the department shall be non-denominational, ecumenical ministry provided by volunteer clergy without financial compensation.

Any member may contact the chaplaincy service for personal counseling. Requests made for department-wide matters or response to on-duty incidents should be referred to a supervisor.

376.3 AVAILABLE SERVICES AND ASSISTANCE
Chaplains are available to officers for, but not limited to, the following:

(a) Assistance in making notification to families of department members who have been seriously injured or killed.
(b) After notification, respond to the hospital or home of the department member.
(c) Visit sick or injured law enforcement personnel in the hospital or home.
(d) Attend and participate, when requested, in funerals of active or retired members of the department.
(e) Respond to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of a supervisor aids in accomplishing the Department's mission.
(f) Be present during major demonstrations or any public function that requires the presence of a large number of department personnel.
(g) Counsel with officers and other personnel having personal problems, at their request.
(h) Attend department and academy graduations, ceremonies and social events and offer invocations and benedictions, as requested.
(i) Respond to major disasters such as earthquakes, bombings and similar critical incidents.
(j) Provide liaison with other religious leaders of the community.
(k) Assist public safety personnel and the community in any other function of the clergy profession as requested.
376.4 CONFIDENTIALITY

Except as otherwise specified, matters of a personal nature that are discussed between chaplains and others shall remain private and confidential. Members of the clergy are not required to reveal penitential communications; however, clergy must report child, elder or dependent adult abuse discovered while acting in any of the following capacities:

(a) Marriage, family, or child counselor.
(b) Religious practitioner, who diagnoses, examines or treats children, elders, or dependent adults.
Public Safety Camera System

378.1 PURPOSE AND SCOPE
The State of Sonoma State University operates a public safety camera system for the purpose of creating a safer environment for all those who live, work and visit the State. This policy explains the purpose of the cameras and provides guidelines for their operation and for the storage of captured images.

378.2 POLICY
Cameras may be placed in strategic locations throughout the University at the direction or with the approval of the Chief of Police. These cameras can be used for detecting and deterring crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist State officials in providing services to the community.

378.3 PROCEDURE
The following procedures have been established for the effective operation of the public safety camera system.

378.3.1 MONITORING
Images from each camera will be recorded on a 24-hour basis every day of the week. These images will be stored by digital video recorders. When activity warranting further investigation is reported or detected at any camera location, the dispatcher may selectively view the appropriate camera and relay any available information to responding units.

The Chief of Police may authorize video feeds from the public safety camera system to be set up at a location other than Dispatch for monitoring by other than police personnel when the provision of such access is in furtherance of this policy.

The cameras only record images and do not record sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high value or high threat areas. In addition, the public safety camera system may be useful for the following purposes:

(a) To assist in identifying, apprehending and prosecuting offenders.
(b) To assist in gathering evidence for criminal and civil court actions.
(c) To help emergency services personnel maintain public order.
(d) To monitor pedestrian and vehicle traffic activity.
(e) To help improve the general environment on the public streets.
(f) To assist in providing effective public services.

378.3.2 PROHIBITED ACTIVITY
Video monitoring will be conducted in a professional, ethical and legal manner. The public safety camera system will not be used to invade the privacy of individuals, to look into private areas or areas where the reasonable expectation of privacy exists. All reasonable efforts will be taken to protect these rights. Video monitoring shall not be used to harass, intimidate or discriminate against any individual or group.
Public Safety Camera System

378.3.3 CAMERA MARKINGS
Except in the case of covert operations or confidential investigations, all public areas that are monitored by public safety cameras shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs shall be well lit to ensure visibility.

378.4 MEDIA STORAGE
All digital video recorders will be stored in a secure area with access restricted to authorized persons.

Recordings not otherwise needed for official reasons shall be retained for a period of not less than 120 days and thereafter may be erased.

378.5 REVIEW OR RELEASE OR OF VIDEO IMAGES
The review or the release of video images shall be done only with the authorization of the Chief of Police or his/her designee and only with a properly completed written request. Video images needed for a criminal investigation or other official reason shall be collected and booked in accordance with current departmental evidence procedures.

378.5.1 PUBLIC AND OTHER AGENCY REQUESTS
Requests for recorded video images from other government agencies or by the submission of a court order or subpoena shall be promptly submitted to the Emergency Management Section Manager, who will promptly research the request and submit the results of such search through the Chief of Police to the University Counsel’s office for further handling. Every reasonable effort should be made to preserve the data requested until the request has been fully processed by the University Counsel's office.

Video images captured by public safety cameras that are requested by the public or media will be made available only to the extent required by law. Except as required by a valid court order or other lawful process, video images requested under the Public Records Act will generally not be disclosed to the public when such video images are evidence in an ongoing criminal investigation in which a disposition has not been reached.

378.6 ANNUAL REVIEW OF THE PUBLIC SAFETY CAMERA SYSTEM
The Chief of Police or his/her designee will conduct an annual review of the public safety camera system. The annual review will include an inventory of video monitoring installations, date of installation, summary of the purpose, adherence to this policy and any proposed policy changes. The results of each review will be documented and maintained by the Chief of Police or his/her designee and other applicable advisory bodies. Any concerns or deviations from this policy will be addressed promptly and effectively.
Child Safety Policy

380.1 PURPOSE AND SCOPE
Sonoma State University Police & Parking Services recognizes that children who are subjected to traumatic events, such as the arrest of a parent or guardian, may experience negative emotional effects that can last throughout the lifetime of the individual. After such an event the child may not receive the appropriate care, which can lead to further emotional or physical trauma. This policy is intended to provide guidelines for officers to take reasonable steps to minimize the impact to the child when it becomes necessary to take action involving the child’s parent or guardian (Penal Code § 833.2(a)).

380.1.1 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience children may have when their parent or caregiver is arrested. Sonoma State University Police & Parking Services will endeavor to create a strong cooperative relationship with local, state and community-based child social services to ensure an effective, collaborative response that addresses the needs of affected children.

380.2 PROCEDURES DURING AN ARREST
When encountering an arrest situation officers should make reasonable attempts to determine if the arrestee is responsible for minor dependent children. In some cases this is obvious, such as when children are present. However, officers should inquire if the person has any other dependent minor children 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 dependent minor children.
(b) Look for evidence of children. Officers should be mindful that some arrestees may conceal the fact that they have dependent children for fear their children may be taken from them.
(c) Inquire of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a dependent child.

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

Whenever it is safe to do so, officers should allow the parent to assure children that they will be provided care. If this is not safe or if the demeanor of the in-custody parent 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 children that both parent and children will receive appropriate care.

380.2.1 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered, dependent minor children.

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

(a) Allow the person reasonable time to arrange for the care of minor children with a responsible party, as appropriate.
   1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent’s judgment regarding arrangements for child care. It is generally best if the child remains with relatives or family friends the child knows and trusts. Consideration regarding the child’s familiarity with the surroundings, comfort, emotional state and safety should be paramount.
   2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children with the non-arrested parent or guardian.

(b) Provide for the immediate supervision of minor children until an appropriate caregiver arrives.

(c) Notify Child Protective Services if appropriate.

(d) Notify the supervisor of the disposition of minor children.

If children are at school or at a 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 parent’s arrest and of the arrangements being made for the care of the arrestee’s children, and then record the result of such actions in the associated report.

380.2.2 DURING THE BOOKING PROCESS
During the booking process the arrestee shall be allowed to make additional free local phone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent child. These phone calls shall be given immediately upon request or as soon as practicable and are in addition to any other phone calls allowed by law (Penal Code § 851.5(c)).

380.2.3 REPORTING
For all arrests where children are present or living in the household, the reporting employee will include information about the children, including names, gender, age and how they were placed.

380.3 CHILD WELFARE SERVICES
Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any dependent minor children, the handling officer should consider taking children into protective custody and placing them with the appropriate county child welfare service or other department-approved social service (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child be transported to the police’s facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child be left unattended or without appropriate care.

380.4 TRAINING
The Training Coordinator is responsible to ensure that all personnel of this department who may be involved in arrests affecting children participate, on a timely basis, in a POST-approved course on effective child safety when a parent or guardian is arrested (Penal Code § 13517.7).
Service Animal Policy

382.1 PURPOSE AND SCOPE
Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The department recognizes this need and is committed to making reasonable modifications to its policies, practices, and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of any animal that is individually trained to assist a person with a disability.

In addition to this policy, members must be familiar with and are subject to the University Animals on Campus Policy (1994-1).

382.2 SERVICE ANIMALS
The ADA defines a service animal as any guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability. Service animals may be of any type or breed and need not be certified by any governmental agency or service group.

Some service animals, such as guide dogs, may be readily identifiable but many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist individuals with disabilities.

The following examples are just some of the ways service animals may be used to provide assistance:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors, or flipping switches for people with disabilities who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting people with physical disabilities with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication or to wake the person.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items, find places or follow daily routines.

382.3 EMPLOYEE RESPONSIBILITIES
Under the Americans with Disabilities Act, service animals assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Employees are expected to treat individuals with service animals with the same courtesy and respect that the department affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations the employee may direct the partner/handler to remove the animal from the premises. Barking alone is not
Service Animal Policy

a threat nor does a direct threat exist if the partner/handler takes prompt, effective action to control the animal. Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities and members of this department are expected to provide all services as are reasonably available to the individual with the disability.

If it is apparent or if the employee is aware the animal is a service animal, the handler/partner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

• Is the animal required because of a disability?
• What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task the animal meets the definition of a service animal and no further question as to the animal’s status should be asked. The person should not be asked questions about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Employees should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to permit service animals to accompany their partner/handler in all areas that other customers or members of the public are allowed.

Absent a violation of law independent of ADA, officers should take no enforcement action beyond keeping the peace and individuals who believe they have been discriminated against as a result of their disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

382.4 INQUIRIES AND COMPLAINTS

Under the Americans with Disabilities Act, people with disabilities have the right to be accompanied by service animals in all public areas and interference with or denial of this right by any member of this department to be a serious violation of this policy. Complaints alleging violations of this policy against any department employee will be promptly investigated and should be referred to the Appropriate Administrator.
Chapter 4 - Patrol Operations
Patrol Function

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION
Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Sonoma State University, respond to calls for assistance, act as a deterrent to crime, enforce state, local laws and University regulations and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention and deterrence of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery and mitigation of hazardous situations or conditions

(b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.

(c) Calls for service, both routine and emergency in nature

(d) Investigation of both criminal and non-criminal acts

(e) The apprehension of criminal offenders

(f) Campus Oriented Partnership Policing Strategy activities which provide education and outreach to the community

(g) The sharing of pertinent information between the Patrol and other sections within the Department, as well as other outside governmental agencies on a need-to-know basis

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Campus Oriented Partnership Policing Strategy and problem solving strategies

(i) Traffic direction and control

(j) Enforcement of parking regulations

400.2 PATROL INFORMATION SHARING PROCEDURES
The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various sections of the department.

400.2.1 CASE REPORTS
A case report may be completed by any patrol officer who receives criminal information or when a crime has been committed within the jurisdiction of the University. It is the responsibility of the responding officer to follow up on any investigative activities unless the case is assigned to another member by the supervisor or the Operations Section Manager.

400.2.2 PASS-ON INFORMATION
All members are encouraged to share information related to assigned activities. All supervisors and/or officers will be provided an opportunity to share information that may contribute to the mission of the department or to an individual’s or a section’s assigned...
Patrol Function

activities during shift change or using existing department communication tools, including, but not limited to:

- Pass-on Log
- E-mail
- Memorandum
- Member mailboxes
- Informational Clipboards
- Postings in officer and other workstations
- Voicemail

It is the responsibility of all members to select the communication tools that will reach all appropriate personnel in the appropriate timeframe.

Members are responsible for ensuring that communications are shared with discretion and confidentiality. Information must be restricted to appropriate individuals. Members may not post confidential or law-enforcement information that is not available to the public in areas where the public or unauthorized members of the University community or department personnel have access.

400.2.3 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the officer’s workstation and will be available for review by members from all sections within the Department. These may include, but not be limited to, the Pass-on Log, Teletypes and Bulletins, Policy and Court Information, Parking Information, Special Events and Overtime.

Information may be posted near the officer workstations for wanted persons, suspect information, be on the lookout (BOLO) bulletins or other pressing patrol issues. Officers posting materials in this location should remember that this area is not private and all department members and/or guests may have access to view the information. However, this information is highly sensitive and should only be accessed by members on a need-to-know basis.

400.2.4 BULLETIN BOARDS

A bulletin board will be kept near the locker rooms for posting of official personnel, state or federal notices. Members may post announcements, advertising, invitations or other non-departmental information that may be of interest to other members in this location. Materials that may be deemed offensive or in violation of University non-discrimination policies may not be posted in any location.

400.2.5 PASS-ON LOG

The Communications Center will maintain the daily pass-on log. Entries regarding case reports, extra-patrol needs, special bulletins and shift information will be maintained on the log. Entries in the log may be made by managers, supervisors or dispatchers.

The pass-on log will be printed and posted at midnight and a new log started for information originating after 0001 hours. Information that is applicable for multiple days and that needs to be communicated for multiple days must be entered in bold. Bold items will be left on the log until they are no longer applicable or have been communicated to all required members.

All members are required to read the pass-on log prior to the start of their shift.
Crime & Disaster Scene Integrity

406.1 PURPOSE AND SCOPE
The protection and integrity of a crime scene is of the utmost importance for the successful apprehension of criminals and successful prosecution. The integrity of a disaster scene is equally as critical for the protection of life and property and investigation by proper authorities.

406.2 CRIME SCENE RESPONSIBILITY
The first officer at the scene of a crime or major incident is generally responsible for the preservation of the scene. Officers however, shall also consider officer safety and public safety issues including rendering medical aid for any injured parties. Once an officer has assumed or been assigned to maintain the integrity of the crime/disaster scene it shall be maintained until relieved by a supervisor.

406.2.1 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Ensure that no suspects are still within the area.
(b) Broadcast emergency information including all requests for additional assistance.
(c) Provide first aid to injured parties if it can be done safely.
(d) Secure the inner perimeter with crime scene tape.
(e) Protect items of apparent evidentiary value.
(f) Start chronological log noting critical times and personnel allowed access.

406.2.2 MEDIA ACCESS
Authorized and bona fide members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public;
(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
   1. In situations where media access would reasonably appear to interfere with emergency operations and/or a criminal investigation, every reasonable effort should be made to provide media representatives with access to a command post at the nearest location that will not interfere with such activities.
(c) No member of this department shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).
(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the expressed consent of the person in custody.
Crime & Disaster Scene Integrity

The scene of a tactical operation shall be treated as a crime scene, except that the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as set forth by the Incident Commander. Department members shall not jeopardize a tactical operation in order to accommodate the news media and all comments to the media shall be coordinated through the Chief of Police or the Public Information Officer.

406.2.3 EXECUTION OF HEALTH ORDERS
Any sworn member of this Department may execute and enforce all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease (Health & Safety Code § 100106).

406.2.4 TEMPORARY FLIGHT RESTRICTIONS
Crime and disaster scenes can sometimes attract news helicopters and other sightseeing aircraft. Whenever such aircraft pose a threat to public safety due to congestion or when the noise levels caused by loitering aircraft hamper incident operations, the Incident Commander should consider requesting Temporary Flight Restrictions (TFR) through the Federal Aviation Administration (Federal Aviation Regulations § 91.137).

406.3 SEARCHES AT CRIME OR DISASTER SCENES
Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims and determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until proper authority for the search is obtained.

406.3.1 CONSENT
While consent to search should be obtained from authorized individuals where possible, it is often more prudent to obtain a search warrant in the case of serious crimes or major investigations.
Critical Response Unit

408.1 PURPOSE AND SCOPE
CSU Executive Order 797 authorizes the Critical Response Unit (CRU). CRU is composed of selected officers from various CSU campus police departments who have trained together as a team and are prepared to respond to a wide array of public safety emergencies. These include the mitigation of natural disasters, prevention or mitigation of the effects of civil disorders, and the protection of life and property.

408.2 POLICY
It is the policy of this department to utilize the services of the CRU team when appropriate. The Chief of Police, or his/her designee, may authorize and request a CRU response when planned or known events or emergencies warrant.

All members of CRU are subject to the policies, procedures and operational guidelines of the unit, which are specified in the CRU Manual. All CRU operations on campus are subject to these orders during a CRU response.

408.2.1 PARTICIPATION & ASSIGNMENT
This department strives to actively participate in the CRU team by assigning personnel and allowing absence from his/her normal work assignment to attend CRU trainings and call-outs. Assignments and releases for trainings and call-outs is subject to staffing levels.

Officers seeking appointment to CRU must submit a memorandum to the Operations Section Manager requesting consideration for appointment. Probationary employees will not be considered for CRU appointment. Interested personnel will be evaluated by the Operations Section Manager and Chief of Police pursuant to the requirements of the CRU Policy Manual.

408.2.2 SPECIALIZED EQUIPMENT & TRAINING
Members assigned to and trained by the CRU unit may be provided with specialized weapons, equipment and training. In the absence of a CRU call-out, the use of specialized equipment and weapons on campus by the trained member is subject to approval of the Chief of Police. Approval may be provided to the officer in a written, standing order, or verbally during emergency or situations requiring a specialized response.
Ride-Along Policy

410.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

410.1.1 ELIGIBILITY
The Sonoma State University Police & Parking Services Ride-Along Program is offered to students, faculty, staff, persons who have applied for employment with the department, and other interested community members. Generally, officers will not be permitted to conduct a ride along with a member of his/her own family.

Every attempt will be made to accommodate interested persons. However, any request may be denied without cause.

The following factors may be considered in denial and are not limited to:

• Being under 18 years of age
• Prior criminal history
• Pending criminal action
• Pending lawsuit against the Department
• Medical conditions that create unnecessary risk to the rider or the officer
• Denial by any supervisor

410.1.2 AVAILABILITY
The Ride-Along Program is available as staffing and activity allows. Scheduled ride-alongs may be canceled by the shift supervisor or Operations Section Manager for any reason.

Generally, no more than one ride along should be accommodated at one time.

410.2 PROCEDURE TO REQUEST A RIDE-ALONG
The participant will complete an Application for Ride-Along and Ride Along Waiver.

Applicants are required to provide a valid state-issued ID or driver’s license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Application and Waiver.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

410.2.1 PROGRAM REQUIREMENTS
Once approved by a shift supervisor or Operations Section Manager, civilian ride-alongs will be allowed to ride no more than twice per year. An exception would apply to the following: Cadets, Chaplains, Interns, police applicants, and all others with approval of the Operations Section Manager.
Ride-Along Policy

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer’s vehicle at a given time.

410.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be conservatively dressed in clean and neat clothing. Clothing may not include inappropriate logos, expressions or pictures that may offend citizens or reflect poorly upon the department. The shift supervisor or assigned officer may refuse a ride along to any participant that is not dressed appropriately.

410.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Operations Section Manager. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

410.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of Sonoma State University Police & Parking Services) (CLETS Policies, Practices and Procedures Manual § 1.6.1.D.3.).

Individuals with criminal history, pending criminal action or outstanding warrants must be approved by the Chief of Police or Operations Section Manager. Outstanding warrants must be resolved before the ride-along can begin.

410.3 OFFICER’S RESPONSIBILITY
The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

All ride-along participants should be asked to fill out the Ride-along Questionnaire. The questionnaire must be forwarded to the shift supervisor who will forward it after review for filing in the Records Section with the application and waiver. Ride along forms shall be maintained for a period of one year (CSU Executive Order 1031).

410.4 CONTROL OF RIDE-ALONG
The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the officer
(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment

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(c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer’s duties.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.
Hazardous Material Response

412.1 PURPOSE AND SCOPE
Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

412.1.1 HAZARDOUS MATERIAL DEFINED
A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

412.2 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 type of hazardous substance. (Identification can be determined by placard, driver’s manifest or statements from person transporting)
(b) Notify Fire Department and Environmental Health & Safety Department personnel
(c) Provide first-aid for injured parties if it can be done safely and without contamination
(d) Begin evacuation of immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary

412.3 REPORTING EXPOSURE(S)
Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Appropriate Administrator. 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 case report or incident report.

412.3.1 SUPERVISOR RESPONSIBILITY
When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.
Hazardous Material Response

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Department of Environmental Health and Safety.
Hostages & Barricaded Suspects

414.1 PURPOSE AND SCOPE
Hostage situations and barricaded suspects present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

414.1.1 DEFINITIONS
Hostage - A person held by one party in a conflict as security so that specified terms will be met by the opposing party.

Barricaded Suspect - A person who takes a position of cover or concealment or maintains a position in a structure and who resists capture by law enforcement personnel. A barricaded suspect may be armed or suspected of being armed.

414.2 HOSTAGE NEGOTIATIONS
Promises of immunity or leniency and payment of ransom demands are rarely effective and will generally not be offered to barricaded suspects. Trained hostage negotiators, however, will be permitted to exercise flexibility in each situation based upon the circumstances presented and consistent with their training.

Personnel involved in barricaded/hostage situations are urged to exercise patience and extreme caution. The use of deadly force against any armed suspect will be governed by Policy Manual § 300, with particular regard directed toward the safety of hostages.

414.3 FIRST RESPONDER RESPONSIBILITY
Until the Incident Commander has been designated, the first officer on the scene of an actual or potential hostage/barricade situation shall consider the following:

(a) Attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained personnel and/or trained hostage negotiation personnel
(b) Notification of appropriate command officers
(c) Establishment of inner and outer perimeters
(d) Evacuation of bystanders and injured persons
(e) Establishment of central command post and appropriate chain of command
(f) Request for ambulance, rescue, fire and surveillance equipment
(g) Authorization for news media access and news media policy
(h) Pursuit/surveillance vehicles and control of travel routes

414.4 REPORTING
Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for the completion of reports or coordination of reports for the hostage/barricade incident.

414.5 COMMAND RESPONSIBILITIES
The Chief of Police, and/or his/her designee, may decide to request additional and/or specialized assistance from surrounding agencies.
Response to Bomb Calls

416.1 PURPOSE AND SCOPE
These guidelines have been prepared to assist officers in their initial response to incidents involving explosives, explosive devices, or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

This department contracts annually with the Sonoma County Sheriff’s Department Bomb Unit for response to explosive or suspected explosive devices. The Chief of Police or his/her designee will determine if such response is appropriate and authorize the services of the Bomb Unit.

416.2 FOUND EXPLOSIVES/SUSPECT DEVICES
All reports of credible explosive devices or suspected explosive devices must be reported to the Operations Section Manager as soon as practical. The Operations Section Manager and/or the Chief of Police will authorize when the Bomb Unit should be notified.

When an officer responds to a call of a suspected explosive device, the following guidelines shall be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging
(b) Secure the perimeter for a minimum of three hundred feet allowing for an entrance for support personnel
(c) Relay as much initial information as possible to the shift supervisor and/or the Operations Section Manager without touching the device, including:
   1. The stated threat
   2. How made
   3. Exact comments
   4. Time
   5. Location
   6. Full description (e.g., size, shape, markings) of the device in question
   7. Do not touch or transport the device to any other location

(d) Do not transmit on any equipment that produces radio frequency energy within 300 feet. Consideration should be given to the possibility for evacuation if a device is located within a building
(e) Secure a perimeter around the suspected device
(f) Consideration for support personnel such as paramedics and Fire Department personnel
(g) A search of the area should be conducted for secondary devices or other objects foreign to the area
(h) Found explosive or military ordnance of any type should be handled only by the Bomb Squad
Response to Bomb Calls

416.3 EXPLOSION/BOMBING INCIDENTS
When an explosion has occurred, there are multitudes of considerations which may confront the patrol officer. As in other catastrophic incidents, a rapid response will help to minimize such things as further injury to victims, contamination of the scene by gathering crowds, further damage by resulting fires or unstable structures, etc.

Whether the explosion was the result of an accident or a criminal act, the following concerns may confront you:

• Injury to victims
• First aid (primary EMS responsibility)
• Evacuation of victims (primary Fire Department responsibility)

416.3.1 NOTIFICATIONS
When an explosion has occurred, the following people shall be notified as soon as practical:

(a) Fire Department/EMS
(b) Operations Section Manager
(c) Environmental Health & Safety
(d) Emergency Management Section Manager

Additional notifications should be made by appropriate personnel to the following if their assistance is needed or notification is otherwise appropriate (this list is not exclusive):

(a) Chief of Police
(b) Bomb Squad
(c) Additional field officers, including mutual aid from surrounding agencies or CRU
(d) Sonoma County Sheriff's Department
(e) Members of the Emergency Operations Center (EOC) (on activation of EOC only)
(f) University Executive Officer(s)

416.3.2 CROWD CONTROL
No one should be allowed free access to the scene unless they have a legitimate and authorized reason for being there.

416.3.3 SCENE OF INCIDENT
As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could be extended for several hundred feet. Evidence may be embedded in nearby structures or hanging in trees and bushes, etc.

A search of the area should be conducted for other objects foreign to the area such as a secondary device. If an item is found, it should not be touched. The item should be secured and the officer should wait for the arrival of the Sheriff’s Department Bomb Unit.

416.4 BOMB THREATS RECEIVED AT POLICE FACILITY
This procedure shall be followed should a bomb threat call be received at the police facility and a search made for a destructive device.
Response to Bomb Calls

416.4.1 BOMB THREATS RECEIVED BY TELEPHONE
The following questions shall be asked if a call of a bomb is received at the Police Department:

- When is the bomb going to explode?
- Where is the bomb right now?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions.

During this time, record the following:

- Time of the call
- Exact words of the person as accurately as possible
- Age and sex
- Speech patterns and/or accents
- Background noises

If the incoming call is received at the police facility on a recorded line, steps shall be taken to ensure that the recording is retrieved as evidence.

The Emergency Services section has prepared a bomb threat checklist that covers all requested information. This document should be available in the dispatch center at all times and is available on the Police Services website.

416.4.2 RESPONSIBILITIES
As soon as a bomb threat has been received, the Patrol Section Manager and/or shift supervisor will be advised and fully informed of the details. The supervisor will then direct and assign officers as required for coordinating a general building search or evacuation as he/she deems appropriate.
Mental Illness Commitments

418.1 PURPOSE AND SCOPE
This procedure describes an officer’s duties when a person is to be committed to a mental health unit pursuant to Welfare and Institutions Code § 5150. The commitment of a person under § 5150 does not constitute an arrest. If an officer believes that a person falls within the provisions of Welfare and Institutions Code § 5150, he/she shall transport that person to the designated facility for evaluation and commitment.

418.2 AUTHORITY
Pursuant to Welfare and Institution Code § 5150 when any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, or other individual authorized by statute may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation.

Such facility shall require an application in writing stating the circumstances under which the person’s condition was called to the attention of the officer, or other individual authorized by statute has probable cause to believe that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the officer, or other individual authorized by statute, such person shall be informed that they may be liable in a civil action for intentionally giving a statement which he or she knows to be false.

418.3 OFFICER CONSIDERATIONS AND RESPONSIBILITIES
Any officer responding to or handling a call involving a suspected or actual mentally disabled individual or "5150" commitment should carefully consider the following:

(a) Any available information which might assist in determining the cause and nature of the mental illness or developmental disabilities
(b) Conflict resolution and de-escalation techniques for potentially dangerous situations involving mentally disabled persons
(c) Appropriate language usage when interacting with mentally disabled persons;
(d) If circumstances permit, alternatives to lethal force when interacting with potentially dangerous mentally disabled persons
(e) Community resources which may be readily available to assist with the mentally disabled individual(s)

418.3.1 TRANSPORTATION
When transporting any individual for a "5150" commitment, the handling officer should have Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the patient and whether or not any special medical care is needed.

Officers may transport patients in the patrol unit and shall secure them in accordance with the handcuffing policy. Violent patients or those that are medically unstable may be restrained and transported by ambulance and ambulance personnel. The officer will escort
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the patient into the facility and release that person into the custody of a mental health worker.

418.3.2 RESTRAINTS
If the patient is violent or potentially violent, the officer will notify the staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

418.3.3 MENTAL HEALTH DOCUMENTATION
The officer will complete an Application For 72-Hour Detention for Evaluation and Treatment form (MH-302) and provide it to the staff member assigned to that patient. The officer will retain a copy of the 72-hour evaluation for inclusion in the case report. The officer shall also provide a verbal summary to an emergency mental health facility staff member regarding the circumstances leading to the involuntary detention.

418.3.4 SECURING OF WEAPONS
If a receiving and secured facility prohibits weapons or if an extraordinary event occurs in the treatment facility and officers determine a need to secure their firearms, the firearm shall be secured in the appropriate gun locker at the facility or in the police unit.

418.4 MENTALLY ILL PERSON CHARGED WITH A CRIME
When practical, any person charged with a crime who also appears to be mentally ill shall be booked at the Sonoma County Jail. If the person has injuries or some other medical condition, he/she may be taken directly to the hospital with the approval of a supervisor.

418.5 CONFISCATION OF FIREARMS AND OTHER WEAPONS
Whenever a person has been detained or apprehended for examination pursuant to Welfare and Institutions Code § 5150 and is found to own, have in his or her possession or under his or her control, any firearm whatsoever or any other deadly weapon, the firearm or other deadly weapon shall be confiscated by the handling officer. The firearm or other deadly weapon shall be booked into evidence until further processing.

The handling officer shall further advise the person of the below described procedure for the return of any firearm or other deadly weapon which has been confiscated (Welfare and Institutions Code § 8102(a)). For purposes of this section deadly weapon means any weapon that the possession of or carrying while concealed is prohibited by Penal Code § 12020.

418.5.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS
(a) The report shall be forwarded to the Operations Section Manager, which shall be responsible for, or designating a supervisor, to initiate a petition to the superior court for a hearing in accordance with Welfare and Institutions Code § 8102(b), to determine whether or not the weapon(s) will be returned.

(b) A petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon(s) have 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 or her of the right to a hearing on the issue and that he or she has 30 days to confirm with the court clerk any desire
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for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon(s).

(c) If no petition is initiated within the above period, the Department shall make the weapon(s) available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the Department may file a petition for an order of default.

(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice which conforms to the provisions of Penal Code § 12021.3(e).

(e) In no case in which a firearm or other deadly weapon is not retained as evidence shall the Department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 12021.3(g)).

418.6 TRAINING

As a part of advanced officer training programs, this agency will endeavor to include POST approved training on interaction with mentally disabled persons as provided by Penal Code § 13515.25.
Cite & Release Policy

420.1 PURPOSE AND SCOPE
Penal Code § 853.6 requires law enforcement agencies to use citation release procedures in lieu of arrest for misdemeanor offenses with certain exceptions. The State Legislature has shown the intent to release all persons on misdemeanor citations, if qualified for such release.

420.2 STATUTORY REQUIREMENTS
Citation releases are authorized by Penal Code § 853.6. Release by citation for misdemeanor offenses can be accomplished in two separate ways:

(a) A field release is when the violator is released in the field without being transported to a jail facility.

(b) A jail release is when a violator is released after being transported to the jail and booked.

420.2.1 DISCRETION TO ARREST
While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law.

On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot and/or fresh pursuit, while following up on crimes committed on University property, or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the University or make any arrest outside the jurisdiction, should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest. If contact with the local agency cannot be made prior to arrest, the officer should notify that agency as soon as practical.

Officers are authorized to use verbal or written warnings to resolve minor traffic and criminal violations when appropriate.

Officers are authorized to refer matters to University Judicial Affairs for student discipline in lieu of or in addition to arrest.

420.3 DEPARTMENT PROCEDURE
The following procedure will be followed to comply with this law.

420.3.1 FIELD CITATIONS
Upon obtaining satisfactory identification and verifying that there are no outstanding warrants for the individual, officers may issue citations to all persons 18-years of age or older. Officers may also release subjects who were taken into custody on a private person's arrest for a misdemeanor offense, whenever appropriate.
420.3.2 JAIL RELEASE
In certain cases, it may be impractical to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail by jail personnel.

Any person arrested for a misdemeanor offense shall be released on his/her written promise to appear after the booking procedure is completed, unless disqualified for reasons listed in Policy Manual § 420.33.

420.3.3 DISQUALIFYING CIRCUMSTANCES
Penal Code § 853.6(i) specifies that a person arrested for a misdemeanor shall be released on a notice to appear unless one of following situations is present:

(a) The person arrested is so intoxicated that he/she could be a danger to himself/herself or to others. Release may occur as soon as this condition no longer exists.
(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety
   1. An arrestee shall not be released from custody for the sole purpose of allowing that person to obtain medical care with the intention of immediately re-arresting the same individual upon discharge from the hospital unless it can be determined that the hospital can bill and collect from a third-party payment source (Penal Code § 4011.10).
(c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302, 40303, and 40305.
   1. Any person arrested for any offense listed in Vehicle Code § 40303(b) shall, in the judgment of the arresting officer, either be given a ten day notice to appear or be taken without delay before a magistrate in the county of arrest.
   2. If a person under Vehicle Code §§ 40303 or 40305 does not have satisfactory identification, the officer may require the individual to provide a right thumbprint (or other finger) however such print may not be used for other than law enforcement purposes.
   3. Should any person arrested on a notice to appear claim under penalty of perjury not to be the person listed in the notice, such person may request that his/her thumbprint be taken for comparison at a fee not to exceed the actual cost of such service.
(d) There are one or more outstanding arrest warrants for the person.
(e) The person could not provide satisfactory evidence of personal identification.
(f) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.
(g) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.
(h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.
(i) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically stated.
Cite & Release Policy

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be included with the case report.

420.3.4 OTHER REASONS FOR NON-RELEASE

If the person arrested is not released for one or more of the reasons specified in Policy Manual § 420.33, the officer shall state specifically on the booking form the reason for non-release. Such reasons for non-release may include:

(a) Previous failure to appear is on record
(b) The person lacks ties to the area, such as a residence, job, or family
(c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

420.3.5 INSTRUCTIONS TO CITED PERSON

The citing officer shall, at the time he/she asks the defendant to sign the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

420.4 CITATION RELEASE ON MISDEMEANOR WARRANTS

Penal Code § 827.1 allows the release by citation of a person designated in a warrant of arrest unless one of the following conditions exist:

(a) The misdemeanor cited in the warrant involves violence
(b) The misdemeanor cited in the warrant involves a firearm
(c) The misdemeanor cited in the warrant involves resisting arrest
(d) The misdemeanor cited in the warrant involves giving false information to a peace officer
(e) The person arrested is a danger to himself or herself or others due to intoxication or being under the influence of drugs or narcotics
(f) The person requires medical examination or medical care or was otherwise unable to care for his or her own safety
(g) The person has other ineligible charges pending against him/her
(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person
(i) The person refuses to sign the notice to appear
(j) The person cannot provide satisfactory evidence of personal identification
(k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear

Release under this section shall be done in accordance with the provisions of this section.

420.5 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

• Misdemeanor traffic violations of the Vehicle Code
Cite & Release Policy

- Violations of Sonoma State University codes

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Juvenile Court for further action.

420.6 REQUESTING CASE NUMBERS

Case numbers shall be requested and recorded on all misdemeanor citations.
Critical Incident Response

424.1 PURPOSE AND SCOPE
The purpose of this guideline is to save as many lives as possible, as quickly as possible, with consideration to the safety of those responding and to provide a comprehensive agency response plan for critical incidents, including active shooter situations.

The deployment techniques and tactics described herein should be interpreted as options, not as required actions that must be taken in every case. There may be alternatives other than those described in this guideline. Each situation is unique, and the police response will depend on the known information about the situation and threat(s), the structure or area involved, the availability of additional resources, and other factors.

424.2 POLICY
It is the policy of this department that officers shall use only that force which is necessary to accomplish lawful objectives given the facts and circumstances known at the time of the event. An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer’s own life, or in the defense of any person in immediate danger of serious physical injury.

424.3 DEFINITIONS
(a) Active Incident/Shooter: One or more suspect(s) who, as police respond to the scene, are actively killing and/or causing serious, life-threatening bodily injury to multiple victims. The overriding objective of the suspect(s) appears to be that of mass murder, rather than other criminal conducts such as robbery or hostage taking.

(b) Barricaded Suspect: Suspect is in a position of advantage, usually barricaded in a room or building. Suspect is armed and refuses to surrender to police.

(c) Incident Transition: That point during the incident where it becomes clear that the active incident has become inactive and the suspect(s) has ceased their violent, assaultive behavior.

(d) Inner Perimeter: Deployment of officers behind cover and concealment around the area of the suspect, with the primary goal of containing the suspect and preventing escape.

(e) Extraordinary Deployment: Deployment of a small team of officers to move towards and contact the suspect, or to rescue trapped and injured persons, or to search and clear dangerous areas.

(a) Venue Agency: Sonoma State University is the venue agency within whose geographic jurisdiction the incident occurs.

424.4 OPERATIONAL CONSIDERATIONS
(a) Safety Priorities:
   1. Hostages
   2. Innocent Persons
   3. Police and Emergency Personnel
   4. Suspect
Critical Incident Response

(b) Reasonable chance of success:
   1. Incident Commander must realistically assess situation and the threat(s) involved (e.g., numbers of suspects and their organization, types of weapons, etc)
   2. Any deployment of officers into a dangerous situation must be for a clear and obtainable objective, and not be reckless or irresponsible
   3. The number of officers, equipment, experience, and training must provide for a reasonable chance of success
   4. Officers are not expected to operate alone or embark on unnecessarily dangerous missions
   5. Officers will not enter buildings that are actively on fire

(c) Operational Goals (not necessarily in order):
   1. Containment
   2. Apprehension of suspect(s)
   3. Neutralization of threat(s)
   4. Evacuation of persons at risk
   5. Transition to tactical teams (eg: SWAT, CRU) (whenever possible)
   6. Rendering scene safe
   7. Preservation of crime scene
   8. Collection of evidence

(d) Use of Force Policy:
   1. Deployed officers should operate within the policies of the department that relate to the use of force.
   2. Any incident-specific orders related to use of force issues must come from the on-scene Incident Commander.

424.5 ORGANIZATION AND COMMUNICATIONS

During any large emergency, the effectiveness of a multi-agency response usually depends on knowing who is in charge, a workable organizational structure, and reliable communications. The following points are important considerations for active shooter planning, training, and response:

(a) An SSU police officer will generally serve as Incident Commander unless the situation dictates consideration of another option.
(b) The Incident Command System (ICS) should be used to organize, manage, and deploy resources.
(c) Specialized teams and units for active shooter response and management may be established.
(d) Executives, managers, and supervisors from other agencies may be needed at the Command Post to fill supervisory positions within the ICS and to support the Incident Commander in evaluating information and making decisions.
(e) Early in the response, a dedicated radio frequency and dispatcher may be established.
(f) A Staging Area and a Command Post should be established and staffed.
(g) Fire and medical agencies should be notified and involved in the response.
424.6 INITIAL DEPLOYMENT OPTIONS
The reality of an in-progress active incident is that there are many more urgent tasks to be accomplished than there are personnel available and organized to accomplish those tasks. The dynamics of the incident may require the change of emphasis from one deployment option to another, and it is likely that several options will be used before the incident is resolved. Rarely, a local SWAT or tactical team may be immediately available to fill the role of a deployment option. More likely, multiple officers from different agencies will have to work together as part of an ad-hoc team. The four initial deployment options are: Evacuation, Inner Perimeter, and Extraordinary Deployment Teams.

- Evacuation: Officers may discover that there are large numbers of assembled people who are trapped or in significant danger. To save the maximum number of lives, it may be appropriate for officers to initiate evacuation of those persons; delegating management of the evacuation to on-site leaders and authorities whenever possible.

- Inner Perimeter: In nearly every situation, it is critically important to quickly establish a perimeter of inward-facing officers, behind cover/concealment around the structure or area in which the active shooter incident is taking place. The primary purpose of this inner perimeter is to keep the suspect(s) contained, and prevent the suspect from moving to an area with more potential victims. Secondary missions of inner perimeter officers include directing escaping persons to safe assembly points and collecting intelligence about the suspect’s location and actions.

- Extraordinary Deployment Teams: In some situations, the only option with a reasonable chance of success may be to send an organized team of officers directly into the structure or area where the active incident is taking place. Factors that may justify the use of extraordinary deployment teams include:
  (a) The suspect is continuing to display aggressive, deadly behavior, and there are more lives believed to be at risk;
  (b) The suspect is moving within a complex enclosed structure or large area, and the suspect’s location is not known;
  (c) Innocent persons are believed to be hiding or trapped within the area or structure and are at risk;
  (d) Gravely injured victims are believed to be trapped within the structure or area and must be aided and/or evacuated immediately to prevent death;
  (e) Other deployment options are not available, practical, timely, or likely to succeed.

424.6.1 EXTRAORDINARY DEPLOYMENT TEAMS
An extraordinary deployment team generally consists of three to five officers arranged in a diamond formation, with firearms pointed outward so as to provide 360-degree security for the team. Whenever possible, the team leader should be an SSU police officer, and should be positioned in the middle of the team so as to be able to communicate effectively and control the team’s movements. The circumstances of the incident may dictate some modifications of these tactics. Prior to deployment, the team should take a moment to rehearse, and to ensure that all members know their role within the team’s mission. There are three different missions for extraordinary deployment teams: Contact with the suspect, Rescue of injured, or trapped persons, and final clearing of an area for hidden persons or dangerous conditions. An extraordinary deployment team can have only one mission at a time.
Critical Incident Response

- Contact Team: The mission is to enter the structure or area where the suspect is believed to be and to locate and stop the threat. This may include arrest, containment, or the use of deadly force. Guidelines for deployment of a Contact Team include:
  
  (a) Entering from an inconspicuous side door or window whenever possible;
  (b) Moving directly towards the threat;
  (c) Bypassing open doors, injured persons and explosive devices;
  (d) Clearing rooms using dynamic entry of two or more officers;
  (e) Transmitting route, current situation and conditions via radio.

- Rescue Team: The mission of a Rescue Team is to locate and evacuate injured victims and trapped persons. This may include escorting or carrying people out; or calling in additional help to take over the evacuation. Guidelines for deployment of a Rescue Team include:
  
  (a) Following the route of the Contact Team;
  (b) Stopping at all doors and rooms within a structure and systematically conducting searches using dynamic room entries of two or more officers;
  (c) Transmitting route, current situation, and conditions via radio.
  (d) The Rescue Team must be prepared to encounter a (second) suspect, at which time the Rescue Team will assume the role and mission of a Contact Team.

- Final Clearing Team: The mission of a Final Clearing Team is to methodically search the structure or area of an active shooter to ensure that the scene is safe and that all hidden and/or injured persons have been evacuated. Guidelines for deployment of a Final Clearing Team include:
  
  (a) Use of "fresh" personnel other than those involved in original Contact and Rescue Teams;
  (b) Following the route of the Contact and Rescue Teams;
  (c) Conducting slow, methodical searches for secondary suspects, hidden persons, booby traps, and dangerous conditions;
  (d) Transmitting route, situation, and conditions via radio;
  (e) Marking "safe" on the entrance door to any area that has been searched and deemed safe by the Final Clearing Team leader.

424.7 INCIDENT TRANSITION

At any point within an active shooter incident, if the suspect becomes inactive and ceases his or her deadly behavior, the deployed officers shall notify the Incident Commander. The suspect should be contained within a tight inner perimeter, and should be treated as a barricaded suspect. Injured victims and innocent persons should be evacuated.

Additional deployment options would include, but are not limited to, establishing an outer perimeter, initiating crisis negotiations, use of chemical agents, and deployment of police precision rifle teams from other agencies.

424.8 TRAINING

Regular training using this guideline is vital to successful application in a real incident and should be included in the department training plan. Such training should:

(a) Be consistent with the basic guidelines and tactics outlined in this protocol;
Critical Incident Response

(b) Emphasize the multiple agency organization, teamwork, and communication aspects of active shooter response;

(c) Include management and communications personnel as well as patrol officers;

(d) Involve role-playing scenarios to add realism to the training.
Reporting Police Activity Outside of Jurisdiction

426.1 PURPOSE AND SCOPE
This policy provides general guidelines for reporting police activity while on or off-duty and occurring outside the jurisdiction of the department.

426.1.1 LAW ENFORCEMENT ACTIVITY OUTSIDE THE JURISDICTION
Any on-duty officer who engages in law enforcement activities outside the jurisdiction of Sonoma State University at the request of the department responsible for that jurisdiction or acting lawfully within that jurisdiction, shall respond pursuant to Policy Manual §352.1.1 or §352.4.

Any on-duty officer, who engages in law enforcement activities absent a request from the local agency and outside the jurisdiction of the University shall notify his or her supervisor or the Operations Section Manager at the earliest possible opportunity. Activities initiated outside jurisdiction should be made pursuant to Policy Manual §420.2.1.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations the involved officer shall clearly identify him/herself as a police officer. In all cases where off-duty officers take action in or out of primary jurisdiction, notification shall be made as soon as is possible to SSU dispatch. Dispatch will notify the law enforcement agency in whose jurisdiction that incident is occurring, if that incident is occurring outside of the jurisdiction.

As soon as practical, the officer shall notify his/her supervisor of the incident and submit a memorandum describing the necessity of his/her action before the completion of his/her next shift.
Immigration Violations

428.1 PURPOSE AND SCOPE
The immigration status of individuals alone is not a matter for police action. It is incumbent upon all employees of this department to make a personal commitment to equal enforcement of the law and equal service to the public regardless of alien status. Confidence in this commitment will increase the effectiveness of the Department in protecting and serving the entire community.

428.2 DEPARTMENT POLICY
The U.S. Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the provisions of Title 8, United States Code dealing with illegal entry, etc. When assisting ICE at their specific request, or when suspected criminal violations are discovered as a result of inquiry or investigation based on probable cause originating from activities other than the isolated violations of Title 8, United States Code, §§ 1304, 1324, 1325 and 1326 this department may assist in the enforcement of federal immigration laws.

428.3 PROCEDURES FOR IMMIGRATION COMPLAINTS
Persons wishing to report immigration violations should be referred to the local office of the U.S. Immigration and Customs Enforcement (ICE). The Employer Sanction Unit of the ICE has primary jurisdiction for enforcement of Title 8, United States Code.

428.3.1 BASIS FOR CONTACT
The fact that an individual is suspected of being an undocumented alien alone shall not be the basis for contact, detention, or arrest.

428.3.2 SWEEPS
The department does not independently conduct sweeps or other concentrated efforts to detain suspected undocumented aliens.

When enforcement efforts are increased in a particular area, equal consideration should be given to all suspected violations and not just those affecting a particular race, ethnicity, age, gender, socioeconomic status, or other group.

The disposition of each contact (e.g., warning, citation, arrest), while discretionary in each case, should not be affected by such factors as race, ethnicity, sexual orientation, etc.

428.3.3 ICE REQUEST FOR ASSISTANCE
If a specific request is made by ICE or any other federal agency, this department will provide available support services, such as traffic control or keep-the-peace efforts, during the federal operation.

Members of this department should not participate in such federal operations as part of any detention team unless it is in direct response to a request for assistance on a temporary basis or for officer safety. Any detention by a member of this department should be based upon the reasonable belief that an individual is involved in criminal activity.
**Immigration Violations**

**428.3.4 IDENTIFICATION**
Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating officer should take reasonable steps to determine the person’s identity through valid identification or other reliable sources.

If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify his/her true identity (e.g., telephone calls). If the person’s identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

**428.3.5 ARREST**
If the officer intends to take enforcement action and the individual is unable to reasonably establish his/her true identity, the officer may take the person into custody on the suspected criminal violation (see Vehicle Code § 40302a, and Penal Code § 836, if pertinent to the circumstances). A field supervisor shall approve all such arrests.

**428.3.6 BOOKING**
If the officer is unable to reasonably establish an arrestee’s identity, the individual may, upon approval of a supervisor, be booked into jail for the suspected criminal violation and held for bail.

If a person is detained pursuant to the authority of Vehicle Code § 40302(a), for an infraction that person may be detained upon approval of a supervisor for a reasonable period not to exceed two hours for the purpose of establishing his/her true identity. Regardless of the status of that person’s identity at the expiration of two hours, he/she shall be released on his/her signature with a promise to appear in court for the Vehicle Code infraction involved.

**428.3.7 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT**
In the event an individual, who is an undocumented alien, is taken to the County Jail for booking for a criminal charge, he/she will be automatically interviewed by an employee from ICE.

**428.3.8 DETERMINATION OF IMMIGRANT STATUS**
Determination of immigration status is primarily the jurisdiction of the U.S. Immigration and Customs Enforcement. Title 8, United States Code, § 1304(e), provides: "Every alien, 18-years of age and over, shall at all times carry with him and have in his or her personal possession any certificate of alien registration or alien registration receipt card issued to him pursuant to subsection (d) of this section. Any alien who fails to comply with the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not to exceed $100 or be imprisoned not more than 30 days, or both."

**428.4 CONSIDERATIONS PRIOR TO REPORTING TO ICE**
Sonoma State University Police & Parking Services is concerned for the safety of local citizens and thus detection of criminal behavior is of primary interest in dealing with any subject. Race, gender, religion, sexual orientation, age, occupation or other arbitrary aspects are of no bearing on the decision to arrest.

All individuals, regardless of their immigration status, must feel secure that contacting law enforcement during times of crisis or to report suspicious or criminal activity will not make them vulnerable to deportation. Members should not attempt to determine the immigration status of crime victims and witnesses absent exigent circumstances or reasonable cause to
Immigration Violations

believe that a crime victim or witness is involved in violating criminal laws. If it is determined that a victim or witness is an illegal immigrant, he/she need not be reported to ICE unless circumstances indicate such reporting is reasonably necessary and approval of a supervisor is obtained. A report listing the circumstances shall be completed.
Emergency Utility Service

430.1 PURPOSE AND SCOPE
Sonoma State University Facilities Services has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

430.1.1 BROKEN WATER LINES
Facilities Services will respond if there is a broken water line on the campus. If the break is discovered by or reported to Police Services, Facility Services or the on-call Facilities supervisor should be promptly notified. Police personnel should remain at the scene if traffic or other safety issues are present due to the break.

430.1.2 ELECTRICAL LINES
Facilities Services maintains electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. Facility Services or the on-call Facilities supervisor should be promptly notified. Facilities Services personnel will determine if non-university response is required.

430.1.3 PUMPS, WELLS, ETC.
Facility Services maintains the all campus water equipment. In the event of flooding or equipment malfunctions, emergency personnel and/or Facilities Services personnel should be contacted as soon as possible.

430.1.4 EMERGENCY NUMBERS
A current list of emergency personnel who are to be called for University utility emergencies is maintained by Dispatch.

430.2 TRAFFIC SIGNAL MAINTENANCE
Traffic signals surrounding campus are under the direct control of neighboring municipalities.

430.2.1 OFFICER’S RESPONSIBILITY
Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency and/or law enforcement agency, if traffic direction is needed. Officers may remain on scene to ensure safety of motorists, bicyclists and pedestrians until the local law enforcement arrives.
Field Training Officer Program

436.1 PURPOSE AND SCOPE
The Field Training Officer Program is intended to provide a standardized program to facilitate the officer’s transition from the academic setting to the actual performance of general law enforcement duties of the department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive and professional manner.

436.2 FIELD TRAINING OFFICER
The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

436.2.1 SELECTION PROCESS
FTO’s will be selected based on the following requirements:

(a) Expressed desire to be an FTO in writing to the Operations Section Manager
(b) Minimum of three years of patrol experience, two of which shall be with this department
(c) Demonstrated ability as a positive role model based on a review of the employee’s performance evaluations, feedback from the employee’s supervisors and other criteria that reflect department values
(d) Participate and successfully pass an internal oral interview selection process

436.2.2 TRAINING
An officer selected as a Field Training Officer shall successfully complete a POST certified (40-hour) Field Training Officer’s Course prior to being assigned as an FTO.

All FTO’s must complete a 24-hour Field Training Officer update course every three years while assigned to the position of FTO.

436.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
The Field Training Officer Program supervisor will be selected from the rank of corporal or above by the Operations Section Manager or his/her designee.

The FTO Program supervisor shall have the responsibility of, but not be limited to the following:

(a) Assignment of trainees to FTO’s
(b) Conducting FTO meetings
(c) Maintain and ensure FTO/Trainee performance evaluations are completed
(d) Monitor individual FTO performance
(e) Monitor overall FTO Program
Field Training Officer Program

(f) Maintain liaison with other agency’s FTO Supervisors
(g) Develop ongoing training for FTO’s

The FTO Program supervisor will be required to successfully complete a POST approved Field Training Administrator’s Course within one year of appointment to this position.

436.4 TRAINEE DEFINED
Any entry level or lateral police officer newly appointed to the department who has successfully completed a POST approved Basic Academy.

436.5 REQUIRED TRAINING
Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 14 weeks.

The training period for a lateral officers may be modified depending on the trainee’s demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

436.6 EVALUATIONS
Evaluations are an important component of the training process and shall be completed as outlined below.

436.6.1 FIELD TRAINING OFFICER
(a) FTO’s shall complete a written evaluation on the performance of their assigned trainee on a daily basis.
(b) FTO’s shall review the Daily Trainee Performance Evaluations with the trainee each day.
(c) A detailed end-of-phase performance evaluation on their assigned trainee shall be completed by the FTO at the end of each phase of training.
(d) FTO’s shall be responsible for signing off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of their assigned trainee.

436.6.2 FIELD TRAINING ADMINISTRATOR
The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO.

436.6.3 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTO’s and on the Field Training Program.

436.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer’s training files and will consist of the following:

(a) Daily Trainee Performance Evaluations
(b) End of phase evaluations
(c) A Certificate of Completion, signed by the Chief of Police, certifying that the trainee has successfully completed the requirements of the program
Obtaining Helicopter Assistance

438.1 PURPOSE AND SCOPE
The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

This policy does not address the use of helicopters operated for medical evacuation and/or transportation. Deployment of medical helicopters is generally the decision of personnel responding to medical aid requests.

438.2 REQUEST FOR HELICOPTER ASSISTANCE
If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made through the Chief of Police or his/her designee.

438.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY
After consideration and approval of the request for a helicopter, the Chief of Police, or his/her designee, will call the Sonoma County Sheriff’s Office to request helicopter support. The Chief of Police will apprise that agency of the specific details of the incident prompting the request.

438.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED
Police helicopters may be requested under any of the following conditions:

(a) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents a serious imminent threat to the community
(b) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.
Field Interviews & Photographing of Field Detainees

440.1 PURPOSE AND SCOPE
The purpose of this policy 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. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available to them at the time of the detention.

440.2 DEFINITIONS
Field Interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual’s identity and resolving the officer’s suspicions.

Field Photographs - Field photographs are defined as a photograph taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual are not considered field photographs.

Pat-Down Search - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable Suspicion - Articulable facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been, is being, or is about to be committed.

440.3 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 a neighborhood or location is inappropriate.
(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.
INITIATING A FIELD INTERVIEW
Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a suspect if he has articulable, reasonable suspicion to do so. A suspect however, should not be detained longer than is reasonably necessary to determine the individual’s identity and resolve the officer’s suspicions.

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) The hour of the day and the location or neighborhood where the stop takes place.
(d) Prior knowledge of the suspect’s use of force and/or propensity to carry deadly weapons.
(e) The appearance and demeanor of the suspect.
(f) 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.

Nothing in this section is meant to establish justification for performing pat down searches during a consensual contact.

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

PHOTOS 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 ensure the subject understands they are giving consent to be photographed and make record of the consent in the appropriate report.

PHOTOS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if the photograph is taken during a detention based upon reasonable suspicion of criminal activity, and:

(a) The photograph serves some 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. There must be some facts that reasonably indicate that the subject was involved in or about to become involved in criminal conduct.
(b) The officer can articulate a reasonable suspicion that the individual is somehow involved in criminal activity.
Field Interviews & Photographing of Field Detainees

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, a non-custodial photograph shall not be taken. Further, no detention shall be prolonged for the sole purpose of taking a photograph.

440.6 SUPERVISOR RESPONSIBILITY
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph. Access to field photographs shall be strictly limited to law enforcement purposes.

440.7 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to the supervisor with either an associated FI card, incident report, or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, any associated report numbers should be noted on the photograph.

After reviewing the photograph and related material, the supervisor shall forward it to the Records Section or, when appropriate, directly to the investigating officer for further processing.

When a photograph is taken in association with a particular case, the officer may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept in the Records Section in a separate non-booking photograph file in alphabetical order.

440.7.1 PURGING THE FIELD PHOTO FILE
The Records Supervisor will be responsible for periodically purging and destroying all such photographs more than one year old. Photographs that continue to serve a legitimate law enforcement purpose may be retained longer than one year provided that a notation of that fact is added to the file for each additional year that they are retained. Access to the FI photo file shall be strictly limited to law enforcement purposes.

440.8 PHOTO REVIEW POLICY
Any person who has been the subject of a field photograph or an FI by this agency during any contact other than an arrest may file a written request within 30 days of the contact. The request to review the status of the photograph/FI shall be directed to the office of the Chief of Police. Upon a verbal request, the Department shall send a request form to the requesting party along with a copy of this policy.

440.8.1 REVIEW PROCESS
Upon receipt of such a written request, the Chief of Police or his or her designee will permit the individual to appear in person (any minor must be accompanied by their parent or legal guardian) for a review of the status of the photograph/FI.

Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Chief of Police, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Chief of Police to disclose the reason(s) for the delay.
Field Interviews & Photographing of Field Detainees

A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Chief of Police or his/her designee to discuss the matter.

After carefully considering the information available, the Chief of Police or designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and Sonoma State University Police & Parking Services policy and, even if properly obtained, then whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

If the Chief of Police or his/her designee determines that the photograph/FI was obtained in accordance with existing law and department policy and that there is an ongoing legitimate law enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.

If the Chief of Police or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph no longer exists or that it was obtained in violation of existing law or Sonoma State University Police & Parking Services policy, the original photograph will be destroyed or returned to the person photographed, if requested. All other associated reports or documents, however, will be retained according to department policy and applicable law.

If the Chief of Police or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest FI no longer exists or that the original F/I was not obtained in accordance with established law or Sonoma State University Police & Parking Services policy, the original F/I may only be destroyed upon the execution of a full and complete waiver of liability by the individual (and guardian if a minor) arising out of that field contact.

If the Chief of Police or his/her designee determines that any involved Sonoma State University Police & Parking Services personnel violated existing law or department policy, the Chief of Police or designee shall initiate a separate internal investigation which may result in additional training, discipline or other appropriate action for the involved employees.

The person photographed/FI’d will be informed in writing within 30 days of the Chief of Police’s determination whether or not the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.
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Patrol Supervisors

444.1 PURPOSE AND SCOPE
Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives.

444.2 DESIGNATION OF SUPERVISORS
Efforts will be made to designate a Sergeant or manager to supervise shifts. When a Sergeant or manager is unavailable for duty as patrol supervisor, a corporal will assume the lead position for the shift.

In the absence of a corporal, the senior officer will assume the lead position and will communicate major issues that require a supervisor’s approval to the Section Manager.
Use of Audio Recorders

450.1 PURPOSE AND SCOPE
Sonoma State University Police & Parking Services has provided each of its sworn members with access to audio recorders for use while on-duty. These recorders are intended to assist officers in the performance of their duties by providing an unbiased audio record of a contact. Officers may choose to use non-department issued recorders at their own cost. Such recorders must be operated and maintained pursuant to this policy.

450.2 OFFICER RESPONSIBILITIES
Prior to going into service, each officer will be responsible for making sure that his/her audio recorder is in good working order.

Each officer shall be responsible for maintaining his/her own recordings until full or placed into evidence. Officers using digital recorders shall download the audio recordings to a computer and save the recordings on a CD or other portable memory device and place into evidence when a recording pertains to a case. Other recordings should be managed pursuant to 450.5.1.

450.3 ACTIVATION OF THE AUDIO RECORDER
Penal Code § 632 prohibits any individual from surreptitiously recording any conversation in which any party to the conversation has a reasonable belief that the conversation was private or confidential, however Penal Code § 633 expressly exempts law enforcement from this prohibition during the course of a criminal investigation.

(a) No member of this department may surreptitiously record a conversation of any other member of this department without the expressed knowledge and consent of all parties. Nothing in this section is intended to interfere with an officer’s right to openly record any interrogation pursuant to Government Code § 3303(g).

(b) Any member of this department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation.

1. For the purpose of this policy, any officer contacting an individual suspected of violating any law or during the course of any official law enforcement related activity shall be presumed to be engaged in a criminal investigation. This presumption shall not apply to contacts with other employees conducted solely for administrative purposes.

2. For the purpose of this policy, it shall further be presumed that any individual contacted by a uniformed officer wearing a conspicuously mounted audio recorder will have knowledge that such a contact is being recorded.

(c) Members of the Department are encouraged to activate their recorders at any time that the officer reasonably believes that a recording of an on-duty contact with a member of the public may be of future benefit.

1. At no time should an officer jeopardize his/her safety in order to activate a recorder or change the recording media.

2. Officers are prohibited from utilizing department recorders and recording media for personal use.
Use of Audio Recorders

450.4 RETENTION OF RECORDING MEDIA
At any time that an officer records any portion of a contact which the officer reasonably believes constitutes evidence in a criminal case; the officer shall record the related case number and book the recording media into evidence or download the file in accordance with current procedure for storing digital files.

(a) The officer shall further note in any related report that the recording has been placed into evidence.

(b) Recording media placed into evidence shall be retained through the final disposition of the related criminal case.

450.4.1 NON-CRIMINAL MATTER
At any time that an officer reasonably believes that a recorded contact may be of benefit in a non-criminal matter (e.g., a hostile contact), the officer may book the recording media into evidence or download the file in accordance with current procedure for storing digital files.

(a) Under such circumstances, the officer shall notify a supervisor of the existence of the recording as soon as practicable.

(b) Recording media which have been placed into evidence shall be retained for a period of no less than 180 days or until the related matter has been closed (e.g., internal investigation, civil litigation).

450.5 REVIEW OF RECORDED MEDIA FILES
Recorded files may be reviewed in any of the following situations:

(a) By a supervisor investigating a specific act of officer conduct

(b) Upon approval by a supervisor, any member of the Department who is participating in an official investigation such as a personnel complaint, administrative investigation or criminal investigation

(c) By the personnel who originally recorded the incident

(d) Pursuant to lawful process or by court personnel otherwise authorized to review evidence in a related case

(e) By media personnel with permission of the Chief of Police or authorized designee
Medical Marijuana

452.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of this department with guidelines for handling and distinguishing between claims of medical marijuana use under California’s Compassionate Use Act (Health & Safety Code § 11362.5) and criminal narcotics violations.

This policy is intended to serve as a tool to officers to understand the Compassionate Use Act and county protocols, while also understanding that the use or possession of medical marijuana may constitute a violation of administrative policies of Sonoma State University and may be referred as such.

452.1.1 COUNTY PROTOCOL
Agencies within the county of Sonoma enforce medical marijuana laws in accordance with County Protocol 97-3.
Bicycle Patrol Unit

454.1 PURPOSE AND SCOPE
The department has established a Bicycle Patrol assignment for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility and enhance public relations and community interaction. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

454.2 POLICY
Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Operations Section Manager.

454.3 SELECTION OF PERSONNEL
Interested sworn personnel, who are off probation, shall submit a request by memorandum to the Operations Section Manager. When an assignment is available, the Operations Section Manager will select a suitable officer. 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.

454.4 TRAINING
Participants in the program must complete an initial POST approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive update training as required by POST.

454.5 UNIFORMS AND EQUIPMENT
Bicycles officers shall wear the departmentally approved uniform and safety equipment while operating the police bicycle. Safety equipment includes departmentally approved helmet, riding gloves, protective eyewear and approved footwear. Soft body armor/vest is strongly recommended.

The bicycle uniform consists of:

- Navy or white moisture wicking coolmax polo shirts with shoulder patches, badge chest patch, name strip
- Navy or black nylon-taslon bike duty shorts or black or navy nylon-taslon full length bike duty pants (weather appropriate)
Bicycle Patrol Unit

- Black low top tennis or athletic shoes
- White ankle or calf high socks
- Black bike gloves with "police" written on knuckles (wording is optional)
- Black or white bike helmet with "police" wording on sides

Optional equipment includes:

- Navy or black or combined navy/black nylon cold weather bike duty jacket with badge chest patch, and reflective police wording on back
- Padded lycra bike shorts (worn under nylon-taslon bike duty shorts)

Bicycle officers may request in writing to the Operations Section Manager the addition of additional or alternative uniform/equipment when the equipment will enhance the comfort or safety of the officer.

Bicycle officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining necessary forms, citation books and other needed equipment to keep available while on bike patrol.

454.6  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.

Assigned officers will be provided a security lock, which is to remain with/on the bicycle at all times.

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, the officer may schedule service at a reputable local shop.

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

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next shift.
Bicycle Patrol Unit

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.

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

454.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the vehicle code under normal operation. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions (Vehicle Code § 21200(b)(1)):

(a) In response to an emergency call.
(b) While engaged in rescue operations.
(c) In the immediate pursuit of an actual or suspected violator of the law.
Foot Pursuit Policy

458.1 PURPOSE AND SCOPE
Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public or the suspect.

458.1.1 POLICY
It is the policy of this department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to department personnel, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department personnel.

458.2 DECISION TO PURSUE
Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in an a foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits potentially place department personnel and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

(a) Containment of the area.
(b) Canine search.
(c) Saturation of the area with patrol personnel.
(d) Aerial support.
(e) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the pursuit.
**Foot Pursuit Policy**

**458.3 GUIDELINES FOR FOOT PURSUIT**

Unless the officer reasonably believes that exigent circumstances exist (e.g. a serious threat to the safety of personnel or members of the public), officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

(a) When directed by a supervisor to terminate the foot pursuit. Such an order shall be considered mandatory.

(b) When the officer is acting alone.

(c) When two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) When pursuing multiple suspects and the pursuing officers do not reasonably believe that they would be able to control the suspect(s) should a confrontation occur.

(f) When the physical condition of the officers renders them incapable of controlling the suspect if apprehended.

(g) When the officer loses radio contact with Dispatch or with backup officers.

(h) When the suspect enters a building, structure, confined space or a wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinating containment pending the arrival of sufficient officers.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department personnel or the public if the suspect is not immediately apprehended.

(o) The officer’s ability to safely continue the pursuit is impaired by inclement weather, darkness or other conditions.

**458.4 RESPONSIBILITIES IN FOOT PURSUIT**

**458.4.1 INITIATING OFFICER RESPONSIBILITIES**

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

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) Location and direction of travel
(b) Reason for the foot pursuit
(c) Number of suspects and description
(d) 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 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.

458.4.2 ASSISTING OFFICER RESPONSIBILITIES

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

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.

458.4.3 SUPERVISOR RESPONSIBILITY

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources. The supervisor should respond to the area whenever possible. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

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

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-pursuit activity.

458.4.4 DISPATCH RESPONSIBILITIES

Upon being notified or becoming aware that a foot pursuit is in progress, communication personnel shall, as soon as practicable, notify the supervisor 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.
Foot Pursuit Policy

(c) Relay all pertinent information to responding personnel.
(d) Contact additional resources as directed by a supervisor.
(e) Coordinate response of additional resources to assist with the foot pursuit.

458.5 REPORTING
The initiating officer shall complete the appropriate case report documenting, at minimum, the following:

(a) The reason for initiating the foot pursuit.
(b) The identity of involved personnel.
(c) The course and approximate distance of the pursuit.
(d) Whether a suspect was apprehended as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Department Use of Force Policy.
(e) Any injuries or property damage.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to warrant further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of high traffic locations, especially those where pedestrians are in high volume. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high traffic locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and should take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge
(b) Court appearance procedure including the optional or mandatory appearance by the motorist
(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:
Traffic Function and Responsibility

(a) Vehicular manslaughter
(b) Felony and misdemeanor driving under the influence of alcohol/drugs
(c) Felony or misdemeanor hit-and-run
(d) Refusal to sign notice to appear
(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator’s license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.5 HIGH-VISIBILITY VESTS
The Department has provided ANSI Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (23 CFR 634).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the employee.

500.5.1 REQUIRED USE
High-visibility vests shall be worn at any time an employee is exposed to the hazards of approaching traffic such as while performing traffic control duties, accident investigations, lane closures and while at disaster scenes. Use of the vests shall also be mandatory when directed by a supervisor.

Vests may also be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be maintained in the trunk of each patrol, community service and parking unit. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored in the vehicle.

A supply of high-visibility vests will be maintained in the station for replacement of damaged or unserviceable vests. A supervisor should be promptly notified whenever the supply of vests needs replenishing.
Traffic Collision Reporting

502.1 PURPOSE AND SCOPE
Sonoma State University Police & Parking Services prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

502.2 COLLISION INVESTIGATION MANUAL
A copy of the Collision Investigation Manual is available in the Officer’s Workstation.

502.3 TRAFFIC COLLISION REPORTING
All traffic collision reports taken by members of this department shall be forwarded for approval and data entry into the Records Management System.

502.4 REPORTING SITUATIONS

502.4.1 TRAFFIC COLLISIONS INVOLVING STATE VEHICLES
Traffic collision investigation reports shall be taken when a State-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 University-owned, leased or rented vehicle, a Vehicle Damage Report shall be completed and forwarded to the Operations Section Manager.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the officer or any supervisor.

502.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
When an on-duty employee of this department or of the University is involved in a traffic collision on campus resulting in a serious injury or fatality, a patrol supervisor may notify the California Highway Patrol for assistance.

The term serious injury is defined as any injury that may result in a fatality.

502.4.3 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
In compliance with the Collision Investigation Manual, traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit and run violation, or Vehicle Code violation. An Incident Report may be taken at the discretion of any supervisor.

502.4.4 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision
(b) When a report is requested by any involved driver
(c) Under other articulatable circumstances deemed appropriate by the responding officer or supervisor
Vehicle Towing Policy

510.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the department. Nothing in this policy shall require the department to tow a vehicle.

510.2 STORAGE AND IMPOUNDS
When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

510.2.1 VEHICLE STORAGE REPORT
Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Records Section as soon as practicable after the vehicle is stored.

510.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Dispatch.

510.2.3 STORAGE AT ARREST SCENES
Whenever a person in charge of or in control of a vehicle is arrested, the vehicle shall be stored only when it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high crime area).

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
Vehicle Towing Policy

• Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases the owner shall be informed that the Department will not be responsible for theft, damages or parking violations.

510.2.4 DRIVING A PRIVATE 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.

510.2.5 DISPATCHER’S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the requested towing service, if one is made by the person in control of the vehicle. 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 in the log to ensure the following firm is called on the next request.

510.2.6 RECORDS SECTION RESPONSIBILITY

When vehicles are removed at the direction of the Department, the dispatcher shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the supervisor review tray for approval (Vehicle Code §§ 22651.5(b), 22851.3(b) and 22854.5).

Approved storage forms shall be promptly placed in the designated file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Records Section to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS. 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 information (Vehicle Code § 22852b):

(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.

510.3 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk. Any locked or secured compartments or containers shall not be opened as part of a vehicle inventory. Such containers must be noted as single items in the inventory. If there is sufficient reason to believe the contents of a locked or secured container hold contraband or other items that officers need to access, an officer may place that item in safekeeping and seek a search warrant for the container.

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
Vehicle Towing Policy

protecting an owner’s property, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

510.4 VEHICLE SEARCHES

Vehicles may be searched when one or more of the following conditions are met:

(a) When probable cause to search the vehicle exists.
(b) With consent of the operator.
(c) To search for weapons.
(d) When necessary to examine the vehicle identification number or to determine the ownership of the vehicle.
(e) Under emergency circumstances not otherwise enumerated above.
(f) Pursuant to a valid search warrant.

510.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

510.6 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 .5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver’s license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit and payment of applicable fees related to the removal (Vehicle Code §§ 22651 (et seq.), 22652 (et seq.), 22850.3 and .5).

(c) 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 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 establishment, 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.
Vehicle Towing Policy

6. When the driver reinstates his or her driver’s license or acquires a driver’s license and proper insurance.

7. To the legal owner when all of the following are met:

   (a) The legal owner is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state or is 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).
Drunk Driving and Evidence Collection

514.1 PURPOSE AND SCOPE
This policy explains the procedures to be followed while collecting evidence to establish the blood alcohol level of drivers arrested for driving while intoxicated, unconscious drivers, and unconscious pedestrians involved in traffic collisions because of their intoxicated state.

514.2 CHEMICAL TESTING
When a person is arrested for driving under the influence of an alcoholic beverage the arresting officer will advise the person of his/her choice of whether the chemical test shall be of his/her breath or blood (Vehicle Code § 23612 (a)(2)(A)). If the person is arrested for driving under the influence of any drug or the combined influence of an alcoholic beverage and any drug, the arresting officer will advise the person of the choice of whether the test shall be of his or her blood, breath or urine (Vehicle Code § 23612 (a)(2)(B)).

Any person who is unable to submit to a chemical test because of any of the following shall not be considered as refusing to comply with the provisions of Vehicle Code § 23612:

- Because of the inability of the Department to furnish a selected test.
- If there are verifiable medical reasons for non-compliance.
- If an attending physician refuses to allow it.

514.2.1 COLLECTING BLOOD EVIDENCE
Only a certified phlebotomy technician, licensed physician, nurse or other individual authorized by Vehicle Code § 23158(a) may withdraw a blood sample. The withdrawal of the blood sample shall be witnessed by the assigned officer.

When a person cannot submit to a blood test because he/she is a hemophiliac or is using an anticoagulant under the direction of a physician for a heart condition, he or she shall not be required to take a blood test (Vehicle Code § 23612(b) and (c)).

All blood samples shall be booked into evidence for later transfer to the crime laboratory for analysis.

514.2.2 COLLECTING BREATH AS EVIDENCE
If the arrested person chooses a breath test and is to be transported to the jail for booking, the breath test may be conducted at the jail, preparatory to booking, if this can be accomplished without undue delay. At the jail, an officer trained in the use of the alcohol breath machine will record the blood alcohol level by obtaining samples of the person’s breath. If the arrested person is not being transported for booking, the alcohol breath test may be taken in the field by the arresting officer using a department EPAS machine.

When the arrested person chooses a breath test the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).
514.2.3 COLLECTING URINE AS EVIDENCE
If the arrested person chooses a urine test, as permitted by law, he/she shall be promptly transported to the jail. Urine evidence collection kits are maintained in the jail. The officer shall follow the directions listed on the instruction sheet accompanying the urine evidence collection kit. If the arrested person’s urine is necessarily collected elsewhere, the procedure will remain the same.

Urine samples shall be collected and/or witnessed by an officer of the same gender as the person giving the sample. The person tested shall be given such privacy in the taking of the urine specimen as will ensure the accuracy of the specimen and, at the same time, maintain the dignity of the individual involved (Vehicle Code § 23158(i)).

The urine evidence collection kit shall be marked with the arrestee’s name, offense, department, case number and the name of the witnessing officer. The urine evidence collection kit shall then be placed in the evidence refrigerator to await transportation to the crime laboratory.

514.2.4 TESTING OF CONSCIOUS PERSON AT A HOSPITAL
Most breath tests will be conducted in the field or at the station by the arresting officer. If a timely breath test cannot be administered because the person is transported to a medical facility, the person shall be advised that a blood test will be the only choice available and a blood sample may be taken at the medical facility (Vehicle Code § 23612(a)(3)).

Based on probable cause, the officer should place the conscious person under arrest in the presence of a witnessing officer or medical personnel and advise the attending physician of the intention to collect a sample of the person’s blood. Unless the attending physician objects for medical reasons a blood sample will be collected in the prescribed manner.

514.2.5 TESTING OF UNCONSCIOUS PERSON AT A HOSPITAL
When a person is suspected of driving under the influence of alcohol and/or drugs and the person is unconscious or in a condition rendering him or her incapable of refusal, that person is deemed not to have withdrawn his or her consent and a blood test may be ordered by the arresting officer. The officer shall advise the attending physician of the intention to collect a sample of the person’s blood as evidence. If the physician does not object based on medical reasons, the blood will be collected in the prescribed manner.

A person who is dead is deemed not to have withdrawn his or her consent and a test or tests may be administered. In such cases the handling officer should coordinate with the Coroner’s Office to ensure that a viable test will be obtained (Vehicle Code § 23612(a)(5)).

514.2.6 TESTING OF UNCONSCIOUS PEDESTRIAN AT A HOSPITAL
When there is probable cause to believe that an unconscious pedestrian has been involved in a traffic collision because of his/her intoxicated condition, a blood sample may be extracted as evidence. The officer shall advise the attending physician of his/her intention to extract a blood sample, and unless the physician objects for medical reasons, the sample will be collected in the prescribed manner.

514.2.7 EXIGENT CIRCUMSTANCES DOCTRINE
Under the exigent circumstances doctrine, the level of influence of an intoxicant can be important evidence. Since it is not of a permanent nature, it will be lost if not seized immediately. The above sections will generally come within the guidelines of the exigent circumstances doctrine.
514.3 REFUSAL OR FAILURE TO TEST

If a person who has been arrested for a violation of Vehicle Code §§ 23140, 23152 or 23153, after having been advised of his or her rights per Vehicle Code § 23612, refuses or fails through statements or actions to complete a chemical test, the arresting officer shall serve the notice of order of suspension on behalf of the Department of Motor Vehicles, and confiscate all California driver’s licenses in the person’s possession (Vehicle Code § (23612(e) and (f)).

Blood may be taken by force in a felony or in a misdemeanor drunk driving investigation when the person refuses to take a chemical test. If the person makes a timely and reasonable request to undergo a different and viable form of testing, such request shall be considered. Blood may only be taken by force when all of the following circumstances have been met:

• The person must be in custody and the officer must have reason to believe the person is intoxicated.
• The person’s alternative choice, if selected, is either unavailable or not a viable test for the nature of the suspected intoxication (e.g. breath is not a viable test for suspected drug influence).
• The blood is taken in a medically approved manner, in a medical facility and the blood is drawn by qualified medical personnel
• Only reasonable force may be used to restrain the arrestee.

The amount of force used to accomplish the collection of this evidence will be reasonable, keeping in mind the following:

(a) In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn will be permitted.

(b) In misdemeanor cases, the person shall be handcuffed behind his/her back while seated on a chair or bench while the blood is being withdrawn. If the person becomes violent to the extent that he/she cannot be controlled then additional force will not be used and a refusal noted in the report.

The amount of force and methods used to accomplish the blood sample draw shall be detailed in the related report.
Traffic Citations

516.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

516.2 RESPONSIBILITIES
The Operations Section Manager shall be responsible for the development and design of all Department traffic citations and work with the Records Section to ensure compliance with state law and the Judicial Council.

The Records Section shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

516.3 DISMISUAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the Operations Section Manager. Upon a review of the circumstances involving the issuance of the traffic citation, the Operations Section Manager may recommend dismissal of the traffic citation to the Chief of Police. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

516.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Records Section.

516.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit a citation correction letter listing the specific correction to the Records Supervisor who will then forward the letter of correction to the court having jurisdiction and to the recipient of the citation and file a copy in the citation file.

516.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations issued by members of this department shall be placed in the review tray for supervisor approval. The citations will be processed by the Records Section and copies shall be filed in Records.

Upon separation from employment with this department, all employees issued traffic citation books shall return any unused citations to the Records Section.

516.7 JUVENILE CITATIONS
Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered
Traffic Citations

before issuing the juvenile a citation. Traffic citations issued to juveniles must be submitted to the Juvenile Court.
Disabled Vehicles

520.1 PURPOSE AND SCOPE
Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their jurisdiction.

520.2 OFFICER RESPONSIBILITY
When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

520.3 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

520.3.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

520.4 PUBLIC ACCESS TO THIS POLICY
This written policy is available upon request.
72-Hour Parking Violations

524.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the University Parking Policy regulating the storage and abandonment of vehicles. Generally, vehicles may be considered abandoned or stored in violation of the policy after 72-hours and when that vehicle cannot be connected to a resident of the residential community. If the vehicle is controlled by a resident of the residential community, the vehicle must be in working order in order to be stored on campus.

524.2 MARKING VEHICLES
Vehicles suspected of being in violation of Sonoma State University Parking Policy abandonment and storage sections shall be marked by the officer and logged by the dispatcher. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted in the log. The investigating employee should make a good faith effort to notify the owner of any vehicle subject to towing prior to having the vehicle removed. This may be accomplished by personal contact, telephone or by leaving notice attached to the vehicle at least 24 hours prior to removal.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and logged by the dispatcher.

524.2.1 VEHICLE STORAGE
Any vehicle in violation shall be stored by an authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the officer authorizing the storage of the vehicle.

The storage report form shall be submitted to the Records Section immediately following the storage of the vehicle. It shall be the responsibility of the Records Section to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Section to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).
Administrative Per Se Law (APS)

526.1 PURPOSE AND SCOPE
This policy provides for the immediate suspension of California driver’s licenses in certain Driving Under the Influence (DUI) cases and in Zero Tolerance incidents. Vehicle Code §§ 13382 (a) and (b), and 13388 (b) require that peace officers immediately suspend driving privileges in certain situations involving arrests for Vehicle Code §§ 23152 and 23153. This policy also describes the policy dealing with Zero Tolerance laws.

526.2 SUSPENSION OF CALIFORNIA DRIVER’S LICENSES
The driver’s license of a person suspected of driving under the influence of alcohol, shall immediately be suspended under any of the following circumstances:
(a) The arrestee refuses to submit to a chemical test
(b) The arrestee fails to complete the selected test
(c) The arrestee declines a breath test and demands a blood or urine test, and, the arresting officer has reasonable cause to believe that the arrestee’s Blood Alcohol Content (BAC) will exceed the .08-percent level
(d) The arrestee completes the breath tests which show a BAC of .08-percent or higher

526.2.1 ZERO TOLERANCE LAW
Vehicle Code §§ 23136 & 23140 were enacted to reduce alcohol related incidents by persons under the age of 21-years. A person under 21-years years of age may have his or her license suspended under the following circumstances:
(a) When suspected of consuming alcohol and refusing a PAS test
(b) Who has a blood-alcohol level of .01-percent or greater

Zero Tolerance requires a Preliminary Alcohol Screening (PAS) device as the primary test. If the device is not available, one of the other chemical tests must be completed. Under Zero Tolerance, only the PAS device result is required. If, based on the PAS results, the driver’s blood alcohol reading warrants arrest and further chemical testing, the Department of Motor Vehicles does not require completion of the chemical test section of the DS367m form. Once the PAS certification is complete, the Zero Tolerance requirement has been met.

526.3 PEACE OFFICER’S RESPONSIBILITY
In any of the above situations, the peace officer, acting on behalf of the Department of Motor Vehicles, shall do the following:
(a) Confiscate any California driver’s license(s) in the possession of the driver. If the subject has an Admin Per Se (APS) temporary license document, do not confiscate.
(b) Complete and serve the Administrative Per Se Order of Suspension (DMV form DS367, DS367m or DS367s - Officer’s Statement and Order of Suspension), 4th page on the driver, regardless of license status.
(c) The officer will inform the driver that the “Administrative Per Se Order of Suspension”, form DS367, DS367m or DS367s’ along with his/her violator’s notice to appear (except Zero Tolerance) or other release from custody document, will serve as the driver’s temporary license. If the driver’s privilege to drive is suspended or revoked,
the order will not be a valid temporary license. If the subject presents an Admin Per Se suspension order/temporary license, do not confiscate the order but do issue another order pursuant to the current DUI arrest.

526.4 DEPARTMENT OF MOTOR VEHICLES NOTIFICATION
The following specified items must be forwarded to the Department of Motor Vehicles within five regular business days:

(a) Officer’s Statement form DS367 or DS367m (Minor) or DS367s (Spanish)
(b) Order of suspension (form DS367, DS367m or DS367s, pages 2 and 3)
(c) Copy of the printout of the breath test (if taken)
(d) Traffic collision report if applicable
(e) The offender’s driver’s license

526.5 PROCESSING OF FORMS
In order to ensure that the Department of Motor Vehicles and Police Department forms are routed properly, the following responsibilities are identified:

526.5.1 SUPERVISORY APPROVAL
The supervisor responsible for approving reports, shall collect the documents described in Policy Manual § 526.4, review for completeness (dates, times, signatures, etc.) and forward the originals of the documents to the Records Section.

526.5.2 RECORDS SECTION RESPONSIBILITY
The Records Section is responsible for the following:

(a) Copies of documents required by DMV are to be made for the department files and the originals are then to be forwarded to the Department of Motor Vehicles;
(b) Providing a copy of DMV form DS367, DS367m or DS367s to the Records Section
(c) One copy of the Forensic Alcohol Examination Report shall be attached to the second copy of form DS367, which shall then be forwarded to the Records Section

If the Department of Motor Vehicles should return form DS367, DS367m or DS367s for corrections, the Records Section must notify the officer who made the arrest of the needed corrections. The officer shall make the corrections by lining out the incorrect information with a single line and initialing above the corrected area, including the date the correction was made. White out and strikeouts are not acceptable forms of correction. The form(s) shall then be returned to the Records Section to be returned to the Department of Motor Vehicles.

526.5.3 PROPERTY OFFICER RESPONSIBILITY
It is the responsibility of the property officer to promptly deliver physiological specimens to the designated crime lab as soon as possible after receipt to ensure that the above time requirements are met.
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
Cases requiring investigation beyond the scope or availability of the reporting officer will be assigned by the Operations Section Manager. When assigned to a case for initial or follow-up investigation, assigned officers shall proceed with due diligence in evaluating and preparing the case for appropriate clearance or presentation to a prosecutor for filing of criminal charges.

600.2 MODIFICATION OF CHARGES FILED
Employees are not authorized to recommend to the District Attorney, University Counsel, or to any other official of the court that charges on a pending case be altered or the case dismissed. In all cases resulting in court prosecution, any request to modify the charges filed or to recommend dismissal of charges in a pending case shall be made to the District Attorney’s Office or University Counsel’s Office only as authorized by the Operations Section Manager or the Chief of Police.
Sexual Assault Victims’ DNA Rights

602.1 PURPOSE AND SCOPE
Consistent with Penal Code § 293 and the Sexual Assault Victims’ DNA Bill of Rights (Penal Code § 680), this policy will establish a procedure by which sexual assault victims may inquire about and be provided with information regarding the status of any DNA evidence in their case, their right to confidentiality and other rights afforded by law.

602.2 INVESTIGATION CONSIDERATIONS

602.2.1 VICTIM CONFIDENTIALITY
Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that their name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim’s parent or guardian (Penal Code 293 § (a) and (b)) and attach the confidentiality form signed by the victim.

(a) Except as authorized by law, members of this department shall not publicly disclose the name or address of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293 (c) and (d)).

602.2.2 OFFICER RESPONSIBILITY
Whenever there is an alleged violation of Penal Code §§ 243(e), 261, 261.5, 262, 273.5, 286, 288a, or 289, the assigned officer shall accomplish the following:

(a) Immediately provide the victim with the "Victims of Domestic Violence" pamphlet containing the names and locations of rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2(a)). The victim shall also be provided with a "Marsy's Law" card.

(b) If victim is transported to a hospital for any medical evidentiary or physical examination the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2(b)(1)).

1. Prior to any such examination the assigned officer shall ensure that the victim has been properly informed of their right to have a sexual assault victim counselor and at least one other support person present (Penal Code § 264.2(b)(2)).

2. A support person may be excluded from the examination by the officer or the medical provider if their presence would be detrimental to the purpose of the examination (Penal Code § 264.2(b)(4)).

602.3 TESTING OF SEXUAL ASSAULT EVIDENCE
(a) Subject to available resources and other law enforcement considerations which may affect the ability to process and analyze rape kits or other sexual assault victim evidence and other crime scene evidence, any member of this department assigned to investigate a sexual assault offense (Penal Code §§ 261, 261.5, 262, 286, 288a or 289) should take every reasonable step to ensure that DNA testing of such evidence
is performed in a timely manner and within the time periods prescribed by Penal Code § 803(i)(1)(A) and (B).

(b) In order to maximize the effectiveness of such testing and identifying the perpetrator of any sexual assault, the assigned officer should further ensure that the results of any such test have been timely entered into and checked against both the Department of Justice Cal-DNA database and the Combined DNA Index System (CODIS).

(c) If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue is not going to be analyzed within two years of the crime, the assigned officer shall notify the victim of such fact in writing within no less than 60 days prior to the expiration of the two-year period (Penal Code § 680(d)).

602.4 VICTIM NOTIFICATION OF DNA STATUS

(a) Upon receipt of a written request from a sexual assault victim or the victim’s authorized designee, the assigned officer may inform the victim of the status of the DNA testing of any evidence from the victim’s case.

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. Absent a written request, no member of this department is required to, but may, communicate with the victim or victim’s designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights:

1. To be informed whether or not a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.

2. To be informed whether or not there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the Department of Justice Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

3. To be informed whether or not the DNA profile of the assailant developed from the evidence has been entered into the Department of Justice Data Bank of case evidence.

(c) Provided that the sexual assault victim or victim’s designee has kept the assigned officer informed with regard to current address, telephone number and email address (if available), any victim or victim’s designee shall, upon request, be advised of any known significant changes regarding the victim’s case.

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. No officer shall be required to or expected to release any information which might impede or compromise any ongoing investigation.

602.5 DESTRUCTION OF DNA EVIDENCE

If, with the approval of a supervisor, it is determined that rape kit evidence or other crime scene evidence from an unsolved sexual assault is going to be destroyed or disposed of prior to the expiration of the statute of limitations set forth in Penal Code § 803, the assigned officer shall provide the victim of the sexual assault with written notice of the intent to do so no less than sixty (60) days prior to the destruction or disposal of such evidence.
Confidential Informants

608.1 PURPOSE AND SCOPE
In many instances, a successful investigation cannot be conducted without the use of confidential informants. To protect the integrity of Sonoma State University Police & Parking Services and the officers using informants, it shall be the policy of this department to take appropriate precautions by developing sound informant policies.

608.2 INFORMANT FILE SYSTEM
The Operations Section Manager or his/her designee shall be responsible for maintaining informant files. A separate file shall be maintained on each confidential informant.

608.2.1 FILE SYSTEM PROCEDURE
Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file and include the following information:

(a) Informant’s name and/or aliases
(b) Date of birth
(c) Physical description: height, weight, hair color, eye color, race, sex, scars, tattoos or other distinguishing features
(d) Current home address and telephone numbers
(e) Current employer(s), position, address(es) and telephone numbers
(f) Vehicles owned and registration information
(g) Places frequented
(h) Informant’s photograph
(i) Briefs of information provided by the informant and his or her subsequent reliability. If an informant is determined to be unreliable, the informant’s file is marked as "Unreliable"
(j) Name of officer initiating use of the informant
(k) Signed informant agreement
(l) Update on active or inactive status of informant

The informant files shall be maintained in a secure area. These files shall be used to provide a source of background information about the informant, enable review and evaluation of information given by the informant, and minimize incidents that could be used to question the integrity of officers or the reliability of the confidential informant.

Access to the informant files shall be restricted to the Chief of Police, the Operations Section Manager, the designees of the Chief or Manager, and the investigating officer.

608.3 USE OF INFORMANTS
Before using an individual as a confidential informant, an officer must receive approval from the Operations Section Manager. The officer shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the individual.
Confidential Informants

608.3.1 JUVENILE INFORMANTS
The use of juvenile informants under the age of 13-years is prohibited. Except as provided for in the enforcement of the Tobacco Enforcement Act, Business & Professions Code §§ 22950, et seq., the use of any juvenile informant between the ages of 13 and 18-years is only authorized by court order obtained pursuant to Penal Code § 701.5.

For purposes of this policy, a "juvenile informant" means any juvenile who participates, on behalf of this department, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile’s participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition against the juvenile.

608.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS
All confidential informants are required to sign and abide by the provisions of an Informant Agreement. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the Chief of Police before being finalized with the confidential informant.

608.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS
No member of the department shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the department shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following must be adhered to:

(a) Officers shall not withhold the identity of an informant from their superiors
(b) Identities of informants shall otherwise be kept confidential
(c) Criminal activity by informants shall not be condoned
(d) Informants shall be told they are not acting as police officers, employees or agents of the University, and that they shall not represent themselves as such
(e) The relationship between officers and informants shall always be ethical and professional
(f) Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of the Operations Section Manager
(g) Officers shall not meet with informants of the opposite sex in a private place unless accompanied by at least one additional officer or with prior approval of the Operations Section Manager. Officers may meet informants of the opposite sex alone in an occupied public place such as a restaurant. When contacting informants of either sex for the purpose of making payments officers shall arrange for the presence of another officer, whenever possible
(h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses
608.5 NARCOTICS INFORMANT PAYMENT PROCEDURES
The potential payment of large sums of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. Additionally, to maintain a good accounting of such funds requires a strict procedure for disbursements.

608.5.1 PAYMENTS TO INFORMANTS
Payments may only be made to informants for reimbursement of expenses incurred during the course of the investigation. All expenses must be approved by the Operations Section Manager. Services provided by the informant are voluntary and payments shall not be made to any informant for services rendered.
Chapter 7 - Equipment
Department Owned and Personal Property

700.1 PURPOSE AND SCOPE
Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without authorization of the employee’s Appropriate Administrator.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage or loss of personal property must be made on the Employee Business Expense Reimbursement form (http://www.sonoma.edu/finance/forms/). This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the Appropriate Administrator, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor’s report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.
700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee’s immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER
Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee’s immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the State or other municipality, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor’s written report, shall promptly be forwarded to the Operations Section Manager.

700.5 EQUIPMENT OFFICER & DISTRIBUTION OF EQUIPMENT
The Operations Section Manager may designate an Equipment Officer to manage and distribute department-issued equipment. This officer should be a non-probationary officer or supervisor.

All equipment issued to members, excepting emergency equipment for short-term use, will be documented on the Department Issue Form by the member issuing the equipment or by the Equipment Officer. The forms will be maintained by the Equipment Officer in a location that is accessible to the Chief of Police or his/her designee. All department equipment not issued will be maintained in working order and in a state of readiness, for issue as appropriate. The equipment officer will be responsible for maintaining a written inventory of all equipment on hand that may be issued to officers to document available quantities for issue. The Equipment Officer must notify the Operations Section Manager if new equipment is needed to ensure adequate supplies are available to members.
Personal Communication Devices

702.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile phones and personal communication devices, and the on-duty use of such devices by personnel.

Because of technical advances and varying manufacturer nomenclature, this policy will generically refer to all Personal Communication Devices (PCD) as such, but is intended to include all mobile phones, Personal Digital Assistants (PDA), and other such wireless two-way communication and/or portable Internet access devices.

702.1.1 PRIVACY POLICY
Any employee utilizing any computer, internet service, phone service or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, sender and recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication.

The use of personal wireless devices by University employees for business purposes where the employee receives an allowance or reimbursement by the state is pursuant to University policy 2008-5. Phone records where an allowance or reimbursement is provided are subject to the Public Records Act.

The Department also expressly reserves the right to access and audit any and all communications (including content) sent, received and/or stored using such service.

702.2 DEPARTMENTALLY ISSUED PCD
University policy does not permit the issuance of any wireless device to personnel. The Chief of Police will determine which, if any, personnel require use of wireless devices for business purposes and will file the necessary forms for the employee to receive an allowance. Generally, this allowance will be limited to managers.

702.2.1 INDIVIDUALLY OWNED PCD
Employees may carry their own PCD while on duty subject to the following conditions:

(a) Carrying an individually-owned personal communication device is optional.
(b) The device shall be purchased, used and maintained at the employee’s expense.

702.2.2 USE OF PERSONAL COMMUNICATION DEVICES
PCDs, whether provided by the Department or personally-owned, should only be used by on-duty employees for legitimate department business except as provided for below. Employees may use a PCD to communicate with other personnel in those situations where the use of the radio is either impractical or not feasible. PCDs however, should not be used to replace regular radio communications.

(a) PCDs shall not be carried in a manner that allows them to be generally visible while in uniform.
(b) PCD’s may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g., inform
Personal Communication Devices

family of extended hours). While employee’s may use personally owned PCDs for personal business during authorized breaks, such usage should be limited as much as practical to areas where the communication will not be seen or heard by members of the public.

(c) Extended or frequent use of department-issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline. Employees may be responsible for reimbursing the Department for any charges incurred as a result of personal use.

702.2.3 USE WHILE DRIVING

The use of a PCD while driving can cause unnecessary distractions and presents a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices while driving to matters of an urgent nature and should, where practical, stop the vehicle at an appropriate location to complete their call.

Except in the case of an emergency employees who are operating non-emergency vehicles shall not use cellular phones or other personal communication devices while driving unless the telephone is specifically designed and configured to allow hands-free listening and talking (Vehicle Code 23123 (a)). Such use should be restricted to business related calls or calls of an urgent nature.
Vehicle Maintenance

704.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES
When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. A work order should be submitted as soon as practical. A copy of that work order or other notice must be made to the Vehicle Maintenance Officer (VMO). Notification must be made to the department in the Pass-on Log that the vehicle is not in service.

No employee shall operate a vehicle that has been removed from service for safety-related issues without the permission of a department manager.

704.3 VEHICLE EQUIPMENT
Certain items, as described on the vehicle checklist, shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

704.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning and end of the shift and complete the Vehicle Checklist. The checklist must be submitted to the designated file before the officer goes off duty.

The VMO is responsible for reviewing vehicle checklists and:

• Restocking or replacing equipment in a timely manner
• Coordinating repair or replacing defective equipment
• Coordinating repairs of vehicles with the University auto shop or a local garage

704.4 VEHICLE REFueling
Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-half tank of fuel. Vehicles must be refueled using the credit card assigned to that vehicle at a fuel station near campus. Lost, stolen or missing fuel cards must be reported to the Chief of Police immediately.

Fuel cards may only be used to purchase fuel. Employees found to use department fuel cards for inappropriate or unauthorized purposes are subject to discipline.

704.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift.
Vehicle Maintenance

**704.6 NON-SWORN EMPLOYEE USE**
Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees shall also prominently display a "out of service" sign in the vehicle at all times. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.
Vehicle Use Policy

706.1 PURPOSE & SCOPE
The Department utilizes state owned motor vehicles in a variety of applications operated by department personnel. In order to maintain a system of accountability and ensure State owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "State owned" as used in this section also refers to any vehicle leased or rented by the State.

Use of state vehicles is governed by the SSU State Vehicle Use Policy.

706.2 USE OF VEHICLES

706.2.1 SHIFT ASSIGNED VEHICLES
Personnel assigned to routine scheduled field duties shall notify dispatch of the vehicle unit number and current mileage when going on duty. The dispatcher will note this information in RIMS. If the employee exchanges vehicles during the shift, the new vehicle number and mileage shall be entered.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shift and completing the vehicle checklist as assigned. Any previously unreported damage, mechanical problems, unauthorized contents, damaged or used supplies or other problems with the vehicle shall be promptly reported to a supervisor and/or the vehicle maintenance officer and documented on the checklist.

706.2.2 UNSCHEDULED USE OF VEHICLES
Personnel utilizing a vehicle for any purpose other than their normally assigned duties must notify his/her supervisor of the reasons for use. This section does not apply to temporary use of a vehicle, generally less than one day. Vehicles used by personnel for transportation to off-campus activities must notify his/her supervisor. Vehicles taken off campus for extended travel should note the vehicles absence in the pass on log.

706.2.3 AUTHORIZED PASSENGERS
Personnel operating department owned vehicles shall not permit persons other than State employees or persons required to be transported in the performance of duty or as otherwise authorized to ride as a passenger in their vehicle.

706.2.4 PARKING
State owned vehicles should be parked in a marked stall or in a manner that does not impede pedestrian, vehicle or other emergency vehicle access.

Employee vehicles must be parked in compliance with the Sonoma State University Parking Policy at all times.

706.3 ASSIGNED VEHICLE AGREEMENT
State owned vehicles assigned to personnel for their use within their job assignment may be used to transport the employee to and from their residence for work-related purposes.
Vehicle Use Policy

The employee shall complete the Application to Retain State Vehicle Off-Campus form and receive authorization before taking the vehicle off campus, excluding temporary transportation for business travel.

The agreement states that the vehicle shall only be used for work-related purposes and shall not be used for personal errands, or transports, unless special circumstances exist and the supervisor gives authorization.

The assignment of vehicles is at the discretion of the Chief of Police. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

706.3.1 VEHICLES SUBJECT TO INSPECTION
All State owned vehicles are subject to inspection and or search at any time by a supervisor and no employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.4 SECURITY
Employees may take home State owned vehicles only with prior approval from their Appropriate Administrator.

(a) Off-street parking shall be available at the employee’s residence.
(b) Vehicles shall be locked when not attended.
(c) All firearms and kinetic impact weapons shall be removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended (refer to Firearms policy § 312 regarding safe storage of firearms at home).

When an employee is on vacation, leave, or out of the area in excess of one week, the vehicle shall be stored in a secure garage at the employee’s residence or at the police facility.

706.4.1 KEYS
All vehicle keys will be stored in the designated key box in the patrol equipment area. Vehicle keys will be taken by officers at the beginning of the shift and must be returned at the end of the shift.

706.5 ENFORCEMENT ACTIONS
When driving an assigned vehicle to and from work outside of the jurisdiction of Sonoma State University Police & Parking Services, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists. Enforcement actions under such circumstances will be in accordance with §426.1.1.

Officers may render public assistance, e.g. to a stranded motorist, when deemed prudent.

706.6 MAINTENANCE
(a) Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of his/her assigned vehicle.
Vehicle Use Policy

1. The Department has an agreement for car washes at local companies designated by the VMO. Employees taking vehicles for wash must sign the log located at the car wash each time a vehicle is cleaned.

2. The car wash account will be paid monthly by the designated member using a department credit card.

   (b) Employees shall make daily inspections of their assigned vehicle for service/maintenance requirements and damage.

   (c) Routine maintenance and oil changes shall be done in coordination with the VMO and at the request of the auto shop.

706.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the VMO or Chief of Police.

706.7 ACCIDENT DAMAGE, ABUSE, AND MISUSE

(a) Any time a vehicle is involved in a traffic collision, either singularly or with another vehicle, an officer not involved in the incident will conduct a traffic investigation and file the appropriate report. The officer investigating the accident shall not be a subordinate of any involved party.

(b) The employee involved in the collision shall complete the State provided vehicle accident form (STD 270). If the employee is incapable, the supervisor shall complete the form. The supervisor shall also fill out the State Driver Accident Review and conduct a review as instructed in the form (STD 274). Both forms must be completed as soon as practical and forwarded to the University Department of Risk Management. A copy of the police report should be included, if available.

(c) Traffic collisions involving department vehicles that result in injury to a non-University employee or in serious property damage must be reported as soon as practical to the California Office of Risk Management at (916) 376-5300 and to University Risk Management at (707) 664-3258.

(d) Any damage to a vehicle, not caused by a traffic collision, shall be immediately reported within the shift in which the damage was discovered, documented in memorandum format and forwarded to a supervisor.

(e) An administrative investigation will be conducted to determine any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

706.8 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads, while on duty, are exempt from paying the toll. Commuting, or returning to the State after an emergency does not qualify for this exemption and personnel using State owned vehicles are subject to the toll charge. To avoid unnecessary toll road violation charges, all employees operating a State owned vehicle upon the toll road shall adhere to the following:

(a) All employees operating a State owned vehicle for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge. Employees may submit for reimbursement from the State for any toll fees.
(b) All employees passing through the Toll Plaza or booth during a response to an emergency shall draft a memo to his/her Appropriate Administrator within five working days explaining the circumstances.
Chapter 8 - Support Services
Communication Operations

802.1 PURPOSE AND SCOPE
The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. The latter situation places the greatest demands upon the communications system and tests the capability of the system to fulfill its functions. Measures and standards of performance are necessary to assess the effectiveness with which any department, large or small, uses available information technology in fulfillment of its missions.

802.1.1 FCC COMPLIANCE
Sonoma State University Police & Parking Services radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

802.2 COMMUNICATION OPERATIONS
This department provides 24-hour service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. This department provides access to the 911 system for a single emergency telephone number. This department has two-way radio capability providing continuous communication between Dispatch and officers.

802.2.1 COMMUNICATIONS LOG
It shall be the responsibility of Dispatch to record all relevant information on calls for criminal and non-criminal service or self-initiated activity. Employees shall attempt to elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene. Desirable information would include, at a minimum, the following:

- Date and time of request
- Name, address and call-back number of complainant, if possible
- Type of incident reported
- Location of incident reported
- Identification of officer(s) assigned as primary and backup
- Time of dispatch
- Time of the officer’s arrival
- Time of officer’s return to service
- Disposition or status of reported incident

802.3 RADIO COMMUNICATIONS
Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations and the nature of cases.

802.3.1 OFFICER IDENTIFICATION
Members must identify themselves on radio using their assigned call sign. Employees should use the entire call sign when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate
unit. Employees initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and dispatcher once the mobile unit has been properly identified.
Property Procedures

804.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

804.2 DEFINITIONS
Property - Includes all items of evidence and items taken for safekeeping. This definition does not include found property that serves no law enforcement function.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:
• Property obtained by the Department for safekeeping such as a firearm
• Personal property of an arrestee not taken as evidence
• Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

804.3 PROPERTY HANDLING
Any employee who first comes into possession of any evidence or safekeeping property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

804.3.1 PROPERTY BOOKING PROCEDURE
All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

(a) Complete the property form describing each item of property separately, listing all serial numbers, owner’s name, finder’s name, and other identifying information or markings.
(b) Mark each item of evidence with the booking employee’s initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
(c) Complete a property form and include it with each package or envelope in which the property is stored.
(d) Place the case number in the designated location on the property bag.
(e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
(f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.
Property Procedures

804.3.2 NARCOTICS AND DANGEROUS DRUGS
All narcotics and dangerous drugs shall be booked separately. Paraphernalia as defined by Health & Safety Code § 11364 shall also be booked separately.

804.3.3 EXPLOSIVES
Explosives that are known or suspected to be armed or live, other than fixed ammunition, should not be retained in the police facility. All fireworks, railroad flares, or fuses that are considered safe will be transported to the Fire Department on a regular basis by a property officer.

Officers who encounter an explosive device shall respond pursuant to Policy Manual §416. Explosive devices and all such devices will be released to the Bomb Squad for disposal.

804.3.4 EXCEPTIONAL HANDLING
Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking
(b) License plates found not to be stolen or connected with a known crime, should be released directly to the property officer, or placed in the designated container for return to the Department of Motor Vehicles. No formal property booking process is required
(c) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property officer, or placed in the bicycle storage area until a property officer can log the property
(d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Operations Section Manager shall be notified by memorandum of cash in excess of $500.

State property, unless connected to a known criminal case, should be released directly to the appropriate State department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

804.4 PACKAGING OF PROPERTY
Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs
(b) Firearms (ensure they are unloaded and booked separately from ammunition)
(c) Property with more than one known owner
(d) Paraphernalia as described in Health & Safety Code § 11364 and Business and Profession Code § 4140
(e) Fireworks
(f) Contraband

804.4.1 PACKAGING CONTAINER
Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.
Property Procedures

A property tag shall be securely attached to the outside of all items or group of items packaged together.

804.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged, and placed in a property locker, accompanied by two copies of the property record. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected narcotics. If conducted, the results of this test shall be included in the officer’s report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size available in the evidence room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

804.5 RECORDING OF PROPERTY

The property officer receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property form.

A property number shall be designated for each item or group of items. This number shall be recorded on property tag and the property control form.

Any changes in the location of property held by the department shall be noted on the property form card.

804.6 PROPERTY CONTROL

Each time the property officer receives property or releases property to another person, he/she shall enter this information on the property card. Officers desiring property for court shall contact the property officer at least three days prior to the court day.

804.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No property or evidence is to be released without first receiving authorization from the property officer or supervisor.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the property officer. This request may be filled out any time after booking of the property or evidence.

804.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property card and the request for laboratory analysis.

The property officer releasing the evidence must complete the required information on the property card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee...
to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

804.6.3 STATUS OF PROPERTY
Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property card, stating the date, time and to whom released.

The property officer shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded on the property card, indicating date, time, and the person who returned the property.

804.6.4 RELEASE OF PROPERTY
All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Found property disposition, with the exception of those items listed in §804.7.1, is managed by Customer Services.

804.6.5 CONTROL OF NARCOTICS & DANGEROUS DRUGS
The property officer will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia as described in Health & Safety Code § 11364.

804.7 DISPOSITION OF PROPERTY
All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property officer shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from a supervisor, investigating officer or the Records Section.

804.7.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

• Weapons declared by law to be nuisances (Penal Code §§ 12028, 12029, 12251)
• Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
• Counterfeiting equipment (Penal Code § 480)
• Gaming devices (Penal Code § 335a)
• Obscene matter ordered to be destroyed by the court (Penal Code § 312)
• Altered vehicles or component parts (Vehicle Code § 10751)
• Narcotics (Health & Safety Code § 11474, etc.)
• Unclaimed, stolen or embezzled property (Penal Code § 1411)
• Destructive devices (Penal Code § 12307)


804.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than fifteen dollars ($15.00), or any amount if the depositor/owner’s name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited pursuant to current procedures for reimbursement for direct University expenses or used for purposes of victim services.

804.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the Operations Section Manager shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(c) An annual audit of evidence held by the department shall be conducted by a manager (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual(s) not associated to the property room or function to ensure that records are correct and all evidence property is accounted for.

804.9 FOUND PROPERTY PROCEDURES

Excepting those items listed in §804.7.1, Sonoma State University Customer Services has responsibility for the oversight of found property. Any member of this department receiving or finding property that does not serve an evidentiary purpose or is not taken under the definition of safekeeping, is responsible for ensuring that property is taken to Customer Services as soon as practical.
Records Section Procedures

806.1 PURPOSE AND SCOPE
The Records Supervisor shall maintain the Department Records Section Procedures Manual on a current basis to reflect the procedures being followed within the Records Section. Policies and procedures that apply to all employees of this department are contained in this chapter.

806.1.1 NUMERICAL FILING SYSTEM
Case reports are filed numerically within the Records Section by Records Section personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 0001 starting at midnight on the first day of January of each year. As an example, case number 07-0001 would be the first new case beginning January 1, 2007.

806.2 FILE ACCESS
All reports including, but not limited to, initial, supplemental, follow-up, evidence, and all reports critical to a case shall be maintained in a secure area within the Records Section accessible only to authorized Records Section personnel.

806.2.1 REQUESTING ORIGINAL REPORTS
Generally, original reports shall not be removed from the Records Section.

Requests for reports may be made to the Records Section using the Application for Records form. Under circumstances designated by the Records Supervisor, report requests by department staff may be made directly to the supervisor.
Restoration of Firearm Serial Numbers

808.1 PURPOSE AND SCOPE
The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

808.2 PROCEDURE
Any firearm coming into the possession of the department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

808.2.1 PRELIMINARY FIREARM EXAMINATION
(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tabular magazine) as well as the chamber contents.
(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.
(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.
(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

808.2.2 PROPERTY BOOKING PROCEDURE
Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.

808.2.3 OFFICER RESPONSIBILITY
The property officer receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab for restoration and maintain the chain of evidence.
Restoration of Firearm Serial Numbers

808.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

808.2.5 FIREARM TRACE
After the serial number has been restored (or partially restored) by the criminalistics laboratory, the property officer will complete a Bureau of Alcohol, Tobacco, and Firearms (ATF) NTC Obliterated Serial Number Trace Request Form (ATC 3312.1-OBL) and forward the form to the National Tracing Center in Falling Waters, West Virginia.

808.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.
Release of Records and Information

810.1 PURPOSE AND SCOPE
The purpose of this section is to establish a comprehensive reference and procedure for the maintenance and release of Department reports and records in accordance with applicable law and California State University Records Access Manual.

810.2 PUBLIC REQUESTS FOR RECORDS
The California Public Records Act (Government Code § 6250, et seq.) provides that records created by a public agency shall be subject to inspection and release pursuant to request, except pursuant to exemptions set forth in the Act or otherwise established by statute. Public requests for records of this department shall be processed as follows:

810.2.1 PROCESSING OF REQUESTS
Any member of the public, including the media, may request access to unrestricted records of this department by submitting a separate written and signed request for each individual and specifically identified record sought to an authorized employee (Government Code § 6253). Requests from involved individuals, their authorized representatives and other agencies are addressed below. The processing of requests is subject to these limitations:

(a) The authorized receiving employee shall determine if the requested record is available and/or subject to any exemption from disclosure. Processing of such requests may take up to ten days and an additional 14-day extension may be authorized by the Section Manager (Government Code § 6253(c)).

(b) The requesting party may be required to pay in advance any established fee for each record sought (Government Code § 6253(b)). The fee per requested page is $0.20 (CSU Coded Memorandum AD 08-01)

(c) The Department shall not be required to create records which do not otherwise exist in order to accommodate any request under the Public Records Act. If practicable, however, existing records may be copied in such a manner as to provide the requesting party with unrestricted portions of any record

810.3 REPORT RELEASE RESTRICTIONS
Absent a valid court order or other statutory authority, records and/or unrestricted portions of such records of this department shall be made public subject to the following restrictions:

810.3.1 GENERAL CASE AND CASE REPORTS
Reports containing any of the items listed below will not be released:

(a) **Victim Information** - Victims of crimes who have requested that their identifying information be kept confidential, victims who are minors and victims of certain offenses (e.g., sex crimes, Penal Code § 293) shall not be made public. Penal Code § 841.5 makes it a misdemeanor to release confidential victim information to any potential criminal defendant.

(b) **Confidential Information** - Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation shall not be made public.
Release of Records and Information

1. Analysis and conclusions of investigating officers may also be exempted from disclosure.
2. If it has been noted in any report that any individual wishes to protect his/her right to privacy under the California Constitution, such information may not be subject to public disclosure.

(c) **Specific Crimes** - Certain types of reports involving, but not limited to, **Child Abuse/Molest** (Penal Code § 11167.5), **Elder Abuse** (Welfare and Institutions Code § 15633) and **Juveniles** (Welfare and Institutions Code § 827) shall not be made public.

(d) **General Information** - Absent statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

**810.3.2 ARREST REPORTS**

Arrestee information shall be subject to release in the same manner as information contained in other reports as set forth above.

In addition to the restrictions stated above, all requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, University Counsel or the courts pursuant to Penal Code § 1054.5.

Local criminal history information including, but not limited to, arrest history and disposition, fingerprints and booking photos shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

**810.3.3 TRAFFIC COLLISION REPORTS**

Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles, other law enforcement agencies and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

**810.3.4 PERSONNEL RECORDS**

Personnel records, medical records and similar records which would involve personal privacy shall not be made public (Government Code § 6254(c)).

Peace officer personnel records are deemed confidential (Penal Code § 832.7, et seq.) and shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order (Evidence Code § 1043, et seq.).

The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police or as required by law (Government Code § 3300 (e)).

**810.4 OTHER RECORDS**

Any other record not addressed in this policy shall not be subject to release where such record is exempted or prohibited from disclosure pursuant to state or federal law, including, but not limited to provisions of the Evidence Code relating to privilege (Government Code § 6254(k)).
Release of Records and Information

The Department maintains the right to refuse to disclose or release any other record when it would appear that the public's interest in accessing such record is outweighed by the need for nondisclosure (Government Code § 6255).

Any record which was created exclusively in anticipation of potential litigation involving this department shall not be subject to public disclosure (Government Code § 6254(b)).

810.5 SUBPOENA DUCES TECUM

Any Subpoena Duces Tecum (SDT) should be promptly provided to a supervisor for review and processing. While a Subpoena Duces Tecum may ultimately be subject to compliance, it is not an order from the Court that will automatically require the release of the requested information.

All questions regarding compliance with any Subpoena Duces Tecum should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

810.6 RELEASED RECORDS TO BE STAMPED

Each page of any record released pursuant to a Public Records Act request or Subpoena Duces Tecum shall be stamped in red ink with a departmental stamp stating "Controlled Document - Do Not Duplicate." The member preparing and releasing the report is responsible for filling out the records release log.
Computers and Digital Evidence

814.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCD’s) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

When investigating possible computer crimes, officers should attempt to contact and/or consult with the Computer Crimes Unit of the District Attorney’s Office. Investigators of this unit have specialized training in the seizure and evaluation of computer and other digital evidence.

814.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
   1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
   2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).

(e) Label each item with case number, evidence sheet number, and item number.

(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, officers should document the following in related reports:
   1. Where the computer was located and whether or not it was in operation.
   2. Who was using it at the time.
   3. Who claimed ownership.
   4. If it can be determined, how it was being used.
Computers and Digital Evidence

(i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.

814.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene. It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

814.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer’s hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:

(a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
(b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
(c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents).
(d) An exact duplicate of the hard drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

814.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media including hard drives, floppy discs, CD’s, DVD’s, tapes, memory cards, or flash memory devices should be seized and stored in a manner that will protect them from damage.

(a) If the media has a write-protection tab or switch, it should be activated.
(b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation request the evidence officer to copy the contents to an appropriate form of storage media.
(c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

814.4 SEIZING PCD’S
Personal communication devices such as cell phones, PDA’s or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.
Computers and Digital Evidence

(a) Officers should use caution when attempting to access, review or search the contents of such devices. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) Do not turn the device on or off.

(c) When seizing the devices, also consider seizing the charging units and keeping units plugged in to the chargers until they can be examined. If the batteries go dead data may be lost.

814.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

814.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

814.5.2 SUBMISSION OF DIGITAL MEDIA

The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) If associated with a case report, photos must be downloaded to a department computer and stored in RIMS with the associated case. Photos with evidentiary value must also be saved to a CD and booked into evidence. Once an officer has confirmed that the photos were successfully transferred to RIMS and to the CD, the photos will be deleted from the data card in the camera.

(b) If not associated with a case report, photos shall be printed and attached to the incident report for filing. Video media shall be recorded onto DVD as submitted to records for filing. Once an officer has confirmed that the photos/video were successfully transferred to CD/DVD, the photos/videos will be deleted from the data card in the camera.

814.5.3 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
The department shall provide equal opportunities for applicants and its employees regardless of race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, marital status, veteran status, or sex, and shall not show partiality or grant any special favors to any applicant, employee or group of employees.

The rules governing employment practices for sworn positions in this department are directed by CSU HR Technical Letter 2008-24.

The rules governing employment practices for non-sworn positions in this department are directed by University Recruitment Policy (2000-5) and the procedures of University Employee Services.
Evaluation of Employees

1002.1 PURPOSE AND SCOPE
The objective of the evaluation system is to record work performance for both the Department and the employee giving recognition for good work and providing a guide for improvement where needed. The employee performance evaluation report is a gauge in measuring performance and is used for making personnel decisions relating to merit increase, promotion, reassignment, discipline, demotion and termination. The report also provides a guide for mutual work planning and review and an opportunity to convert general impressions into a more objective history of work performance based on job standards.

1002.2 POLICY
Employee performance evaluations will be written based on job related factors specific to the position occupied by the employee without regard to sex, race, color, or creed. Each evaluation will cover a specific period and should be based on performance during that period. The employee’s Appropriate Administrator will complete each evaluation. Other supervisors directly familiar with the employee’s performance during the rating period should be consulted by the Appropriate Administrator for their input.

All sworn and non-sworn supervisory personnel should be sent to a POST approved supervisory course that includes training on the completion of performance evaluations as soon as practical following appointment. All Appropriate Administrators who complete evaluations must attend any required trainings offered by Employee Relations & Compliance in addition to POST training.

Each Appropriate Administrator should discuss the tasks of the position, standards of performance expected, and the evaluation rating criteria with each employee at the beginning of the rating period. This department encourages Appropriate Administrators to solicit feedback from the employee in relation to the proposed goals for an employee and to provide opportunity for an open dialog regarding any negative elements of the performance evaluation.

Appropriate Administrators must communicate with employees on a regular basis regarding performance standards. Employees who are not performing as required must be counseled throughout the year in an effort to improve performance.

1002.3 EVALUATION FREQUENCY
Employees are evaluated based on the timeframes defined in the respective collective bargaining agreement.

Student employees will be evaluated at least once per year and prior to determination of any pay increases.

1002.4 FULL TIME PROBATIONARY PERSONNEL
Non-sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. An evaluation is completed as directed by the collective bargaining agreement for all full-time non-sworn personnel during the probationary period.

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Sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. Probationary officers may be evaluated daily, weekly and/or monthly during the probationary period.

Any employee may be placed on an extended probationary period if it is determined that the employee requires additional training or the department requires additional time to assess the employees performance.

1002.5  FULL-TIME PERMANENT STATUS PERSONNEL
Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation must be completed once each year by the employee’s Appropriate Administrator after June 30 and before August 15. The evaluation period is July 1 - June 30. The Appropriate Administrator should notify an employee as soon as practical of expected variations in the dates or delivery of these evaluations.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current Appropriate Administrator with input from the previous Appropriate Administrator.

Special - A special evaluation may be completed any time the Appropriate Administrator feels one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the documents detailing planned follow-up action shall be treated as one package.

1002.5.1  RATINGS
When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee’s performance. The definition of each rating category is defined by Employee Relations and Compliance Services and is detailed on the evaluation forms.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee’s strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1002.6  EVALUATION INTERVIEW
When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities.

1002.7  EVALUATION REVIEW
After the meeting, the employee will be given 5 days to review the evaluation and respond. After 5 days, the employee should sign the evaluation and attach any written comments to
Evaluation of Employees

the original evaluation. The Appropriate Administrator may choose to make changes to the evaluation or submit the evaluation, unchanged, to the Chief of Police for review.

The Chief of Police shall review the evaluation for fairness, impartiality, uniformity, and consistency.

The comments shall be submitted to Employee Relations & Compliance with the original evaluation for filing in the employee’s personnel file.

Employees may choose to not sign the evaluation. In such instances, the Appropriate Administrator shall submit the unsigned original evaluation to the Chief of Police for review and then to Employee Relations and Compliance Services with a memorandum explaining the employee’s refusal to sign. Refusal to sign the evaluation has no effect on the evaluation or any improvement plans that the Appropriate Administrator recommends.

1002.8 EVALUATION DISTRIBUTION

A copy of the performance evaluation shall be maintained in the employee’s personnel file in the office of the Appropriate Administrator for the tenure of the employee’s employment. A copy will be given to the employee and the original will be forwarded to Employee Relations and Compliance for maintenance in the official personnel file.
Promotional, Transfer and Assignment Policy

1004.1 PURPOSE AND SCOPE
The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the department and/or the transfer of employees within different sections of the department. This policy also reviews the process for the appointment of employees to special assignments.

1004.1.1 GENERAL REQUIREMENTS
The following conditions may be used, depending on the responsibilities of the position, in evaluating employees for promotion, assignment and transfer:

(a) Presents a professional, neat appearance;
(b) The member maintains a physical condition, which aids in his/her performance;
(c) Demonstrates:
   1. Emotional stability and maturity
   2. Sound judgment and decision making
   3. Personal integrity
   4. Honesty
   5. Leadership
   6. Initiative
   7. Ability to confront and/or deal with issues both positive and/or negative
   8. Ability to conform to organizational goals and objectives

1004.2 SWEORN NON-SUPERVISORY ASSIGNMENTS
Special assignments may include, but are not limited to, those specified by §21.25 of the SUPA CBA. Additional assignments may be designated by the Chief of Police by general or special order. Stipends may be provided for some assignments.

1004.2.1 DESIRABLE QUALIFICATIONS
The following qualifications apply to consideration for additional assignment:

(a) Two years experience
(b) Off probation
(c) Has shown an expressed interest in the position applied for
(d) Education, training and demonstrated abilities in related areas; such as, enforcement activities, investigative techniques, report writing, public relations, etc.
(e) Complete any training required by POST or law
(f) Some additional assignments may be shift dependent and the assigned employee must be able to work the assigned shift
**1004.3 SELECTION PROCESS**

The following criteria apply to transfers.

(a) The interested member should request consideration in any/all interested assignments by memorandum to the Chief of Police or his/her designee. This memorandum should include the skills or qualifications that make that member suitable.

(b) Administrative evaluation as determined by the Chief of Police or his/her designee. This shall include a review of supervisor recommendations. Each supervisor who has supervised or otherwise been involved with the candidate should be consulted.

(c) The Chief of Police or his/her designee may schedule interviews with each candidate, if multiple members express interest and are found to be qualified.

(d) Based on supervisor recommendations and those of the Chief of Police or his/her designee after the interview, he/she will make a recommendation(s).

(e) Appointment by the Chief of Police

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

**1004.4 PROMOTIONAL SPECIFICATIONS**

Specifications for promotional opportunities are on file with Employee Services and are made pursuant to the collective bargaining agreement.
Grievance Procedure

1006.1 PURPOSE AND SCOPE
It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department’s philosophy is to promote a free verbal communication between employees and supervisors.

1006.1.1 GRIEVANCE DEFINED
The term "grievance" as used in this section refers to an allegation by an employee that there has been a violation, misapplication, or misinterpretation of a specific term(s) of the Collective Bargaining Agreement.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in Policy Manual § 328, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in Policy Manual §1020.

1006.2 PROCEDURE
Sworn officers, represented by Unit 8 (SUPA), who believe they have a grievance shall proceed pursuant to Article 7 of the Collective Bargaining Agreement.

Non-sworn personnel, represented by a unit of CSUEU, who believe they have a grievance shall proceed pursuant to Article 7 of the Collective Bargaining Agreement.
Hepatitis and HIV Testing

1008.1 PURPOSE AND SCOPE
The purpose of this policy is to provide for the reporting of contacts with the bodily fluids of individuals and an HIV testing procedure in accordance with the Legislature’s declaration of a public health crisis in Penal Code § 7500, et seq.

1008.2 REPORTING REQUIREMENTS
Any employee who believes that he/she came into contact with bodily fluids of an individual who has been arrested or taken into custody shall complete a State Department of Health Services form (CDPH 8479). This form includes the names of witnesses to the incident, names of persons involved in the underlying incident, and if feasible, any written statements from these parties. This form shall be in addition to any other reports related to the underlying incident (Penal Code § 7510).

The employee’s form CDPH 8479 shall be submitted by the end of the shift during which the incident occurred, or if not practicable, as soon as possible, but no longer than two days after the incident, unless waived by the county’s Chief Medical Officer.

Upon completion of form CDPH 8479, it and all available related reports shall be forwarded immediately to the county’s Chief Medical Officer.

1008.2.1 CONFIDENTIALITY OF ALL REPORTS
All information obtained and reported pursuant to this procedure shall be kept confidential and may not be released except as provided by law (Penal Code § 7517).

1008.2.2 MISDEMEANOR TO FILE FALSE REPORT
Any employee who willfully files a false form CDPH 8479 or a false request for HIV testing may be subject to discipline as well as misdemeanor criminal sanctions (Penal Code § 7540).

1008.3 REQUEST FOR HEPATITIS OR HIV TESTING
Any employee who desires that the individual be tested for hepatitis B, hepatitis C, or HIV shall indicate such a request on the form CDPH 8479 (Penal Code § 7510).

1008.4 AVAILABLE COUNSELING
In addition to any other available employee assistance programs, personal counseling may be available through the Chief Medical Officer to any law enforcement employee who has filed a form CDPH 8479 (Penal Code § 7510).

1008.5 PROCEDURE TO DETERMINE TESTING
Within 24 hours of receipt of any form CDPH 8479, regardless of whether or not a request for testing was made, the Chief Medical Officer shall determine whether or not the involved individual shall be required to submit to HIV testing (Penal Code § 7511(a) and (b).

Any individual ordered by the Chief Medical Officer to submit to HIV testing has three calendar days to appeal such an order by submitting form CDPH 8457. The State will convene an appeal panel pursuant to Penal Code § 7515(b) to handle any such appeal. If
Hepatitis and HIV Testing

no appeal is filed in a timely manner, the order of the Chief Medical Officer shall become final (Penal Code § 7515(a)).

Any decision by the appeal panel may be appealed by the individual or the involved employee to the Superior Court which is required to review the matter as expeditiously as possible (Penal Code § 7516.5).

1008.6 TESTING PROCEDURE
In the event that an individual is ordered to be tested for HIV, such tests shall consist of a blood sample withdrawn in a medically approved manner by a licensed physician, nurse, medical technician, or phlebotomist (Penal Code § 7530).

All test samples shall be submitted to a licensed medical laboratory that has been approved by the State Department of Health Services for the conducting of HIV testing.

1008.6.1 REFUSAL TO SUBMIT TO TESTING
Any person who has been ordered to submit to required hepatitis B, hepatitis C, or HIV testing and, who refuses to submit to such testing shall be subject to revocation of bail, probation, or other sentence (Penal Code § 7519(a)).

The refusal of any probationer or parolee to submit to required hepatitis B, hepatitis C or HIV testing may be considered a violation of probation or parole.

1008.6.2 TEST RESULTS
Any employee who had direct contact with the bodily fluids of an individual who is determined to have tested positive for hepatitis B, hepatitis C, HIV or AIDS shall receive confidential notification from the Chief Medical Officer.
Reporting of Employee Convictions/Arrests

1010.1 PURPOSE AND SCOPE
Convictions of certain offenses may restrict or prohibit an employee’s ability to properly perform official duties; therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

In addition, employee arrests may prohibit the employee from being able to properly perform the functions of their position and/or may constitute a violation of department policy. Therefore, all employees shall be required to promptly notify the Department of any arrests or pending legal action, including civil suits.

1010.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS
Pursuant to the Federal Domestic Violence Gun Control Act (18 United States Code §§ 921(a) and 922(d)), any person who has been convicted of a misdemeanor domestic violence offense is prohibited from possessing any firearm or ammunition.

Misdemeanor crimes of domestic violence are defined as misdemeanors under federal or state law, having as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent or guardian, or by a person similarly situated to a spouse, parent or guardian of the victim.

Federal law also prohibits firearm possession by any individual who is the subject of a domestic violence restraining order. This federal restriction, however, does not apply to Temporary Restraining Orders (18 United States Code § 922(d)(8)).

Penal Code § 12021(c)(1) prohibits any person convicted of certain offenses including, but not limited to Penal Code §§ 273.5, 273.6 and 646.9, from lawfully possessing a firearm.

Family Code § 6389 prohibits any person from carrying a firearm if they are currently the subject of a domestic violence restraining order (including temporary and emergency orders).

1010.3 OTHER CRIMINAL CONVICTIONS
Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendre plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee’s ability to fully perform the duties of the job.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.
1010.4 REPORTING PROCEDURE
All employees of this department and all retired officers with a CCW endorsement shall promptly notify their Appropriate Administrator (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All sworn employees and all retired officers with a CCW endorsement shall further promptly notify their Appropriate Administrator (or the Chief of Police in the case of retired officers) in writing if the employee becomes the subject of a domestic violence restraining order issued by a court of competent jurisdiction.

Any employee whose criminal conviction unduly restricts or prohibits that employee from fully and properly performing his/her duties may be disciplined including, but not limited to being placed on administrative leave, reassignment and/or termination.

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1010.5 PROCEDURE FOR RELIEF
Pursuant to Penal Code § 12021(c)(2), a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 12021 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee’s own resources and on the employee’s own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee’s duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

1010.6 NOTIFICATION OF ARREST
All employees must notify his/her Appropriate Administrator as soon as practical if they are arrested for any misdemeanor or felony and/or if that arrest prohibits him/her from reporting for duty as assigned.

Failure to report to an assigned shift due to arrest is not an excused absence. Employees may not use accrued leave for such absence unless approved by the Appropriate Administrator prior to absence. Such absences are subject to the terms of collective bargaining agreements stipulations for non-authorized leave.

1010.7 NOTIFICATION OF INVESTIGATION/CIVIL ACTION
Employees who are aware or have reason to believe they are the focus of a criminal investigation or the subject of a civil suit shall notify his/her Appropriate Administrator as soon as practical. Employees who must miss work due to investigation-related or
Reporting of Employee Convictions/Arrests

civil suit activity must use accrued time and receive approval, as appropriate, excepting investigations or civil suits related to on-duty incidents or conduct.
Alcohol and Drug Use Policy

1012.1 PURPOSE AND SCOPE
The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. Sonoma State University Police & Parking Services discourages alcohol and drug abuse and strives to achieve a work force free from the influence of drugs and alcohol.

All employees are required to adhere to the University Drug Free Workplace policy (1989-1).

1012.2 GENERAL GUIDELINES
The consumption of alcohol or other intoxicants is generally prohibited by on-duty personnel except as necessary in the performance of an official special assignment. Personnel who consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Employees who have consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect their senses or judgment shall not report for duty. Under these circumstances, the employee must notify his/her supervisor as soon as the employee knows they are not able to report pursuant to this policy.

Although employees under the influence of alcohol or drugs may not report for duty, impairment due to consumption of alcohol or drug use is not an acceptable reason for absence.

1012.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON DUTY
Department employees shall not purchase or possess alcohol or other controlled substances on State property, at work, or while on duty except in the performance of a special assignment as described in Policy Manual § 1012.2.

Department employees shall not illegally manufacture any alcohol or drugs while on duty, on State property or at any other time.

1012.2.2 USE OF PRESCRIBED MEDICATIONS
Department employees who are medically required to take prescription medications during work hours shall not allow such medications to impair their ability to perform their work. Any employee who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of their position should report the need for such medication to their immediate supervisor. No employee shall be permitted to work while taking such potentially impairing medication without a written release from his or her physician.

1012.3 EMPLOYEE ASSISTANCE PROGRAM
There is a voluntary employee assistance program to assist employees who wish to seek help for alcohol and drug problems. There is also a variety of insurance coverage which provide treatment for drug and alcohol abuse. Employees may contact the Employee Relations and Compliance, their insurance provider, or the Employee Assistance Program for additional information. Information on the University Employee Assistance Program can also be found at http://www.sonoma.edu/erc/eap/.
Alcohol and Drug Use Policy

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Programs or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.3.1 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due employees, and disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the expressed written consent of the employee involved or pursuant to lawful process.

1012.4 COMPLIANCE
Employees must, as a condition of employment, abide by the terms of this policy, and report any conviction under a criminal drug statute for violations occurring on or off State premises while conducting State business. A report of a conviction must be made as soon as possible, but in no case more than five days after the conviction.
Sick Leave Reporting

1014.1 PURPOSE AND SCOPE
Employees of this department are provided with a sick leave benefit that gives them continued compensation during times of absence due to personal or family illness. The number of hours available is detailed in the employee’s applicable collective bargaining agreement or in the appointment letter, for unrepresented employees. Employees may also be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 CFR 825).

1014.2 EMPLOYEE RESPONSIBILITIES
Sick leave may be used for absences caused by illness, injury, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee’s immediate family when it is not possible to schedule such appointments during non-working hours.

Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave use. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

Upon return to work, employees shall complete and submit a duty status slip describing the type of leave used and the specific amount of time taken.

1014.2.1 NOTIFICATION
An employee must notify his/her supervisor or Appropriate Administrator as soon as they are aware that they will not be able to report to work. At a minimum, employees shall make such notification no less than two hours before the start of their scheduled shift, or as soon as the employee knows they will not be able to report for duty as assigned. If an employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor. If the notified supervisor is not on duty at the time of notification, dispatch shall also be notified by the employee calling in sick.

As previously noted, patrol and dispatch staff must make contact with their Appropriate Administrator. Other staff may leave a message on the office line of their supervisor or Appropriate Administrator and follow up with a call to dispatch.

When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever possible, provide the Department with no less than 30-days notice of the intent to take leave.

1014.3 EXTENDED ILLNESS
Employees on extended absences shall, if possible, contact their unit supervisor at three-day intervals to provide an update on their absence and expected date of return. Employees absent from duty due to personal illness in excess of five consecutive days may be required to furnish a statement from their health care provider supporting the use of sick leave and/or the ability to return to work.

Nothing in this section precludes a supervisor from requiring a physician’s statement if five or fewer sick days are taken if there is reason to suspect abuse or a pattern of abuse is
Sick Leave Reporting

established or if there is reason to believe that the illness/injury may preclude the employee from performing one or more functions of their job.

1014.4 SUPERVISOR RESPONSIBILITY

Appropriate Administrators should monitor sick leave usage and regularly review the attendance of employees under their command to ensure that the use of sick leave is consistent with this policy. Appropriate Administrators should address sick-leave use in the employee’s performance evaluation when it has negatively affected the employee’s performance or ability to complete assigned duties, and when unusual amounts of sick leave by the employee has had a negative impact on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of sick leave and should consider referring the employee to the Employee Assistance Program.
Communicable Diseases

1016.1 PURPOSE AND SCOPE
This policy is intended to provide guidelines for department personnel to assist in minimizing the risk of contracting and/or spreading communicable diseases and to minimize the incidence of illness and injury. The policy will offer direction in achieving the following goals:

- To reduce exposures to bloodborne pathogens (BBP) and other potentially infectious body fluids
- To assist Department personnel in making decisions concerning the selection, use, maintenance, limitations, storage, and disposal of personal protective equipment (PPE)
- To protect the privacy rights of all Department personnel who may be exposed to or contract a communicable disease during the course of their duties
- To provide appropriate treatment and counseling should an employee be exposed to a communicable disease

1016.2 PROCEDURES FOR CONTACT WITH BLOOD OR BODY FLUIDS
All department personnel who may be involved in providing emergency medical care, or who come in contact with another person’s blood or body fluids (e.g., during an altercation or while attending to any injured person), shall follow these procedures and guidelines.

1016.2.1 EXPOSURE CONTROL OFFICER
The University assigned Bloodborne Pathogens (BBP) Exposure Control Officer (ECO) shall be responsible for the following:

(a) The overall management of the BBP Exposure Control Plan (ECP).
(b) The ECO will work with management to develop and administer any additional related policies and practices necessary to support the effective implementation of this plan and remain current on all legal requirements concerning BBP and other communicable diseases.
(c) The ECO will act as a liaison during OSHA inspections and shall conduct program audits to maintain an up-to-date exposure control plan.
(d) The ECO will maintain an up-to-date list of police personnel requiring training, develop and implement a training program, maintain class rosters and quizzes, and periodically review the training program.
(e) The ECO will review and update the Exposure Control Plan annually (on or before January 1st of each year).

Appropriate Administrators are responsible for exposure control in their respective areas. They shall work directly with the ECO and the affected employees to ensure that the proper exposure control procedures are followed.
Communicable Diseases

1016.2.2  UNIVERSAL PRECAUTIONS
All human blood and body fluids such as saliva, urine, semen, and vaginal secretions are to be treated as if they are known to be infectious. Where it is not possible to distinguish between body fluid types, all body fluids are to be assumed potentially infectious.

1016.2.3  PERSONAL PROTECTIVE EQUIPMENT
Personal protective equipment is the last line of defense against communicable disease. Therefore, the following equipment is provided for all personnel to assist in the protection against such exposures:

- Disposable latex gloves
- Safety glasses or goggles
- Rescue mask with a one-way valve
- Alcohol (or similar substance) to flush skin at emergency site

The protective equipment is to be kept in each police vehicle; inspected at the start of each shift and replaced immediately upon returning to the station if used or damaged during the shift, or as otherwise needed.

1016.2.4  IMMUNIZATIONS
All department personnel who, in the line of duty, may be exposed to or have contact with a communicable disease shall be offered appropriate treatment immunization.

1016.2.5  WORK PRACTICES
All personnel shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or body fluid is anticipated.

Disposable gloves shall be worn on all medical emergency responses. Disposable gloves shall be worn before making physical contact with any patient and/or when handling items (e.g., evidence, transportation vehicle) soiled with blood or other body fluids. Should one’s disposable gloves become contaminated with blood or other body fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books, and personal items in general) while wearing the disposable gloves in a potentially contaminated environment.

All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying, or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm, and handling contact lenses shall be prohibited in areas where a potential for an exposure exists.

1016.3  DISPOSAL AND DECONTAMINATION
The following procedures will apply to the disposal and decontamination after responding to an event that involved contact with a person’s blood or body fluids:

1016.3.1  USE OF WASTE CONTAINERS
Officers shall dispose of biohazard with the on-scene fire response vehicle, or at the attending clinic/hospital with their approval, or in an appropriately marked biohazard waste container at the station immediately upon arrival.
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The biohazard waste container located at the station shall be collapsible, leakproof, red in color or appropriately labeled with a biohazard warning and routinely emptied.

1016.3.2 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES
Personnel shall wash their hands immediately (on-scene if possible), or as soon as possible following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one’s hands, paying particular attention to the fingernails.

If an employee’s intact skin contacts someone else’s blood or bodily fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant, as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant. If large areas of the employee’s skin are contaminated, the employee shall shower as soon as possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

1016.3.3 SHARPS AND ITEMS THAT CUT OR PUNCTURE
All personnel shall avoid using or holding sharps (needles) unless needed to do so while assisting a paramedic, or collecting them for evidence. Unless required for evidentiary reasons related to evidence preservation, employees are not to recap sharps. If recapping is necessary, a one-handed method shall be employed to avoid a finger prick. Disposal, when possible, shall be into a puncture proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors, and knives) shall be treated cautiously to avoid cutting, stabbing, or puncturing one’s self or any other person. In addition, if a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Rather, use a device such as tongs, or a broom and a dustpan to cleanup debris. If the material must be hand held, protective gloves must be worn.

1016.3.4 DISPOSABLE PROTECTIVE EQUIPMENT
Contaminated disposable supplies (gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or police vehicle. The waste material shall then be disposed of in a biohazard waste container at the hospital or police station. Disposable gloves are to be worn while placing the waste into the waste biohazard container; placing the gloves in with the waste when through.

1016.3.5 DECONTAMINATION OF PERSONAL PROTECTIVE EQUIPMENT
After using any reusable personal protective equipment, it shall be washed or disinfected and stored appropriately. If the personal protective equipment is non-reusable (e.g., disposable gloves), it shall be discarded in a biohazard waste container as described in Policy Manual § 1016.34.

Any personal protective equipment that becomes punctured, torn, or loses its integrity, shall be removed as soon as feasible. The employee shall wash up and replace the personal protective equipment if the job has not been terminated. If this situation resulted in a contaminated non-intact skin event, Policy Manual § 1016.32 shall be implemented.
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Contaminated reusable personal protective equipment that must be transported prior to cleaning it shall be placed into a biohazard waste bag and transported in the ambulance, paramedic truck or police vehicle. Gloves shall be worn while handling the biohazard waste bag and during placement into the biohazard waste container, and then included in with the waste.

1016.3.6 DECONTAMINATION OF NON-DISPOSABLE EQUIPMENT

Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, portable radio) shall be decontaminated as soon as possible. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.

Grossly contaminated non-disposable equipment items shall be transported to a hospital, fire station, or police station for proper cleaning and disinfecting. Porous surfaces such as nylon bags and straps shall be brushed and scrubbed with a detergent and hot water, laundered and allowed to dry. Non-porous surfaces (e.g., plastic or metal) shall be brushed and scrubbed with detergent and hot water, sprayed with a bleach solution, rinsed, and allowed to dry. Delicate equipment (e.g., radios) should be brushed and scrubbed very carefully using a minimal amount of a type of germicide that is approved by Environmental Protection Agency (EPA).

While cleaning equipment, pay close attention to handles, controls, portable radios, and corners (tight spots). Equipment cleaning shall not be done in the kitchen, bathrooms, or other areas not designated as the cleaning/decontamination area.

Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach (one-quarter-cup of bleach per one gallon of water) while wearing disposable gloves and goggles. Large particles of contaminants such as, vomit, feces, blood clots, etc. should first be removed (using a disposable towel or other means to prevent direct contact) and properly disposed of.

1016.3.7 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as possible. If the clothing must be dry cleaned, place it into a biohazard waste bag and give it to the Exposure Control Officer. The ECO will secure a dry cleaner that is capable of cleaning contaminated clothing, and inform them of the potential contamination. This dry cleaning will be done at the Department's expense.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded.

1016.3.8 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components such as the seats, radios, and doors shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.

1016.3.9 DECONTAMINATION OF STATION AND CLEANING AREA

Any area used by employees to decontaminate or clean equipment or his/her person following exposure is to be thoroughly cleaned after each use.
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1016.4 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS
In actual or suspected exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities, ensure the best protection, and care for the employee(s).

1016.4.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE
In order to provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. That report shall be submitted to the employee’s immediate supervisor. Additionally if the exposure involves contact with the bodily fluids of an individual who has been arrested the employee must also comply with reporting requirements described in Policy Manual § 1008.

1016.4.2 SUPERVISOR REPORTING REQUIREMENTS
The supervisor on duty shall investigate every exposure that occurs as soon as possible following the incident, while gathering the following information:

(a) Name(s) of the employee(s) exposed
(b) Date and time of incident
(c) Location of incident
(d) What potentially infectious materials were involved
(e) Source of material or person
(f) Current location of material or person
(g) Work being done during exposure
(h) How the incident occurred or was caused
(i) PPE in use at the time of incident
(j) Actions taken post-event (clean-up, notifications, etc.).

The supervisor shall use the above information to prepare a written summary of the incident, its causes, and recommendations for avoiding similar events. This report will be provided to the ECO, the consulting physician (if appropriate), and to the University’s Risk Manager.

1016.4.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT
Any employee who received exposure or suspected exposure to HIV or to Hepatitis B or C should be seen by a physician (or qualified health care provider) as soon as possible. The doctor (or qualified health care provider) shall review the supervisor’s report, the employee’s medical records relevant to the visit and examination, and the Communicable Disease Notification Report (Penal Code § 7501(a)).

The blood of the exposed employee shall be tested. If possible, the blood of the source shall also be tested (Health & Safety Code §§ 121050, et seq.).

The employee shall be made aware of the laws and regulations concerning disclosure of the identity and infectious status of a source. If possible, the exposed employee will be informed of the source’s test results (Health & Safety Code § 121065(d)).

The health care professional shall provide the ECO and/or the State’s Risk Manager with a written opinion/evaluation of the exposed employee’s situation. This opinion shall only contain the following information:
Communicable Diseases

- If a post-exposure treatment is indicated for the employee.
- If the employee received a post-exposure treatment.
- Confirmation that the employee received the evaluation results.
- Confirmation that the employee was informed of any medical condition resulting from the exposure incident that will require further treatment or evaluation.

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

1016.4.4 COUNSELING
The Department shall provide the exposed employee (and his/her family if necessary) the opportunity for counseling and consultation.

1016.4.5 CONFIDENTIALITY OF REPORTS
Most of the information involved in the process must remain confidential. The ECO shall ensure that all records and reports are kept in the strictest confidence.

The ECO shall be responsible for maintaining records containing the employee’s treatment status and the results of examinations, medical testing, and follow-up procedures that took place as a result of an exposure.

Employee Relations and Compliance shall be responsible for maintaining the name of the employee and copies of any information provided to the consulting health care professional as a result of an exposure.

This information is confidential and shall not be disclosed to anyone without the employee’s written consent (except as required by law).
Smoking Policy

1018.1 PURPOSE AND SCOPE
The Surgeon General has determined that second-hand smoke is hazardous to health. Tobacco products may also be offensive to employees and the public.

The department smoking policy is governed by the University Smoking Policy (1991-5).

1018.2 POLICY
Smoking and other use of tobacco products is not permitted inside department facilities or any department vehicle. It shall also be the responsibility of all employees to ensure that no person smokes or uses any tobacco product inside department facilities and vehicles.

No person shall smoke tobacco products within 20 feet of a main entrance, exit, or operable window of any public building (including any Department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement, or any other purpose (Government Code § 7596 et seq.). Smoking is also prohibited in all partially covered areas, such as covered walkways, breezeways, exterior stairwells or landings.

Department smoking policy is governed by the University Smoking Policy (1991-5). Employees are required to be familiar with this policy, it is entirety. The University policy can be found at http://www.sonoma.edu/UAffairs/policies/smokingpolicy.htm.
Citizen Complaint and Commendation Procedure

1020.1 PURPOSE AND SCOPE
The purpose of this procedure is to provide guidelines for the reporting, investigation and disposition of complaints and the reporting of positive citizen feedback regarding the conduct of employees of this department.

1020.1.1 CITIZEN COMPLAINTS DEFINED
Citizen complaints consist of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department or University policy, federal, state or local law.

Inquiries about employee conduct which, even if true, would not qualify as a citizen complaint may be handled informally by a department supervisor and shall not be considered complaints.

Citizen Complaints shall be classified in one of the following categories:

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a department supervisor of rank greater than the accused employee. Informal complaints need not be documented on a citizen complaint form and the responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

Formal - A matter in which the complaining party requests further investigation or which a department supervisor determines that further action is warranted. Such complaints may be investigated the Appropriate Administrator, or a designee, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the Appropriate Administrator, such matters need not be documented as citizen complaints, but may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1020.1.2 CITIZEN COMMENDATIONS
Citizen commendations consist of any feedback from the public that commends or expresses gratitude for the actions of any member of the department when that member exceeds the expectations of the citizen or exceeds normal service delivery.

1020.2 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1020.2.1 AVAILABILITY OF COMPLAINT FORMS
Citizen complaint forms will be available in the lobby.
1020.2.2 SOURCE OF COMPLAINTS
(a) A department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
(b) A supervisor receiving a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action.
(c) Anonymous complaints and third party complaints should be accepted and investigated to the extent that sufficient information is provided.

1020.2.3 ACCEPTANCE OF COMPLAINTS
A complaint may be filed in person, in writing, or by telephoning the Department. Although not required, every effort should be made to have the complainant appear in person. The following should be considered before taking a complaint:
(a) Complaints shall not be prepared unless the alleged misconduct or job performance is of a nature which, if true, would normally result in disciplinary action
(b) When an uninvolved supervisor or the Appropriate Administrator determines that the reporting person is satisfied that their complaint required nothing more than an explanation regarding the proper/improper implementation of department policy or procedure, a complaint need not be taken
(c) When the complainant is intoxicated to the point where his/her credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a Citizen Complaint form
(d) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint

1020.2.4 COMPLAINT DOCUMENTATION
Formal complaints of alleged misconduct shall be documented by the employee’s Appropriate Administrator. The Appropriate Administrator shall ensure that the nature of the complaint is defined as clearly as possible.

When a Citizen Complaint form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated. Whether handwritten or dictated, the complainant’s signature should be obtained at the conclusion of the statement. The complainant should be provided with a copy of his/her own original complaint per Penal Code § 832.7.

1020.3 APPROPRIATE ADMINISTRATOR RESPONSIBILITY
An Appropriate Administrator who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

In general, the primary responsibility for the investigation of a citizen complaint shall rest with the employee’s Appropriate Administrator. The Chief of Police or authorized designee may, however, direct that another individual investigate it.

The Appropriate Administrator shall be responsible for the following:
(a) An Appropriate Administrator receiving a formal complaint involving allegations of a potentially serious nature shall ensure that the Chief of Police is notified as soon as practicable.
Citizen Complaint and Commendation Procedure

(b) An receiving or initiating any formal complaint shall ensure that a Citizen Complaint form has been completed as fully as possible.

1. During the preliminary investigation of any complaint, the Appropriate Administrator should make every reasonable effort to obtain names, addresses and telephone numbers of additional witnesses.
2. If applicable, once immediate medical attention has been provided, photographs of alleged injuries as well as accessible areas of non-injury should be taken.
3. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a Appropriate Administrator shall orally report the matter to the Chief of Police who will initiate appropriate action.

(c) A supervisor dealing with an accused employee shall ensure that the procedural rights of the employee are followed pursuant to Government Code § 3303, et seq.

(d) Complaints against non-sworn employees that require additional investigation and may lead to discipline may be referred for investigation by Employee Services and Compliance Services. The Appropriate Administrator of that employee must consult with Employee Relations as soon as possible to determine the responsible department.

(e) When the nature of a citizen complaint relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination, the Appropriate Administrator receiving the complaint shall promptly contact Employee Relations and Compliance Services and the Chief of Police for direction regarding their role in investigation and/or addressing the complaint.

1020.4 ASSIGNMENT TO ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the employee, other employees or the public, the Chief of Police, in consultation with Employee Relations and Compliance, may assign the accused employee to inactive duty pending completion of the investigation or the filing of administrative charges.

1020.4.1 ADMINISTRATIVE LEAVE

An employee placed on administrative leave may be subject to the following guidelines:

(a) Under such circumstances, an employee placed on administrative leave shall continue to receive regular pay and benefits pending the imposition of any discipline

(b) An employee placed on administrative leave may be required by a supervisor to relinquish any badge, departmental identification, assigned weapon(s) and any other departmental equipment

(c) An employee placed on administrative leave may be ordered to refrain from taking any action as a departmental employee or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor

(d) An employee placed on administrative leave may be temporarily reassigned to a different shift (generally normal business hours) during the pendency of the investigation and the employee may be required to remain available for contact at all times during such shift and report as ordered

(e) At such time as any employee placed on administrative leave is returned to full and regular duty, the employee shall be returned to his/her regularly assigned shift with all badges, identification card and other equipment returned
1020.5 ALLEGATIONS OF CRIMINAL CONDUCT

Where an employee of this department is accused of potential criminal conduct, a sworn member, who is not involved in the administrative investigation, shall be assigned by the Chief of Police to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practical when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian and the employee may not be administratively ordered to provide any information to an officer investigating criminal conduct.

No information or evidence administratively coerced from an employee may be provided to an investigating officer for a criminal investigation.

Any law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer, which has not led to a conviction, however, no disciplinary action, other than paid administrative leave shall be taken against the accused employee based solely on an arrest or case report (Labor Code § 432.7(b)). An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1020.6 ADMINISTRATIVE INVESTIGATION OF COMPLAINT

The following procedures shall be followed with regard to the accused employee(s):

(a) Interviews of accused employees shall be conducted during reasonable hours and, if the employee is off-duty, the employee shall be compensated (Government Code § 3303(a))

(b) No more than two interviewers may ask questions of an accused employee (Government Code § 3303(b))

(c) Prior to any interview, an employee shall be informed of the nature of the investigation (Government Code § 3303(c))

(d) All interviews shall be for a reasonable period and the employee’s personal needs shall be accommodated (Government Code § 3303(d))

(e) No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator (Government Code § 3303(e))

(f) Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview (Government Code § 3303(g))

(g) If the allegations involve potential criminal conduct, the employee shall be advised of his/her Constitutional rights pursuant to Lybarger (Lybarger v. City of Los Angeles (1985) 40 Cal.3d 822, 827). This admonishment shall be given administratively.
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whether or not the employee was advised of these rights during any separate criminal investigation. (Government Code § 3303(h))

(h) All employees subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview (Government Code § 3303(i))

(i) All employees shall provide complete and truthful responses to questions posed during interviews.

(j) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307)

1020.6.1 ADMINISTRATIVE SEARCHES
An employee of this department may be administratively ordered to submit to a blood, breath, or urine test for alcohol and drugs under any of the following circumstances:

• When the employee, whether on or off-duty, is involved in a shooting or police related death.
• When the employee is involved in an injury or fatal accident while on duty.
• When the employee is involved in an injury or fatal accident while operating any State owned vehicle whether on or off-duty.
• When the employee is found to be exhibiting objective symptoms of intoxication or drug influence while on duty.

The use of compelled testing results shall be restricted to the administrative investigation.

Any employee may be compelled to disclose personal financial information pursuant to proper legal process; if such information tends to indicate a conflict of interest with official duties, or, if the employee is assigned to or being considered for a special assignment with a potential for bribes (Government Code § 3308).

Employees shall have no expectation of privacy when using telephones, computers, radios or other communications provided by the Department.

Assigned lockers and storage spaces may only be administratively searched in the employee’s presence, with the employee’s consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309)

All other departmentally assigned areas (e.g., desks, office space, assigned vehicles) may be administratively searched by a supervisor, in the presence of an uninvolved witness, for non-investigative purposes. (e.g., obtaining a needed report or radio). An investigative search of such areas shall only be conducted upon a reasonable suspicion that official misconduct is involved.

1020.6.2 ADMINISTRATIVE INVESTIGATION FORMAT
Investigations of citizen complaints shall be detailed, complete and essentially follow this format:

Introduction - Include the identity of the employee(s), the identity of the assigned investigator(s), the initial date and source of the complaint.

Synopsis - Provide a very brief summary of the facts giving rise to the investigation.
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Summary Of Allegations - List the allegations separately (including applicable policy sections) with a very brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence As To Each Allegation - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of employee 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 (recordings, photos, documents, etc.) should be attached to the report.

1020.7 DISPOSITION OF CITIZEN COMPLAINTS
Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.5(c)).

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1020.8 COMPLETION OF INVESTIGATIONS
Every investigator or Appropriate Administrator assigned to investigate a citizen complaint shall proceed with due diligence. Recognizing that factors such as witness availability and the complexity of allegations will affect each case, every effort should be made to complete each investigation within a reasonable period following receipt. If the nature of the allegations dictate that confidentiality is necessary to maintain the integrity of the investigation, the involved employee(s) need not be notified of the pending investigation unless and until the employee is interviewed or formally charged.

If the complaining party is charged with a criminal offense associated with this investigation, then the investigation may be suspended until the completion of the criminal trial.

Upon completion, the report should be forwarded to the Chief of Police.

Once received, the Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.

Within 30 days of the final review by the Chief of Police, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings, however, will not disclose the amount of discipline, if any imposed. The complaining party should also be provided with a copy of his/her own original complaint. (Penal Code § 832.7)
Any complaining party who is not satisfied with the findings of the Department concerning their complaint may contact the Chief of Police to discuss the matter further.

1020.8.1 CONFIDENTIALITY OF PERSONNEL FILES
All investigations of citizen complaints shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information from the employee’s personnel file to refute such false representations (Penal Code § 832.5).

All formal citizen complaints shall be maintained for a period of no less than five years. (Penal Code § 832.5) All non-citizen (e.g., those that originate internally) initiated complaints shall be maintained no less than two years (Government Code § 34090 et seq.).

Sustained complaints shall be maintained in the employee’s personnel file. Complaints which are unfounded, exonerated or not sustained shall be maintained by the Appropriate Administrator apart from the employee’s personnel file.
Seat Belt Procedure

1022.1 PURPOSE AND SCOPE
The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt and child safety seat use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all employees operating or riding in department vehicles (Vehicle Code § 27315.5).

1022.2 WEARING OF SAFETY RESTRAINTS
All employees shall wear properly adjusted safety restraints when operating or riding in department-owned, leased or rented vehicles and while operating or riding in privately owned vehicles while on duty. The driver is responsible for ensuring all occupants, including non-employees, are in compliance with this policy.

It is the intent of this policy that all employees wear seat belts whenever possible. However, sworn officers may dispense with wearing safety restraints in specific tactical situations or when it reasonably appears that, due to unusual circumstances, wearing a seat belt would hinder rather than increase safety.

1022.2.1 TRANSPORTING CHILDREN
An approved child safety restraint system should be used for all children of age, size or weight for which such restraints are required by law (Vehicle Code § 27360). In the event that an appropriate approved child safety restraint system is not available, the child may be transported by sworn personnel and should be restrained in a seat belt (Vehicle Code 27363(b)).

Rear-seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, children and the child restraint system or booster seat should be secured properly in the front seat of these vehicles, provided this positioning meets the vehicle and child restraint system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the passenger side air bag should be deactivated. In the event this is not possible, officers should consider arranging alternative transportation.

1022.3 TRANSPORTING PRISONERS
Prisoners should be secured by seat belts. The prisoner should be in seating position for which seat belts have been provided by the vehicle manufacturer.

1022.4 INOPERABLE SEAT BELTS
No person shall operate a department vehicle in which the seat belt in the driver’s position is inoperable. No person shall be transported in a seating position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff who shall do so only with the express authorization of the Chief of Police.
Seat Belt Procedure

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.
Body Armor

1024.1 PURPOSE AND SCOPE
Practical safety measures should be used to reduce the risks and hazards associated with police work. The Department provides soft body armor for personnel in an effort to improve safety.

1024.2 BODY ARMOR
Soft body armor vests are issued to all sworn personnel because they have been shown to be effective in reducing deaths and serious injuries.

1024.2.1 USE OF SOFT BODY ARMOR
The Department requires all on-duty uniformed sworn officers to wear soft body armor.

When officers are assigned to a CRU operation, stakeout, service of felony arrest warrant(s), or, are serving a search warrant at a location where there is reason to believe a felony suspect may be present, the wearing of a body armor is mandatory.

Body armor must be either department-issued or department-approved. Department issued body armor will be replaced upon manufacturer product expiration date or if the integrity of the armor has been compromised. Members who wear department-approved armor not provided by the department must replace the armor under the aforementioned circumstances.

A stakeout, for purposes of this section, is a pre-planned event where time and practicality allow officers to put on body armor in anticipation of encountering armed or dangerous suspects or circumstances.

Non-sworn employees will generally not be issued body armor. Non-sworn employees may be authorized to wear body armor by his/her Appropriate Administrator. Requests should be made in writing to the Appropriate Administrator, indicating the reason for the request.

1024.3 APPROVED BODY ARMOR
Body armor is provided to sworn officers pursuant to the Collective Bargaining Agreement. If an officer chooses to use body armor not provided by the department, the following criteria must be met:

- Vest is manufactured by a reputable body armor manufacturer
- Vest must be certified by NIJ as level IIIA or greater in stopping power
- Vest carriers must be navy blue or black
- Fit of the vest must be consistent with manufacturer recommendations and approved by the member designated for armor purchases
Pease Officer Personnel Files

1026.1 PURPOSE AND SCOPE
This section governs the maintenance, retention and access to peace officer personnel files in accordance with established law. It is the policy of this department to maintain the confidentiality of peace officer personnel records pursuant to Penal Code § 832.7.

1026.2 PERSONNEL FILES DEFINED
Pursuant to Penal Code § 832.8, peace officer personnel records shall include any file maintained under an individual officer’s name relating to:

(a) Personal data, including marital status, family members, educational and employment history, or similar information.
(b) Medical history including medical leave of absence forms, fitness for duty examinations, workers compensation records, medical releases and all other records which reveal an employee’s past, current or anticipated future medical conditions.
(c) Election of employee benefits.
(d) Employee advancement, appraisal, or discipline.
(e) Complaints, or investigations of complaints, concerning an event or transaction in which the officer participated, or which the officer perceived, and pertaining to the manner in which the officer performed official duties.
(f) Any other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

1026.3 EMPLOYEE RECORD LOCATIONS
Employee records will generally be maintained in any of the following:

University File - That file which is maintained by Employee Services as a permanent record of a member’s employment with the University.

Department File - That file which is maintained in the office of the Chief of Police as a record of a sworn officer’s employment with this department.

Division File - Any file which is separately maintained internally by an employee’s supervisor(s) within an assigned section for the purpose of completing timely performance evaluations.

Supervisor Log Entries - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this department.

Training File - Any file which documents the training records of an employee.

Internal Affairs Files - Those files that contain complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

Medical File - That file which is maintained separately that exclusively contains material relating to an employee’s medical history.
Peace Officer Personnel Files

1026.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code § 1043, et seq. or in accordance with applicable federal discovery laws. Nothing in this section is intended to preclude review of personnel files by the Vice President for Administration and Finance, University Counsel or other attorneys or representatives of the State in connection with official business.

1026.5 REQUESTS FOR DISCLOSURE

Only written requests for the disclosure of any information contained in any peace officer personnel record will be considered. Since the format of such requests may be strictly governed by law with specific responses required, all such requests shall be promptly brought to the attention of the Appropriate Administrator of the employee.

Upon receipt of any such request, the Appropriate Administrator shall notify the affected employee(s) as soon as practicable that such a request has been made (Evidence Code § 1043(a)).

The Appropriate Administrator shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure, which result in access to an employee’s personnel file(s), shall be logged in the corresponding file.

1026.5.1 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential peace officer personnel file shall be disclosed to any unauthorized person(s) without the expressed prior consent of the involved officer or written authorization of the Chief of Police or his or her designee.

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146(e))

Pursuant to Penal Code § 832.7(e), the disposition of any citizen’s complaint shall be released to the complaining party within 30 days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any was imposed.

The Department may also release any factual information concerning a disciplinary investigation if the officer who is the subject of the investigation (or the officer’s representative) publicly makes a statement which is published in the media and which the officer (or representative) knew to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7(d)).

1026.6 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Chief of Police through the chain of command. The Department, in coordination with Employee Relations and Compliance, if appropriate, shall thereafter remove any such item if appropriate or within 30 days provide the employee with a written explanation why the
Peace Officer Personnel Files

contested item will not be removed (Government Code 3306.5). If the contested item is not removed from the file, the employee’s request and the department’s written response shall be retained with the contested item in the employee’s personnel file.

Employees may be restricted from accessing files containing any of the following information:

(a) Ongoing Internal affairs investigations to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the employee of the intent to discipline.

(b) Confidential portions of Internal Affairs files which have not been sustained against the employee

1026.7 TYPES OF PERSONNEL FILES

Peace officer personnel files can be located in any of the following places:

1026.7.1 DEPARTMENT FILE

The Department file should contain, but is not limited to, the following:

(a) Copies of performance evaluation reports regularly completed by Appropriate Administrator and signed by the affected employee shall be permanently maintained

(b) Records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education
   1. It shall be the responsibility of the involved employee to provide the training officer or immediate supervisor with evidence of completed training/education in a timely manner.
   2. The training officer or supervisor shall ensure that copies of such training records are placed in the employee’s department file.

(c) Disciplinary action;
   1. Copies of disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained in the individual employee’s department file at least two years (Government Code § 34090)
   2. Copies of disciplinary action resulting from a sustained citizen’s complaint shall be maintained in the individual employee’s department file at least five years (Penal Code § 832.5)
   3. Investigations of complaints which result in a finding of not-sustained, unfounded or exonerated shall not be placed in the employee’s department file, but will be separately maintained for the appropriate retention period in the internal affairs file.

(d) Adverse comments such as supervisor log entries may be retained in the department file or division file after the employee has had the opportunity to read and initial the comment and for a period up to two years Government Code § 3305)
   1. Once an employee has had an opportunity to read and initial any adverse comment prior to entry into a file, the employee shall be given the opportunity to respond in writing to such adverse comment within 30 days (Government Code § 3306)
   2. Any such employee response shall be attached to and retained with the original adverse comment.
Peace Officer Personnel Files

3. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee’s file.

(e) Commendations shall be retained in the employee’s department file, with a copy provided to the involved employee(s).

(f) Personnel Action Reports reflecting assignments, promotions and other changes in the employee’s employment status.

(g) A photograph of the employee.

1026.7.2 DIVISION FILE
The Division File should contain, but is not limited to, the following:

(a) Supervisor log entries, notices to correct and other materials intended to serve as a foundation for the completion of timely Performance Evaluations.

1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code §§ 3305 and 3306.

2. Duplicate copies of items that will also be included in the employee’s department file may be placed in this interim file in anticipation of completing any upcoming performance evaluation.

3. Once the permanent performance evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy.

(b) All rules of confidentiality and disclosure shall apply equally to the division file.

1026.7.3 INTERNAL AFFAIRS FILE
The internal affairs file shall be maintained under the exclusive control of the Appropriate Administrator in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of the Appropriate Administrator. These files shall contain:

(a) The complete investigation of all formal complaints of employee misconduct regardless of disposition.

1. Each investigation file shall be sequentially numbered within a calendar year (e.g., 07-001, 07-002) with an alphabetically arranged index sheet cross-referenced for each involved employee.

2. Each investigation file arising out of a formal citizen’s complaint shall be maintained no less than five years. Investigation files arising out of internally generated complaints shall be maintained no less than two years.

(b) Investigations which result in other than a sustained finding shall be maintained for the minimum statutory period, but may not be used by the Department to adversely affect an employee’s career.

1026.7.4 TRAINING FILES
An individual training file shall be maintained by the Training Coordinator. Training files will contain records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education.
Peace Officer Personnel Files

(a) It shall be the responsibility of the involved employee to provide the Training Coordinator or immediate supervisor with evidence of completed training/education in a timely manner
(b) The Training Coordinator or supervisor shall ensure that copies of such training records are placed in the employee’s Training File

1026.7.5 MEDICAL FILE
A medical file may be maintained separately from all other files and shall contain all documents relating to the employee’s medical condition and history, including but not limited to the following:

(a) Materials relating to medical leaves of absence.
(b) Documents relating to workers compensation claims or receipt of short or long term disability benefits.
(c) Fitness for duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
(d) Medical release forms, doctor’s slips and attendance records which reveal an employee’s medical condition.
(e) Any other documents or material which reveals the employee’s medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

1026.8 PURGING OF FILES
Formal citizen complaints and all related files not pending litigation or other ongoing legal proceedings may be purged no sooner than five years from the underlying complaint date (Penal Code § 832.5).

All other disciplinary files and investigations of non-citizen initiated complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than two years from the underlying complaint date (Government Code § 34090).

(a) Each supervisor responsible for completing the employee’s performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
(b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Chief of Police.
(c) During the preparation of each employee’s performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. If, in the opinion of the Chief of Police, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to resolution.

1026.9 BRADY MATERIAL IN PERSONNEL FILES
The purpose of this section is to establish a procedure for releasing potentially exculpatory information (so-called Brady material) contained within confidential peace officer personnel files.
1026.9.1 DEFINITIONS

Brady Material - In the Brady v. Maryland decision (373 U.S. 83 (1963)) the United States Supreme Court held that the prosecution has an affirmative duty to disclose to the defendant evidence which is both favorable and material to the guilt and/or punishment of the defendant.

The Prosecution - Refers to the District Attorney and all investigative agencies involved in the criminal prosecution of a defendant, including this department.

Penal Code § 1054.1 - California law also establishes a criminal defendant’s right to access potentially exculpatory evidence.

1026.9.2 RELEASE OF PERSONNEL FILES TO DISTRICT ATTORNEY

Pursuant to Penal Code § 832.7(a), the only time the District Attorney (Attorney General or Grand Jury) is entitled to access confidential peace officer personnel files without filing a so-called Pitchess motion (Evidence Code § 1043 et seq.) is when they are investigating the conduct of an officer or this department. Such access shall not be considered a waiver of the confidentiality of the information contained in these files.

Absent a specific investigation of identified officer(s) or a specific investigation of this department (or the consent of an involved officer), no confidential information from any officer’s personnel file shall be released to the District Attorney or Grand Jury without full compliance with the Pitchess process. The prosecution of a criminal defendant is not considered an investigation of any involved officer.

Should an officer’s credibility or other issues related to an officer’s personnel file arise in the context of an officer acting as a witness for the prosecution, access to that officer’s personnel file by either the District Attorney or the criminal defendant shall be limited to that which is authorized by the process set forth in Evidence Code § 1043, et seq.

1026.9.3 PROCEDURE

If an officer is a material witness in a criminal case, a person or persons designated by the Chief of Police may examine the subject officer’s personnel file to determine whether there are Brady materials contained therein (e.g., evidence which is both favorable and material to the guilt and/or punishment of the defendant). If Brady material is located, the following procedure shall apply:

(a) In the event that a Pitchess motion has not already been filed by the criminal defendant or other party, the District Attorney shall be notified of the potential presence of Brady material in the officer’s personnel file

(b) The District Attorney should be instructed to file a Pitchess motion in order to initiate an in camera review by the court

(c) As with any Pitchess motion, and prior to any review of the files by the court, subject officer(s) shall be notified in writing that a Pitchess motion has been filed

(d) The responsible Custodian of Records shall accompany all relevant personnel files during any in camera inspection and address any issues or questions raised by the court in determining whether or not any material contained in the file is both material and favorable to the criminal defendant

(e) If the court determines that there is relevant Brady material contained in the file(s), only that material ordered released will be copied and released to the parties filing the Pitchess motion
1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the Court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
Employee Recognition

1030.1 PURPOSE AND SCOPE
Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. This procedure provides general guidelines for the commending of exceptional employee performance and establishes the Employee Recognition Program.

1030.2 COMMENDATIONS
Written commendations may be made by the Chief of Police. A written commendation may be recommended by any supervisor regarding any other employee of the Department, provided the reporting person is superior in rank or is the person-in-charge of the individual being commended.

Commendations may also accompany the awarding of a award bar to the employee.

1030.2.1 COMMENDABLE ACTIONS
A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- Superior handling of a difficult situation by an employee
- Conspicuous bravery or outstanding performance by any employee of the Department
- Any action or performance that is above and beyond the typical duties of an employee
- Employee actions that contribute significantly to the operations, service delivery or mission fulfillment of the department

1030.3 RECOGNITION PROGRAM
The Employee Recognition Program has been developed in an effort to recognize the contributions of department members throughout the year. All employees are encouraged to participate in the program by nominating and communicating the accomplishments of subordinates and peers in the department.

All employees, including student employees, are eligible for various awards.

1030.3.1 ANNUAL AWARD PROGRAM
Annually, the department will acknowledge those individuals who have made outstanding contributions to the department. The annual award program consists of:

- Chief’s Merit Award
  - Sworn staff
  - Non-sworn staff

The Chief’s Merit Award is awarded to a member from the sworn staff and the non-sworn staff who have made outstanding contributions to the department by reflecting the department mission and values in their position and who contribute to the University mission through their teamwork, initiative, positive spirit and by being a role model to others.

- Excellence Award
Employee Recognition

The Excellence Award is awarded to a department member who shows outstanding leadership and performance through his/her efforts to contribute to department moral, effectiveness, service and community responsiveness. The Excellence Award winner will be nominated by a non-management employee. A committee, including Section Managers and a non-management member from the Operations Section, Communications Section and Administrative Section, will review nominations and select a recipient based on the qualifications above.

1030.4 HONORABLE ACTIONS
Medals of valor and honor may be awarded to officers who have exhibited exceptional courage, regardless of personal safety, in the attempt to save or protect human life. An act of honor or valor is defined as:

- Above and beyond the call of duty; and
- Exhibiting
  - exceptional courage, extraordinary decisiveness and presence of mind
  - unusual swiftness of action, regardless of his or her personal safety, in an attempt to save or protect human life.

Medals of valor or honor may be awarded by the Chief of Police.

1030.5 RECOGNITION AWARDS
The Chief of Police may elect to select other members of the department for other special recognition awards. These awards may not be awarded annually and are at the discretion of the Chief of Police.
Fitness for Duty

1032.1 PURPOSE AND SCOPE
All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

The CSU has established the policies and procedures regarding fitness for duty in Human Resources Coded Memorandum 2005-23.

1032.2 EMPLOYEE RESPONSIBILITIES
(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.
(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1032.3 SUPERVISOR RESPONSIBILITIES
(a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall prompt and appropriate action in an effort to resolve the situation.
(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
(d) In conjunction with the Appropriate Administrator, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1032.4 NON-WORK RELATED CONDITIONS
Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.
1032.5 WORK RELATED CONDITIONS
Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Operations Section Manager and concurrence of the Chief of Police and Employee Services and/or Employee Relations and Compliance Services, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee’s conduct appears to be in compliance with policy and, if appropriate.
(b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1032.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS
(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Employee Services to determine the level of the employee’s fitness for duty. The order shall indicate the date, time and place for the examination.
(b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee’s ability to perform job duties (Civil Code § 56.10 (c)(8)(A)). If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)(B)).
(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee’s confidential personnel file.
(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.
(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1032.7 LIMITATION ON HOURS WORKED
Absent emergency operations members should not work more than:

- 16 hours in one day (24 hour period) or
- 30 hours in any 2 day (48 hour) period or
- 84 hours in any 7 day (168 hour) period
Fitness for Duty

Except in very limited circumstances members should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.
Meal Periods and Breaks

1034.1  PURPOSE AND SCOPE
This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all State employees that has been established by the Vice President for Administration and Finance and pursuant to Collective Bargaining Agreements (CBA).

1034.1.1  MEAL PERIODS
Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Employees who are to remain on duty during meal periods are paid during the meal period. Employees who are permitted to be off-duty during meal periods shall not be paid during meal periods.

Uniformed patrol and non-administrative staff shall request clearance from Dispatch prior to taking a meal period. All members shall establish the appropriate meal time with his/her supervisor. Generally, meal periods are permitted for a time not to exceed thirty minutes. The time spent for the meal period shall not exceed the authorized time allowed.

Meal periods should be taken near the middle of the assigned shift. This does not preclude an employee from arranging alternate meal periods with the approval of a supervisor or when emergencies or other assigned duties prohibit the taking of the meal period near the middle of the shift.

Efforts shall be made by sworn officers, in the absence of a second on-duty, assigned dispatcher, to provide meal periods for dispatchers. These meal periods shall be provided during between the fourth and fifth hour of the assigned dispatch shift unless patrol activity prohibits such coverage.

Employees who are to remain on duty during meal periods must remain on campus or must receive permission from his/her supervisor and clearance from dispatch before leaving campus. Employees leaving campus may not travel a distance from campus where he/she cannot return to campus within a reasonable amount of time to respond to an emergency.

1034.1.2  15 MINUTE BREAKS
Each employee is entitled to a 15 minute break, near the mid point, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. Employees may be permitted to take 15 minute breaks during other times, if approved by the employee's supervisor and if the collective bargaining agreement does not prohibit such breaks.

Employees normally assigned to the police facility shall remain in or near the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks either in the facility or on campus, subject to call and shall monitor their radios. Officers may leave campus for breaks with the advance permission of his/her supervisor.
Lactation Break Policy

1035.1 PURPOSE AND SCOPE
The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee’s infant child.

1035.2 POLICY
It is the policy of this department to provide a reasonable amount of break time and appropriate facilities to accommodate any employee desiring to express breast milk for the employee’s infant child (Labor Code § 1030).

1035.3 LACTATION BREAK TIME
Employees wishing to express breast milk for their infant child during their shift shall be permitted to do so during any authorized break. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding fifteen minutes will be considered unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify Dispatch or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1035.4 PRIVATE LOCATION
The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee’s work area and shall be other than a toilet stall (Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

1035.5 STORAGE OF EXPRESSED MILK
Any employee storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such. No expressed milk shall be stored at the department beyond the employee’s shift.
Payroll Procedures

1036.1 PURPOSE AND SCOPE
Payroll forms are submitted on a monthly basis for the payment of wages.

1036.1.1 RESPONSIBILITY FOR COMPLETION OF TIME CARDS
Employees are responsible for the accurate and timely submission of attendance forms for the payment of wages.

1036.1.2 TIME REQUIREMENTS
All employees are paid monthly based on the dates specified in the Master Payroll Calendar, issued by Payroll and Benefits annually. Payroll forms shall be completed and submitted to the attendance clerk no later than 8:00 a.m. on the day pay warrants are to be issued.

1036.2 TIME OFF REQUESTS
Duty Status slips shall be submitted by employees to request time off.

Time off requests shall be submitted as soon as the employee is aware of the need for time off and pursuant to the employee’s CBA. Employees shall submit duty slips for unanticipated absences, including illness, upon return. Absences that are not approved prior to the absence and are not due to illness are subject to supervisor and Appropriate Administrator approval.

Duty slips shall be submitted for overtime worked pursuant to Policy Manual §1038.
Overtime Payment Requests

1038.1 PURPOSE AND SCOPE
It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Collective Bargaining Agreement (CBA), or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit a Duty Status Slip as soon as practical after overtime is worked.

1038.1.1 DEPARTMENT POLICY
Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are generally not authorized or expected to volunteer work time to the Department.

All requests to work overtime should be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked. Failure to seek overtime approval from a supervisor later than the end of the shift must be documented to the supervisor. Overtime worked without approval is subject to denial.

1038.2 REQUEST FOR OVERTIME PAYMENT FORMS
Duty Status Slips to report overtime worked must be submitted to the supervisor on duty for approval prior to going off duty. The employee must have the duty slip signed by another present member, in the absence of the supervisor, to verify the hours the employee was on duty. All overtime reports are subject to supervisor and/or Appropriate Administrator approval.

When the employee is working at an alternate work site, including court appearances and training, the employee must submit the overtime report upon return.

All duty slips reporting overtime worked must include an explanation for the overtime, including case number, if appropriate. Names of suspects, victims or other involved parties to an investigation or case shall not be named on duty slips.

All overtime worked may be requested in pay or compensatory time, as permitted by the employee’s CBA, except for training time, which may be taken only in compensatory time. The Appropriate Administrator or Chief of Police may restrict and/or reassign a request for pay or compensatory time based on budgetary or other operational restraints.

It is not necessary to submit a duty slip for overtime to be paid for working a holiday (as defined in the Master Payroll Calendar) or for time earned when a holiday falls on the employee’s regularly scheduled day off.

1038.2.1 EMPLOYEES RESPONSIBILITY
Employees are responsible for receiving approval for overtime and submitting Duty Status Slips pursuant to this section. Failure to complete and submit duty slips for overtime, when hours worked cannot be verified and/or were worked without proper authorization, may be
Overtime Payment Requests

denied by the Appropriate Administrator and the employee may not be compensated for such hours worked.

1038.2.2 SUPERVISORS RESPONSIBILITY
The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request. After approval and verification, the supervisor shall forward the slip to the Appropriate Administrator for final approval.

Duty status slips shall be processed by supervisors and Appropriate Administrators in a reasonable amount of time. Slips shall be expedited at the end of the month to allow proper processing of payroll and to avoid delays in employee overtime pay.

1038.3 ACCOUNTING FOR OVERTIME WORKED
When accounting for less a full hour, time worked shall be recorded as follows:

<table>
<thead>
<tr>
<th>Time Worked</th>
<th>Recorded for Payroll</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 15 minutes</td>
<td>.25 hours</td>
</tr>
<tr>
<td>16 - 30 minutes</td>
<td>.5 hours</td>
</tr>
<tr>
<td>31 - 45 minutes</td>
<td>.75 hours</td>
</tr>
<tr>
<td>46 - 60 minutes</td>
<td>1 hour</td>
</tr>
</tbody>
</table>

1038.3.1 VARIATION IN TIME REPORTED
Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the approving supervisor or Appropriate Administrator may require each employee to include the reason for the variation on the Duty Status Slip or in additional memorandum.
Outside Employment

1040.1 PURPOSE AND SCOPE
In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1040.1.1 DEFINITIONS
Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1040.2 OBTAINING APPROVAL
No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete a memorandum which shall be submitted to the employee’s immediate supervisor. The memorandum will then be forwarded through channels to the Chief of Police for consideration.

If approved, the employee will be provided written authorization from the Chief of Police. Unless otherwise indicated in writing, the approval is valid until withdrawn.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1040.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
If an employee’s request for approval for outside employment is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

If the employee’s appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Collective Bargaining Agreement (CBA).
Outside Employment

1040.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee’s performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee’s performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment permit, an employee’s conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be rescinded until the employee has returned to a full duty status.

1040.3 PROHIBITED OUTSIDE EMPLOYMENT
Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any request for outside employment submitted by an employee seeking to engage in any activity which:

(a) Involves the employee’s use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.

(b) Involves the employee’s receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee’s duties as a member of this department.

(c) Involves the performance of an act in other than the employee’s capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.

(d) Involves time demands that would render performance of the employee’s duties for this department less efficient.

1040.3.1 OUTSIDE SECURITY EMPLOYMENT
Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no sworn member of this department may engage in any outside employment as a private security guard, private investigator or other similar private security position.

Non-sworn members seeking outside security employment shall comply with the provision of this policy and may not represent themselves as employees of this department in the course of any approved security-related employment.
Outside Employment

Any private organization, entity or individual seeking outside security services from members of this department must submit a written application to the Chief of Police in advance of the desired service.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.
(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
(c) Should such a request be approved, participating employees shall be subject to the following conditions:
   1. The officer(s) shall wear the departmental uniform/identification.
   2. The officer(s) shall be subject to the rules and regulations of this department.
   3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
   4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
   5. Outside security services shall not be subject to the collective bargaining process.

1040.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1040.3.3 SPECIAL RESTRICTIONS
Except for emergency situations or with prior authorization from the operation leader, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer’s law enforcement status.

1040.4 DEPARTMENT RESOURCES
Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

1040.4.1 REVIEW OF FINANCIAL RECORDS
Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest pursuant to Government Code § 3308. Prior to providing written approval for an outside employment position, the Department may request that an officer provide his or her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his or her personal financial records for review/audit. If the employee elects not to provide the requested records, his or her off-duty work permission may be revoked pursuant to Policy Manual § 1040.22(c)
Outside Employment

1040.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his or her approved outside employment, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1040.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform the Chief of Police in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The Chief of Police shall review the duties of the outside employment along with any related doctor’s orders, and make a determination as to whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify the Chief of Police of his/her intentions regarding outside employment, a notice of revocation will be forwarded to the involved employee, and a copy attached to the original request.

Criteria for revoking permission for outside employment include, but are not limited to, the following:

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the State’s professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee’s failure to make timely notice of their intentions to the Chief of Police.

When the disabled member returns to full duty with the department, a request (in writing) may be made to the Chief of Police to restore the permit.
On Duty Injuries

1042.1 PURPOSE AND SCOPE
The purpose of this policy is to provide for the reporting of on-duty injuries, occupational illnesses, or deaths to Employee Relations and Compliance, to ensure proper medical attention is received, and document the circumstances of the incident.

1042.2 WORKER’S COMPENSATION FUND REPORTS

1042.2.1 INJURIES REQUIRING MEDICAL CARE
All work related injuries and work related illnesses requiring medical care must be reported to Employee Relations and Compliance and a claim form shall be provided to the injured employee as soon as possible but no later than 24 hours after the report.

1042.2.2 ACCIDENT DEFINED
Accident - is defined as any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur (e.g., exposure where no immediate injury is apparent).

1042.2.3 EMPLOYEE’S RESPONSIBILITY
Any employee sustaining any work-related injury or illness, as well as any employee who is involved in any accident while on duty shall report such injury, illness or accident as soon as practical to his/her supervisor. The employee must complete the Employee Claim Form for Worker’s Compensation Benefits (DWC-1), which will be provided by the employee’s supervisor.

Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

Any employee sustaining a work-related injury or illness that requires relief from duty is required to be examined/treated by a doctor.

Any employee sustaining a work-related injury or illness that requires relief from duty is also required to comply with departmental policies and directives relating to the duty to periodically call in during absences, as well as the duty to notify the Department of any change in condition or anticipated duration of the absence.

When appropriate, an employee being treated for an on-duty injury should inform the attending physician that a modified duty assignment may be available at the Department. Limited-service duty may be available for the employees whose injuries prevent resumption of regular duties.

An injured employee or employee who has suffered a work-related illness shall report as soon as practical to his/her immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions if they are known. In addition, such employees are required to promptly submit all medical releases, whether partial or full releases, to their supervisor.
**1042.2.4 SUPERVISOR’S RESPONSIBILITY**

A supervisor learning of any work-related injury, illness or accident shall promptly prepare the appropriate forms as outlined by Employee Relations and Compliance. Updated copies of forms with instructions for completion are available on the internet at http://www.sonoma.edu/erc/wc/guiderptinjury.html.

For all work-related accidents, injuries or illness a Supervisor’s Report of Injury form shall be completed by the appropriate supervisor. The completed form shall be forwarded to the Worker’s Compensation Coordinator in the Office of Employee Relations and Compliance.

Every injured employee must be provided with an Employee’s Claim for Workers’ Compensation Benefits Form (DWC-1) within 24 hours, regardless of the nature of illness or injury.

Copies of any reports documenting the accident or injury should be forwarded to the Worker’s Compensation Coordinator in the Office of Employee Relations and Compliance and to the employee’s Appropriate Administrator as soon as completed.

**1042.2.5 APPROPRIATE ADMINISTRATOR RESPONSIBILITY**

The Appropriate Administrator receiving a report of a work-related accident or injury should review the report for accuracy and determine what additional action should be taken. The Appropriate Administrator must inform the Chief of Police of the injury and keep him/her aware of the status of the employee’s injury or illness.

The Appropriate Administrator should keep a copy of all related paperwork in the employee’s personnel file.

**1042.3 INJURY NOT REQUIRING MEDICAL ATTENTION**

Those injuries and illnesses not requiring medical attention shall be recorded on a Supervisor’s Report of Injury form. This form shall be completed and signed by a supervisor. Employees must be provided an Employee Claim for Worker’s Compensation form (DWC-1) regardless of the need for medical attention for the work related injury or illness.

Failure to seek medical care immediately following a work related injury or illness does not prohibit an employee from seeking medical care for the injury or illness in the future.

**1042.4 SETTLEMENT OF INJURY CLAIMS**

Occasionally, an employee’s work-related injury results from the negligent or wrongful acts of another, for which the employee, the State, and/or other insurers are entitled to recover civilly. Any dispute regarding Worker’s Compensation claims or negligence or wrongful acts shall be addressed through the Department of Risk Management, Workers Compensation Coordinator.
Personal Appearance Standards

1044.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1044.2 GROOMING STANDARDS
Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1044.2.1 HAIR
Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be worn up and may not extend past the uniform collar while assuming a normal stance.

1044.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1044.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1044.2.4 FACIAL HAIR
Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his or her designee.

1044.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1044.2.6 JEWELRY AND ACCESSORIES
No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual.

For safety reasons, uniformed officers are discouraged from wearing any jewelry, excepting medical alert bracelets.

Jewelry, if worn around the neck, shall not be visible above the shirt collar.
Personal Appearance Standards

Only conservative, stud-style earrings may be worn by uniformed members or special assignment sworn officers without permission of the Chief of Police or his/her designee. Only one band-style ring may be worn on each hand of the officer while on-duty.

Other personnel must wear conservative jewelry that is professional in appearance and does not pose a safety issue.

1044.3 TATTOOS

While on duty or representing the Department in any official capacity, every reasonable effort should be made to conceal tattoos or other body art. At no time while on duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible (examples of offensive tattoos would include, but not be limited to those which depict racial, sexual, discriminatory, gang related, or obscene language).

1044.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth
(d) Branding or scarification.
Uniform Regulations

1046.1 PURPOSE AND SCOPE
The uniform policy is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Section 700 - Department Owned and Personal Property

Section 1024 - Body Armor

Section 1044 - Grooming Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT
Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specification guide that is maintained separately from this policy and other attire shall not be worn in combination with any distinguishable part of the uniform.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(g) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.

(h) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.

(i) Mirrored sunglasses will not be worn with any Department uniform

(j) Visible jewelry is subject to the provisions of §1044.
1046.3  UNIFORM CLASSES

1046.3.1  CLASS A UNIFORM
The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

(a) "LAPD Blue" long sleeve shirt with tie
(b) Pressed "LAPD Blue" uniform pants
(c) "Ike" style dress jacket
(d) Polished shoes
(e) Eight-point hat with hat badge and band appropriate to rank
(f) Clean, polished basket weave leather duty belt and gear

Boots with pointed toes are not permitted.

1046.3.2  CLASS B UNIFORM
All sworn officers and non-sworn uniformed personnel will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the following:

(a) Long or short sleeve shirt may be worn with the collar open; no tie is required.
   1. Sworn members: "LAPD Blue"
   2. Non-sworn members: "Medium Blue"
(b) A white, navy blue or black crew neck t-shirt must be worn with the uniform
(c) Pressed "LAPD Blue" long uniform pants
(d) All shirt buttons must remain buttoned except for the last button at the neck
(e) Approved all black, clean uniform shoes may be worn
(f) Boots with pointed toes are not permitted
(g) Clean, polished basket weave leather or nylon duty belt and gear
(h) Approved black windbreaker or cold-weather jacket as described in the uniform specifications.

1046.3.3  CLASS C UNIFORM
Class C uniform are normally authorized during non-business hours or during inclement weather conditions when authorized by a supervisor or Section Manager. Cloth badges and name tags may be worn with Class C uniform in lieu of metal badge or name tag. Class C uniform pants are not to be "bloused" without authorization from the Section Manager when assigned to a special assignment or unit.

The Class C uniform for sworn members consists of the "LAPD Blue" battle dress uniform (BDU). Employees will not wear BDU's together with other (class A or B) uniform garments. Uniform style boots or shoes may be worn with BDU's.

The Class C uniform for non-sworn members consists of "LAPD Blue" cotton or cotton-blend long uniform pants and the approved uniform polo shirt. Cargo-style uniform pants are acceptable.
Uniform Regulations

1046.3.4 SPECIALIZED UNIT UNIFORMS
The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Bicycle Patrol, Motor Officers and other specialized assignments.

1046.3.5 FOUL WEATHER GEAR
The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

1046.4 INSIGNIA AND PATCHES
(a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
(b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
(c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee’s first initial and last name. If the employee desires other than the legal first name, the employee must receive approval from the Chief of Police. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
(d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
(e) Assignment Insignias - Assignment insignias, (FTO, etc.) may be worn above the name plate as designated by the Chief of Police.
(f) Flag Pin - A flag pin may be worn, centered above the nameplate.
(g) Badge - The department issued badge must be worn and visible at all times while in uniform. An authorized sewn on cloth badge replica may be worn only on Class C uniforms or on non-dress jackets.
(h) Rank Insignia - The designated insignia indicating the employee’s rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1046.4.1 MOURNING BADGE
Uniformed employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:
(a) An officer of this department - From the time of death until midnight on the 14th day after the death.
(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
(c) Funeral attendee - While attending the funeral of an out of region fallen officer and/or in (a) or (b)
(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
(e) As directed by the Chief of Police.
Uniform Regulations

1046.5 NON-UNIFORM ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) Dispatchers shall wear a department-approved polo shirt or equivalent attire displaying the department patch and business-style pants or slacks.

(c) All other male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear business-dress button style shirts with a collar, slacks or suits.

(d) All other female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear business-dress slacks, shirts, blouses, dresses or suits.

(e) Male and female administrative, investigative, and support personnel who elect to wear civilian clothes to work may wear “business-casual” attire on Fridays, during summer months and at other times as permitted by his/her Section Manager.

(f) The following items shall not be worn on duty:

1. T-shirt alone
2. Open toed sandals or thongs
3. Swimsuit, tube tops, or halter-tops
4. Spandex type pants or see-through clothing
5. Clothing or accessories including inappropriate logos, expressions or pictures that may offend citizens or reflect poorly upon the department
6. Mirrored sunglasses

(g) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee’s assignment or current task is not conducive to the wearing of such clothing.

(h) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Department or the morale of the employees.

1046.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Sonoma State University Police & Parking Services employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the University to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.
Uniform Regulations

1046.7 ACQUISITION, MAINTENANCE, AND REPLACEMENT

(a) Any of the items listed in the Uniform and Equipment Specifications shall be purchased totally at the expense of the employee if that employee is eligible to receive a uniform allowance pursuant to his/her Collective Bargaining Agreement.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this order as optional shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.

2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property. (Policy Manual § 700)

3. Dispatchers will be provided five shirts upon hire that may be replaced, as needed, not to exceed five shirts each year. Requests for department shirts shall be made through the Section Manager.

(d) Uniforms for special assignments that require additional or alternate uniforms may be paid by the department, with the approval of the Chief of Police, when that uniform is required and costs more than the designated, pre-tax allowance for standard uniform(s).

1046.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Sonoma State University Police & Parking Services employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Sonoma State University Police & Parking Services employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.
Department Identification

1047.1 PURPOSE AND SCOPE
This policy is intended to provide guidelines for the issuance of department identification and define member responsibility for the use of such identification.

1047.2 IDENTIFICATION CARDS
All members, generally excluding student employees, will be issued department identification cards upon appointment. Each card will include a photo of the member and other information determined by the Chief of Police and pursuant to the applicable penal code.

1047.3 MEMBER RESPONSIBILITY
Each member is responsible for ensuring the safe-keeping of his/her identification at all times. If a card is lost or stolen, a verbal report shall be made to the member’s Section Manager as soon as possible. A memorandum detailing the circumstances shall be submitted to the Section Manager on the first working day after the report. Replacement for a lost, stolen or damaged card may be requested to the Chief of Police by the member’s Section Manager. Damaged cards must be surrendered prior to reissue, when possible.

Members are expected to use department identification cards with discretion and good judgment. Members should not display, present or otherwise use department identification to gain special privilege or favor for unofficial purposes. Non-sworn members shall not use department identification cards to represent him/herself as a sworn law enforcement officer at any time.

Identification cards may not be altered for any reason. Errors or changes to a member’s card should be reported to the Section Manager as soon as possible.

The Chief of Police may require a member to surrender his/her identification card if any of the above policies are violated. The member may also be subject to additional discipline.

1047.4 REQUESTS FOR IDENTIFICATION
In order to ensure public confidence and trust, citizens or other agency personnel may request a member to verify his/her identity and affiliation with the department. Upon request, members must provide his/her department identification in response to such requests when circumstances permit.

Members assigned to undercover assignments may be exempted from this section by his/her Section Manager.

1047.5 CARDS ISSUED TO NON-DEPARTMENT EMPLOYEES
The Emergency Management Section Manager, in consultation with the Chief of Police, may issue identification cards identifying other University or CSU employees as members of the Emergency Operations Center (EOC). These cards may be presented to department personnel upon activation of the EOC to allow the employee to gain access to the campus during closure or to areas being used for emergency operations.
Nepotism and Conflicting Relationships

1050.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure effective supervision, safety, security, performance, assignments and discipline while maintaining positive morale by avoiding actual or perceived favoritism, discrimination, or other actual or potential conflicts of interest by or between members of this department.

The CSU Nepotism policy, relevant sections of which are detailed in §1050.2, is established in Human Resources Coded Memorandum 2004-18.

1050.1.1 DEFINITIONS
Relative – Includes a parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship and/or adoption or a person residing in the immediate household except live-in household employees or roomers. Relatives of domestic partners shall be treated as relatives of spouses.

Personal Relationship – Includes marriage, domestic partnership, cohabitation, dating, or any other intimate relationship beyond mere friendship.

Business Relationship – Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture, or other transaction where the Department employee’s annual interest, compensation, investment, or obligation is greater than $250.

Conflict of Interest – Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee’s action, inaction, or decisions are or may be influenced by the employee’s personal or business relationship.

Supervisor – An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation, and/or performance of a subordinate employee.

Subordinate – An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

1050.2 POLICY
It is the policy of the California State University to seek for its administrators, instructional faculty, and support staff the most qualified candidates through appropriate search procedures preceding each appointment and promotion.

There shall be no bars to the appointment of immediate family members in administrative, faculty or staff employment categories, in the same or different units or departments so long as the following standard is met:

• No CSU employee shall vote, make recommendations or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, evaluation, retention, tenure, compensation, promotion, termination, other employment status or interest of an immediate family member as defined below.
Nepotism and Conflicting Relationships

In each of the following circumstances, special written provisions must be prepared for review and approval by the head of the organizational unit (e.g. Dean or Director) before an individual may be appointed:

– (1) If the individual is to be assigned to a position under the supervision or control of an immediate family member who has or may have a direct effect on the individual’s progress or performance; or

– (2) If the individual is to be assigned to work for the same immediate supervisor as another immediate family member.

The special written provisions shall include a plan to ensure that personnel matters including evaluation, retention, tenure, promotion, wages, hours and other terms and conditions of employment, will not be decided based on the relationship as an immediate family member. The plan should provide that the head of the organizational unit is to review all decisions on personnel matters.

In those cases where related employees will be working for the same immediate supervisor, the plan should include steps to be taken to alleviate any pressures toward favoritism that could occur as a result of supervising members of the same immediate family. The head of the organizational unit shall be responsible for investigating concerns about conflicts of interest or favoritism involving members of the same immediate family.

For the purposes of this policy, "immediate family member" is defined as a close relative including: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship and/or adoption or a person residing in the immediate household except live-in household employees or roomers. Relatives of domestic partners shall be treated as relatives of spouses.

1050.2.1 EMPLOYEES RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, employees shall promptly notify his/her Appropriate Administrator.

Whenever any employee is placed in circumstances which would require the employee to take enforcement action or provide other official information or services to any relative or other individual(s) with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her Appropriate Administrator. In the event that the Appropriate Administrator is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1050.2.2 SUPERVISORS RESPONSIBILITY

Upon being notified of or becoming aware of any circumstance(s) which could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.
Department Badges

1052.1 PURPOSE AND SCOPE
The department badge and uniform patch as well as the likeness of these items and the name of Sonoma State University Police & Parking Services are property of the University and their use shall be restricted as set forth in this policy.

1052.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

Badge style and design will be determined by the Chief of Police. Badges must, at minimum, bear the words "California State University Police" (Education Code §89561).

1052.2.1 FLAT BADGE
Sworn officers will be issued a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) Should the flat badge become lost, damaged, or otherwise removed from the officer’s control, he/she shall make the proper notifications as outlined in the Policy Manual 700.

(b) An honorably retired officer may be issued a retired officer badge upon retirement.

(c) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1052.2.2 NON-SWORN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to designate him/her as non-sworn or civilian staff.

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1052.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement employees may be issued his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1052.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.
Department Badges

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch, CSU police star emblem or the likenesses thereof, or the department or University name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch, star emblem and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.
Modified Duty Assignments

1054.1 PURPOSE AND SCOPE
The purpose of this policy is to establish procedures for assigning employees to modified duty. Temporary modified-duty assignments may be available to employees who have incurred a duty-related illness or injury and, due to restrictions or limitations, are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or his/her designee.

Modified-duty assignments are intended to provide an employee with the ability to continue working within the limits of his/her restrictions and limitations on a temporary basis while providing the Department with a productive employee during the interim period.

The Department will engage in a good faith interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability.

1054.2 DEFINITIONS
Modified Duty - Means a temporary, limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified duty also may be termed as light-duty assignments.

1054.3 LIMITATIONS
Modified-duty assignments are a management prerogative and not an employee right. Modified-duty assignments shall be subject to continuous re-assessment dependent upon Department need and the employee’s ability to perform in a modified-duty capacity.

An injured employee may be assigned to a modified-duty position outside of his/her normal assignment or duties if it becomes available. If the injury or illness is non-duty related the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or other leave accounts as applicable.

(a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.
(b) The lack of Department need or a change in priorities may result in the employee’s removal from or modification of a modified-duty assignment.
(c) The Department may place conditions as deemed appropriate upon any modified-duty assignment.

1054.4 PROCEDURE
Employees may request assignment to modified duty by providing a signed statement from their health care provider describing their restrictions, limitations and expected duration to their Appropriate Administrator. The statement must also indicate if the employee requires any workplace accommodations, mobility aids or medical devices.

The Appropriate Administrator, in consultation with other Section Managers, will determine what modified-duty assignments may be available based on the needs of the Department, limitations of the employee and suitability of the employee to work a particular assignment.
Modified Duty Assignments

1054.4.1 MODIFIED-DUTY SCHEDULES
The schedules of employees assigned to modified duty may be adjusted to suit medical appointments or Department needs at the discretion of the Appropriate Administrator.

The employee and his/her supervisors should be informed in writing of the schedule, assignment and limitations and restrictions as determined by the employee’s health care provider.

1054.4.2 ACCOUNTABILITY
The employee’s supervisor shall coordinate efforts to ensure proper time accountability and shall complete and process a change of shift/assignment form.

(a) Employees on modified duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee’s sick leave.

(b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify their supervisor of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to their supervisor no less than once every 30 days while the employee is on modified duty.

(c) Supervisors shall keep the Appropriate Administrator apprised of the employee’s status and ability to perform the modified-duty assignment.

(d) When it is determined that an employee on modified duty will return to regular duty, all training and certification necessary for return to duty shall be reviewed and updated as necessary.

1054.4.3 MEDICAL EXAMINATIONS
The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1054.5 PREGNANCY
It is the policy of the Department to reassign employees who are pregnant upon request by the employee or when deemed necessary by the Department to temporary assignments that will not routinely expose the employee to potentially hazardous environments or activities.

1054.5.1 EMPLOYEE NOTIFICATION
An employee who learns of her pregnancy should notify her immediate supervisor or a designated acting supervisor of the pregnancy as soon as practicable. The employee must inform the Department of her intent regarding reassignment, job accommodations and anticipated leave for the pregnancy or prenatal care. The employee shall also submit a statement from her health care provider of any job restrictions or limitations she may have.
1054.5.2 SUPERVISOR’S RESPONSIBILITY

Upon receiving the medical verification of the pregnancy and a request for job accommodation, reassignment or leave, the supervisor shall notify the Appropriate Administrator, who will consider assigning the employee to an available temporary modified-duty assignment if it is deemed appropriate by the Department or medically necessary by the employee’s health care provider.

If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted consistent with the State’s Personnel Rules and Regulations regarding family and medical care leave.

1054.6 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to the employee’s assignment to modified duty.

1054.7 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided the certification, training or qualifications are not in conflict with any limitations or restrictions. Employees who are assigned to modified duty shall inform their supervisor of any inability to maintain any certification, training or qualifications.
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